



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*
(OFFICIAL REPORT—*Unrevised*)

Déardaoin, 7 Iúil 2011.

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Déardaoin, 7 Iúil 2011.
Thursday, 7 July 2011.

Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

Paidir.

Prayer.

Requests to move Adjournment of Dáil under Standing Order 32

An Ceann Comhairle: Before coming to the Order of Business I propose to deal with a number of notices under Standing Order 32. I will call on Deputies in the order in which they submitted their notices to my office.

Deputy Seán Crowe: I seek the adjournment of the Dáil under Standing Order 32 to discuss a matter of major public importance, namely, the imminent cuts to special needs assistants working in schools and the implications the current Government's policy is having on schools such as St. Mark's junior national school in Springfield in Tallaght which has had its SNA allocation cut from 13 to 6.5, a reduction of 50%, which, combined with a possible loss of language support teachers, will have a major impact on the lives of children with special educational needs and behavioural difficulties.

Deputy Dessie Ellis: I seek the adjournment of the Dáil under Standing Order 32 to discuss a matter of national importance, namely, the death from hypothermia of Rachel Peavoy in Ballymun in January 2010. There was a coroner's report which was an insufficient way to deal with the matter.

An Ceann Comhairle: Having considered the matters, they are not in order under Standing Order at 32.

Order of Business

The Tánaiste: It is proposed to take No. 9, motion re proposed approval by Dáil Éireann of the Harbours Acts 1996 to 2009 (Transfer of Functions of Dundalk Port Company) Order 2011, back from committee; No. 9a, motion re referral to joint committee of proposed approval by Dáil Éireann for a regulation of the European Parliament and of the Council on mutual recognition of protection measures in civil matters; No. 9b, motion re referral to select sub-committee of proposed approval by Dáil Éireann of the terms of the free trade agreement between the European Union and the Republic of Korea; No. 9c, motion re referral to select committee of proposed approval by Dáil Éireann of the terms of the stabilisation and association agreement between the European Communities and the Republic of Serbia; and No. 4a, Medical Practitioners (Amendment) Bill 2011 — Order for Second Stage and Second and Subsequent Stages.

It is proposed, notwithstanding anything in Standing Orders, that Nos. 9, 9a, 9b and 9c shall be decided without debate and that Second and Subsequent Stages of No. 4a shall be taken today and the following arrangements shall apply: the proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion at 2 p.m.; the opening speech of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order, shall not exceed 15 minutes in each case, the speech of each other Member called upon shall not exceed ten minutes in each case, Members may share time, and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; the proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 3.30 p.m. today by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Health.

An Ceann Comhairle: There are two proposals to put the House. Is the proposal for dealing with Nos. 9, 9a, 9b and 9c agreed? Agreed. Is the proposal for dealing with No. 4a agreed?

Deputy Éamon Ó Cuív: Given the exceptional circumstances and the fact it is an urgent Bill, we will agree to it. It needs to be taken. We would normally object to the use of the guillotine but in this case the Bill should be facilitated by a rapid passage through the House. We will support it.

Deputy Caoimhghín Ó Caoláin: Given the seriousness of the situation presenting as of next Monday and the importance of facilitating legislation to allow the Minister to proceed with the necessary recruitment of non-consultant hospital doctors, we will not object to the passage of the Bill today and the manner in which it has been presented. Sinn Féin Deputies will support its passage today.

An Ceann Comhairle: That completes the Order of Business.

Deputy Éamon Ó Cuív: On promised legislation, the programme for Government promised that the HSE “will cease to exist as its functions are given to other bodies during this process of reform”. Such a process clearly needs comprehensive legislation. I understand the Taoiseach said five times in the House yesterday that the only proposal is to abolish the board. Is this another broken promise in terms of legislation? We have had Roscommon hospital and the commitment on postal services. Can the Tánaiste confirm whether we will have the promised legislation? Is the programme for Government fast becoming the greatest fairytale book ever written?

Deputy Bernard J. Durkan: Speaking of fairytales.

Deputy James Bannon: There will be meetings at the crossroads again.

Deputy Finian McGrath: James is back.

The Tánaiste: On the reform of the HSE, the Minister for Health has moved very quickly to replace the board. He is proceeding with the reforms that are required. If legislation is required to underpin that, it will be brought forward in due course.

Deputy Éamon Ó Cuív: The Tánaiste is at odds with what the Taoiseach said yesterday. I am glad he has provided clarification. I take it that the closure of small hospitals is part of what the Government calls reform.

An Ceann Comhairle: Through the Chair please, thank you.

Deputy Caoimhghín Ó Caoláin: In the course of the past two days, several Government Deputies, while defending the decision concerning the accident and emergency department at Roscommon hospital, referred to the Government's so-called health reform agenda. The Minister for Health has promised free GP care for all within the lifetime of this Government. Is legislation already being prepared to facilitate the introduction of free GP care for all? As regards the cornerstone of this Government's intent — that was previously Fine Gael's position alone — which is the universal health insurance formula, is legislation required? What range of legislation is required and when will it be published? Will the Tánaiste indicate if the preparation of the necessary legislation is already in hand?

I can understand that the Tánaiste will not be able to provide the details, but when can we expect to see the health information Bill, given the importance of what it will achieve? It will provide a legislative framework for the better governance of health information so as to enhance individual patient care and safety and achieve wider health service goals. The health service goals we all have may be different but I hope the health information Bill will be an important aid to people understanding exactly what their rights are in the State's health system.

The Tánaiste: There is quite a long list of legislation which will be presented in the health area. The heads of the health information Bill, to which Deputy Ó Caoláin referred, were approved by the Government some time ago and it is expected it will be published later this year. The health (miscellaneous provisions) Bill is also due this year. The health and social care professionals Bill is due in 2012. The health insurance (miscellaneous provisions) Bill is due this year. No date has yet been indicated for the licensing of health care facilities Bill. The mental health (amendment) Bill is also due this year. Those are among the legislation to be brought forward.

Issues in the primary care area are being progressed by the Minister for Health. The Government has appointed a Minister of State with particular responsibility for primary care and that work is proceeding.

Deputy Caoimhghín Ó Caoláin: Will the Tánaiste indicate if any work is underway on legislation to provide universal health insurance, which is a cornerstone of the current Government's health approach? Is progress being made on that and when might we see legislation to facilitate the introduction of this long-vaunted promise?

The Tánaiste: The commitments on universal health insurance in the programme for Government are being progressed. There is a commitment to a health insurance (miscellaneous provisions) Bill, which will be published later this year.

Deputy Finian McGrath: As regards the proposals on the agenda for health legislation, it is important that debates on health service reform should be conducted by cool heads across the spectrum and in society at large. Will the Tánaiste ask Deputy Frank Feighan to withdraw the remark he made calling Deputy Luke “Ming” Flanagan a political thug?

An Ceann Comhairle: The Deputy is out of order.

Deputy Finian McGrath: There is no need for language like that, so I am asking him to withdraw it. It is absolutely disgraceful.

(Interruptions).

An Ceann Comhairle: The Deputy should not abuse the opportunity he is presented with. I call Deputy Bannon.

Deputy Paul Kehoe: If he cannot stick the heat, he should get out of the kitchen.

Deputy Finian McGrath: Only a few weeks in the job and they are getting arrogant.

Deputy Bernard J. Durkan: Arrogance has been known to float. The Deputy should not forget that. The better paid Deputies in this House should be the last ones to criticise what is going on.

An Ceann Comhairle: Deputy Bannon.

Deputy Finian McGrath: The Government is destroying the health services. It is a disgrace.

An Ceann Comhairle: I ask Deputies on the Government side to desist.

Deputy Bernard J. Durkan: I am sorry, a Cheann Comhairle.

An Ceann Comhairle: It is happening every morning.

Deputy Bernard J. Durkan: I was provoked.

An Ceann Comhairle: I will deal with people who are out of order and I do not need the Deputy's help. I call on Deputy Mary Mitchell O'Connor.

Deputy Mary Mitchell O'Connor: To respond to Deputy Finian McGrath, I heard——

An Ceann Comhairle: I am sorry but the Deputy is not responding to him. The Deputy is out of order and I ask her to resume her seat.

Deputy Mary Mitchell O'Connor: I wish to make a point.

An Ceann Comhairle: Not on the Order of Business.

Deputy Mary Mitchell O'Connor: Yesterday, text messages were being sent in here calling Deputies murderers and traitors. It is an absolute disgrace.

Deputies: Hear, hear.

An Ceann Comhairle: The Deputy should resume her seat.

Deputy Mary Mitchell O'Connor: They were put up to it by other parties.

Deputy Finian McGrath: Is the Deputy saying that a Member of the Technical Group did it?

Deputy Mary Mitchell O'Connor: People from other parties.

Deputy Finian McGrath: She should get off the stage.

Deputy Bernard J. Durkan: The Deputy aligned himself with that behaviour.

An Ceann Comhairle: I am now moving on to deal with motions.

Harbours Acts Order: Motion

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I move:

That Dáil Éireann approves the following Order in draft:

Harbours Acts 1996 to 2009 (Transfer of Functions of Dundalk Port Company) Order 2011,

copies of which have been laid in draft form before Dáil Éireann on 1st June, 2011.

Deputy James Bannon: I put up my hand, a Cheann Comhairle.

An Ceann Comhairle: I ask the Deputy please to resume his seat. I am moving on to the next motion.

Question put and agreed to.

European Regulations: Referral to Joint Committee

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I move:

That the proposal that Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:

- a proposal for a Regulation of the European Parliament and of the Council on mutual recognition of protection measures in civil matters.

a copy of which was laid before Dáil Éireann on 13th June, 2011, be referred to the Joint Committee on Justice, Defence and Equality, in accordance with Standing Order 82A(3)(b), which, not later than 21st July, 2011, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

EU-Korea Free Trade Agreement: Referral to Select Sub-Committee

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I move:

That the proposal that Dáil Éireann approves the terms of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, which was signed on 6th October, 2010, and laid before Dáil Éireann on 4th July, 2011, be referred to the Select sub-Committee on Jobs, Enterprise and Innovation, in accordance with Standing Order 82A(3)(b) and (6)(a), which, not later than 21st

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July, 2011, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

An Ceann Comhairle: I remind Deputies that they are in the House of Parliament. When I am reading out motions, they should remain quiet.

Deputy James Bannon: On a point of order——

An Ceann Comhairle: Would the Deputy mind resuming his seat? I called him twice and he did not respond.

Deputy James Bannon: You did not. I am disappointed.

Deputy Timmy Dooley: He will get over it.

An Ceann Comhairle: Excuse me, I did call you twice and then I called Deputy Mary Mitchell O'Connor because the Deputy would not respond.

Deputy James Bannon: I am disappointed, a Cheann Comhairle.

An Ceann Comhairle: Excuse me, Deputy. The record of the House will show that I called you twice.

Deputy James Bannon: I had a question on promised legislation.

An Ceann Comhairle: The record will show that I called you twice and you did not respond. I then called Deputy Mary Mitchell O'Connor.

Deputy Timmy Dooley: He says Deputy Bannon is slow.

Deputy Bernard J. Durkan: You were 15 years being slow.

Deputy Timmy Dooley: Get back in your high chair.

An Ceann Comhairle: Excuse me, Deputy.

Deputy Bernard J. Durkan: I apologise again, a Cheann Comhairle.

An Ceann Comhairle: I do not think it is very funny, to be honest with you.

Deputy Bernard J. Durkan: It is not funny at all.

An Ceann Comhairle: This is a Parliament so will you please behave in a parliamentary fashion?

Question put and agreed to.

EC-Serbia Stabilisation Agreement: Referral to Select Committee

The Tánaiste: I move:

That the proposal that Dáil Éireann approves the terms of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, signed at Luxembourg on 29th April, 2008, which was laid before Dáil Éireann on 15th January, 2009, be referred to the Select

Committee on Foreign Affairs and Trade, in accordance with Standing Order 82A(3)(b), which, not later than 21st July, 2011, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

Medical Practitioners (Amendment) Bill 2011: Order for Second Stage

Bill entitled an Act to amend and extend the Medical Practitioners Act 2007.

Minister for Health (Deputy James Reilly): I move: "That Second Stage be taken now."

Question put and agreed to.

Medical Practitioners (Amendment) Bill 2011: Second Stage

Minister for Health (Deputy James Reilly): I move: "That the Bill be now read a Second Time."

I wish to start by thanking Opposition Members for their support for this urgent legislation to address the shortfall we are currently experiencing in non-consultant hospital doctors who are essential to the running of hospitals and the safe delivery of care to patients.

The provisions of the Bill before the House enable the Medical Council to register doctors in a newly created supervised register where those doctors registered will be assigned for a defined period of time not exceeding two years to identifiable, supervised posts to which specific criteria will be attached. Given the seriousness of the shortage of non-consultant hospital doctors, NCHDs, in our hospitals this legislation is being debated against certain time constraints and I appreciate the co-operation of the House in this regard.

The shortage of NCHDs in Ireland is not related to funding, any recruitment embargo, moratorium or reorganisation of hospitals but to an inability to attract enough doctors to work in our hospitals. In this regard, we are not unique, as much of Europe, including the United Kingdom, is encountering the same problems. Some 450 posts, including approximately 180 non-consultant hospital doctor vacancies, mostly in service rather than training posts, are due to be filled from 11 July when the next rotation takes place. The number of vacancies is decreasing on an ongoing basis as doctors are appointed via the HSE centralised recruitment process. Following an intensive recruitment drive by the HSE, more than 200 doctors from India and Pakistan have applied to fill these vacancies, but it is unlikely they will all be in a position to meet by 11 July the new registration requirements of the Medical Council provided for in the Bill, resulting in take up of duty being phased over a period of weeks.

I have previously stated in the House and take the opportunity to reiterate that I will not oversee any process that results in the employment of non-consultant hospital doctors who are not capable of safely providing the services required. Certain specialties such as emergency medicine will be most affected by non-consultant hospital doctor vacancies. I am working with my Department and the HSE to devise arrangements which can be implemented in hospitals if and as required to ensure any resulting impact on services is minimised and that patient safety is maintained. Patient safety must be at the top of our agenda and our utmost priority.

Current legislative provisions under the Medical Practitioners Act 2007 do not facilitate the registration by the Medical Council of the doctors from Pakistan and India who have applied to work in Ireland. This relates to the requirement to sit the pre-registration examination system, PRES, which is best suited to those recently qualified rather than those qualified for some years who have worked in specialty specific posts for the greater part of their career. The

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task that I, as Minister for Health, have been dedicated to in recent weeks is to see how best to secure these doctors to work in Ireland in a manner that will give complete assurance regarding the safety of patients and compliance with the regulatory standards required. The Medical Practitioners Act 2007 which provides the current statutory framework for the regulation of the profession is very robust legislation in terms of the protection of the public and great care has been taken in the preparation of the Bill to ensure it not be undermined in any way.

I have been working intensively with the HSE, my Department, the Medical Council and the Forum of Irish Postgraduate Medical Training Bodies to introduce regulatory arrangements that will facilitate recruitment of suitably qualified doctors, in particular, those from India and Pakistan, without delay. All involved have shown great willingness and ability in working towards a resolution of this matter. I am confident that all involved will embrace and support the changes proposed in the Bill. I take the opportunity to express my appreciation and gratitude to the Medical Council and colleges for their co-operation in this regard and their speedy attention to the matter.

The Medical Practitioners Act 2007 provides for the registration and regulation of medical practitioners in four divisions of the register which include the general division, the specialist division, the trainee specialist division and the visiting EEA practitioner division. The Bill provides a legislative basis to establish a fifth division to be known as the supervised division. This new division will allow the Medical Council to assess applicants under a range of headings and link a doctor's registration with an identifiable supervised post in a specific specialty and for a contract specific period not exceeding two years in aggregate. This will enable the council to fulfil its core statutory responsibility as the regulatory body accountable for the protection of the public. It will also support the HSE in putting in place arrangements to facilitate recruitment on a basis that meets the objectives of service delivery and the provision of safe high quality care. To further strengthen the role of both agencies in safeguarding the public, the council is finalising statutory rules to underpin the operation of the new supervised division.

I am acutely aware of the need to ensure any doctor from India or Pakistan seeking registration by the Medical Council is proficient in the English language. I have sought and received written assurance from the HSE that with regard to those selected for recruitment, the entirety of their medical education has been conducted in English and that many have also acquired postgraduate qualifications through the English language. They were interviewed through English using the standard HSE interview, marking and scoring process, but in this case the pass mark was raised from 40% to 60% in each domain, including language and communication skills. We have set these doctors an even higher target. In addition, language and communication skills will also be assessed in the course of the new knowledge and clinical skills assessment process particular to the new supervised division. When in post, the ongoing supervision criteria attaching to each post will facilitate ongoing monitoring of language and communication skills. It is important to note that this supervision will include training in order that doctors who come to this country will leave here enhanced and suitably upskilled.

Part of the solution in addressing the underlying problem of sourcing and retaining doctors in the health service is being addressed by the HSE which in recent years has created a significant number of additional consultant posts and will continue to build on this in parallel with reducing the number of non-consultant hospital doctor posts in the system, particularly non-training posts. It has also taken steps to improve the quality of all NCHD posts and continues to do so. As of 11 July, 80%, 3,750, of the 4,660 NCHD posts will be part of structured training schemes run by the postgraduate training bodies and funded by the HSE. This contrasts with the situation in 2007 when 53%, 2,248, were in structured training, 31% were in stand-alone

training, while 16%, 763, received no training at all. As I said, this is only part of the solution. As Minister for Health, I am committed to addressing the wider issues which have contributed to the situation confronting us. These issues include a requirement for a better skills mix, new and more flexible rostering arrangements and the reorganisation of health services, all of which form part of the ongoing reform of how we access and deliver health services.

Deputies have been provided with an explanatory memorandum which sets out in detail the contents of the Bill. However, I will briefly outline the Bill's provisions. In summary, it provides for a new division of the medical practitioners register, to be known as the supervised division. Registration in this division will be limited to two years and is linked to employment in a post and the medical practitioners will be supervised by their employer. Medical practitioners who apply to be registered in this division will undergo an assessment and examination which differs from that for registration in the other divisions of the register. The assessment will be specific to their medical specialty and the fact that the post is supervised.

Section 1 sets out the definitions used in the Bill. It provides that any reference to the Act of 2007 means a reference to the Medical Practitioners Act 2007. Section 2 amends definitions used in the Medical Practitioners Act 2007. The provision amends the definition of "registered" to include a reference to the new supervised division. It also amends the definition of "registered medical practitioner" to provide for the new section 56A and that medical practitioners cease to be on the register after a period. A definition for the new division is also included.

Section 3 amends the functions of the Medical Council to allow it approve posts for the purposes of the supervised division. Section 4 amends the council's power to make rules to provide that it can set criteria for assessing applications for registration in this new division and to allow it to specify the examinations and assessments for registration in the new supervised division. It is envisaged that this will comprise a two stage process. The first stage will involve providing documentary evidence of medical education, etc, with the second being a specialty specific knowledge and clinical assessment.

Section 5 amends the Medical Practitioners Act 2007 to provide that the Medical Council can charge a fee for registration and retention in this new supervised division.

Section 6 provides that the register will now have five rather than four divisions, that the new division will be called the supervised division and registration will include the identifiable post to which each registration applies.

Section 7 amends references in the Medical Practitioners Act to include a reference to the new division.

Section 8 is a key section in the legislation. It details how medical practitioners register in the new supervised division. It provides that a medical practitioner must meet the requirements specified in the legislation and the criteria outlined in the rules. It also provides that a person cannot be registered in this division if he or she is able to be registered in another division of the register.

A medical practitioner may only be registered for a maximum of two years in this division. The registration is linked to identifiable posts which have been approved by the Medical Council. Posts must be certified as being publicly funded. The HSE will not certify that a post

11 o'clock is publicly funded unless the post is funded substantially by the HSE. The council will only approve posts where it is satisfied that adequate arrangements are in place for the supervision of the medical practitioner and will take into account the experience of the medical practitioner, the seniority of the post and the duties to be performed. The medical practitioner ceases to be registered when he or she leaves the post and the employer must notify the Medical Council within five days of the person leaving. These provisions have been included for the safety of the public by ensuring these medical practitioners

[Deputy James Reilly.]

are supervised and can only work in specific posts. If a person is found to be unsuitable despite all the due diligence, he or she cannot leave a surgical post in Naas and go to work in psychiatry in Cork, presenting a danger to the public.

Section 9 provides that a medical practitioner who removes himself or herself from the register cannot seek to have the registration restored under the provisions of section 52 of the Medical Practitioners Act 2007.

Section 10 relates to fitness to practise. As the medical practitioners on the supervised division are only registered for two years or until they leave a post, the Bill provides that, unlike other divisions of the register, the Medical Council can investigate complaints made against these medical practitioners, even if they are no longer registered. This is to provide due process for both the medical practitioner and the person who makes the complaint. This means that fitness to practise procedures will apply to the medical practitioners on the supervised division both when they are registered in the supervised division and when they are no longer on the register.

Section 11 is another measure for the protection of the public. It provides that the Medical Council can apply to the court for an order to prohibit a medical practitioner, who was registered on the supervised division but is no longer registered, from applying for registration in any division of the register. This is only done where it is considered necessary to protect the public. The court can make any order it considers appropriate.

Section 12 provides that section 70 of the Medical Practitioners Act, which provides for the steps to be taken by the Medical Council following a fitness to practise report, will include a reference to a new section which is inserted by section 14 of this Bill.

Section 13 inserts a new section into the Medical Practitioners Act to provide that the sanctions provided for in sections 71 and 72 of that Act do not apply where the medical practitioner is no longer registered in the supervised division or in another division. This is because the next section, section 14, provides for the sanctions in these cases. Section 14 inserts a new section into the Medical Practitioners Act to provide for sanctions in cases where the medical practitioner is no longer registered in the supervised division. These sanctions include advice or admonishment, censure or a fine not exceeding €5,000, the attachment of conditions which would apply if the medical practitioner applied for registration, and a prohibition on the medical practitioner from applying for registration in a division or divisions for a specified period.

Section 15 inserts another new section into the Medical Practitioners Act. This new section is linked to the previous section and provides for the council to decide on the amount of the fine, the nature of conditions and the period a practitioner is prohibited from applying for registration.

Sections 16 to 19, inclusive, provide for amendments to sections 73 to 76, inclusive, of the Medical Practitioners Act 2007 which relate to sanctions and the right of appeal. The amended sections now include a reference to the new section 71A which is inserted by section 14 of this Bill and relates to sanctions for those who were registered on the supervised division but are no longer registered.

Section 20, the final section of this Bill, provides for the Short Title and the commencement of the Act. Some sections of the Act will commence on enactment while more will require a commencement order. The sections that require a commencement order cannot be commenced immediately as these sections rely on rules or criteria to be set by the Medical Council prior to commencement.

The Bill will form a major part of the arrangement being put in place to attract doctors to Ireland not just now but in the coming years as we continue with the ongoing reform of the health system and the arrangements governing medical manpower planning and medical education and training. I am seeking the co-operation of the House in the speedy passing and enactment of the Bill and I am grateful for the co-operation to date. Arising from this, the co-operation we have found between the colleges and the council will allow us establish a manpower forum to plan our manpower requirements properly into the future and create clear career paths for non-consultant hospital doctors, both Irish and non-Irish, to avoid us reaching such a situation again. I commend the Bill to the House.

Deputy Billy Kelleher: I welcome the opportunity to speak on the Bill. I thank the Minister's officials for their offer to brief us on the Bill owing to the timeframe between publication and today's debate. The shortage of non-consultant hospital doctors has been a problem for some years because of structural issues with the provision of health care here. We have been slow to address the issue over the years. Those doctors have been the workhorses in the provision of health care for many years. Obviously the problem has been exacerbated by changes in economic circumstances, new opportunities, and people willing to travel outside the country for career purposes and self-advancement in their profession, resulting in the problems we face on 11 July.

The Bill will obviously assist in recruitment efforts. I know the Minister and the HSE are making tremendous recruitment efforts in India and Pakistan, which it is hoped will bring enough non-consultant hospital doctors into the system to address the deficiencies that exist. The Minister referred to the importance of proficiency in the English language. When we pass the legislation, it is important that there is confidence and integrity in the system of registration of doctors under the supervised division. The last thing we need is a perception permeating that somehow these people, who are registered for two years, are yellow pack, so to speak, non-consultant hospital doctors. It is critical the public and other medical practitioners have confidence in these non-consultant hospital doctors. We all know there is quite a hierarchical structure in the higher echelons of health care and we do not want to be seen to have different grades and standards. I am satisfied the Bill makes sufficient provision for assessments prior to registration, registration itself and supervision thereafter to ensure the public and their peers will have confidence that the people who arrive here to provide much needed services are people of high quality.

In most societies there can be a sinister undertone of racism. In previous general elections I contested in my constituency of Cork North-Central it has been something that has cropped up now and again. The last thing we need is the perception that a doctor of a different skin colour is somehow less qualified than other doctors, which can have a very damaging impact on those who come here to provide the services we badly need. I hope the Bill will give everyone the confidence that the people who come here are here because of their ability, knowledge and expertise as opposed to people filling posts because of a shortage here.

The shortage of non-consultant hospital doctors is a structural issue that needs to be addressed. Given the Minister's knowledge of the health services, I know he will make strides in this area. Non-consultant hospital doctors need to have career paths and training opportunities and need to be able to see they can advance their knowledge, skills, expertise and career. I would welcome any changes to allow specified training programmes in order that when they leave, they do so after both giving and gaining. It would be positive to have a movement of doctors into the country and some of our own going outside, gathering experience and coming back again. That would be welcome provided we have the legislative basis to ensure the registration system has the confidence of the applicants' peers and the public.

[Deputy Billy Kelleher.]

Surveys have been carried out by various organisations and health representatives into the lack of non-consultant hospital doctors in accident and emergency units. There is disquiet and concern in many communities that they might lose accident and emergency services come 11 July. I would like to get clarity on the issue. For example, there is grave concern that the accident and emergency unit in the Mid-Western Regional Hospital will operate from 8 a.m. to 8 p.m. and close at night-time, requiring patients to be transferred to Galway or Cork. We need clarity as to how many non-consultant hospital doctors the Minister expects to have in place on 11 July. Where there are deficiencies, we will need continued recruitment in the months ahead to fill those posts. In the meantime, if services must be withdrawn on a temporary basis to ensure quality of care and that professionalism remains high, we need an assurance that these services will be reinstated when the non-consultant hospital doctors required are recruited in the months ahead.

There is a concern, perhaps even a suspicion, that the HIQA report is one element being used to downgrade services throughout the country and, equally, that the shortage of non-consultant hospital doctors will be used as a mechanism to temporarily withdraw services and, by stealth, to announce in the months ahead that they are to be withdrawn on a permanent basis. We need clarity as to the hospitals which may have services withdrawn temporarily in the weeks ahead because of the shortage of non-consultant hospital doctors and when the HSE anticipates the services to be reinstated as non-consultant hospital doctors are recruited.

On the broader issue, the Bill is welcome and will have a major impact on recruitment. There is no doubt that the two-year provision and the putting in place of training programmes for self-advancement and career advancement will attract many doctors from India and Pakistan to come here.

Section 11 reads, “In the case of a medical practitioner whose name was previously registered in the Supervised Division and that practitioner’s name is not registered in any other division of the register, the Council may make an *ex parte* application to the Court for an order prohibiting that practitioner from applying for registration in any of the divisions of the register”. To clarify, I presume the purpose of this provision is that if a non-consultant hospital doctor arrives and is registered in the supervised division and a complaint is brought against him or her which is followed by an investigation that takes place after the expiry of the two-year period, that doctor will not be free to apply for full registration. This is a very safe and significant mechanism to include in the Bill, as it provides for clarity that doctors coming to Ireland will have the required qualifications, expertise, capabilities and language proficiency. In the event of anyone slipping through the examination process net, it is good that there will be a mechanism in place to deal with the matter.

The Minister knows as well as I do that the primary concern is the provision of services in local hospitals. It is a bone of contention, in particular, given the situation at Roscommon County Hospital in recent days, where people believed the Government had made a commitment which was breached. They had supported political parties in good faith, assuming that the services would be retained and even upgraded, as stated. While I do not want to make a strong political point in the context of the Bill, it is critical that we do not arrive at a situation where in the coming weeks communities will accept in good faith the withdrawal of services as being only a temporary measure, while an attempt is made to fill non-consultant hospital doctor posts, only to find in the coming months that a decision has been made to withdraw the services completely. The Minister must state clearly in the House that this will not happen, which will put many communities at ease in the coming months when they hear about the temporary suspension of services.

There were many people outside the gates of this Parliament yesterday protesting on behalf of Roscommon County Hospital and there is genuine disquiet throughout the country on the issue. Hearing that one of the largest hospitals in the country may have to suspend accident and emergency services on a 24-hour basis puts fear into people in smaller communities and hospitals. The Minister said some time ago on the “The Frontline” programme that he could not guarantee that all services would be maintained and that there could be temporary closure of services in smaller hospitals. However, when we hear there could be temporary closure of services in larger hospitals, this causes much disquiet.

Will the Minister outline the hospitals which will have a full complement of non-consultant hospital doctors on 11 July, the hospitals which will have enough non-consultant hospital doctors to retain all services but at a reduced capacity, and the hospitals which will have to suspend accident and emergency services and other specialties in the coming weeks? If there was clarity on this question, we could take in good faith that the Minister, with the HSE and those recruiting doctors, were making every effort to fill these posts quickly as applicants were assessed, deemed suitable and registered in the supervised division.

With regard to the hierarchical structure in the medical profession, there is no doubt non-consultant hospital doctors are the backbone of front-line services. At times, they are over-worked and work exceptionally long hours, with strange rostering times that put huge pressure on an individual. This issue was debated some years ago in the context of exemptions to the EU working time directive. It is critical that not only there be opportunities in the context of training and career advancement but that we try to change the attitude that has permeated the health system, namely, that non-consultant hospital doctors and junior doctors can be worked for excessively long hours and treated badly or with disdain in some cases, as I witnessed as a hospital patient. It will take a long time to change attitudes and the perceptions some consultants may have of other medical professionals. I know this causes difficulties in hospitals, even in trying to recruit non-consultant hospital doctors, because they hear through the system that certain hospitals may not be a great place in which to work. If there is that perception, it will obviously be more difficult to attract non-consultant hospital doctors to these posts.

I wish the recruitment process well. The Bill’s focus on the Medical Council, the recruitment process and the registration process will help to instil the confidence the public should have in the quality and professionalism of the doctors who come to work in this country. Equally, whatever happens, we must not end up in a situation where there is a perception that the people concerned are in some way less qualified. The issue of racism can be used in very sinister ways at times, as I have witnessed in my area. When doctors have a different skin colour or speak with a different tone, there can be an idea that somehow they are less qualified and less capable of providing the good quality care we expect from those who have taken the oath. I hope it will become clear in the course of the debate that this legislation will ensure no one will slip through the net and that the integrity of the process will be retained.

Deputy Caoimhghín Ó Caoláin: This Bill should not be necessary, as the Minister and I both agree. It arises from the inappropriate way in which medical staffing, training and practice are configured in the State. It has been known and widely recognised for years that the hospital system is totally over-reliant on junior doctors. Successive Governments have failed to address this over-reliance and inappropriate staffing, with the result that a crisis has arisen this year. Emergency departments in hospitals across the State have come under renewed threat. I say “renewed threat” advisedly. These departments have been under threat in recent years because of the long-standing and ill-conceived hospital centralisation strategy pursued by former Governments led by Fianna Fáil, Progressive Democrats and the Green Party, successive Fianna Fáil and Progressive Democrats Ministers for Health and Children, including the former

[Deputy Caoimhghín Ó Caoláin.]

Minister, Mary Harney, and their creation, the HSE. Sadly, that policy is now being continued by the Fine Gael-Labour Party coalition and the current Minister for Health.

I stated during the Sinn Féin Private Members' debate on accident and emergency services that the junior doctors crisis is being used as a smokescreen for the advancement of the centralisation strategy. The first victim in this episode was the emergency department in Roscommon. Last night we saw people from Roscommon and surrounding counties, as well as other communities where hospital services are coming under threat, protesting in their hundreds outside the gates of Leinster House. It was a huge turnout on an evening of pouring rain. That is the bigger picture and we will continue to fight to defend the right to safe and accessible hospital services for all our citizens. A cornerstone of my approach as health spokesperson is that citizens throughout the length and breadth of the State are entitled to access quality acute hospital services on the basis of need rather than their ability to pay or geographic location. That is an absolute demand not only for Sinn Féin, but also for the increasing numbers of people who realise that the critical services which they depend on in times of need have come under the threat.

The Bill before us concerns the immediate crisis of the non-consultant hospital doctors shortage. It is a stop-gap measure and Sinn Féin will not oppose it given that it is designed to avert the widespread shutdown of services. Let us be clear, however, that our position is in no way an endorsement of the manner in which hospital staffing is configured. Still less is it an endorsement of the HSE's plans to implement a so-called reconfiguration of hospital services. The junior doctors crisis has led to the hasty drafting of this Bill. It was published only yesterday, a matter which I raised in the House in the presence of the Minister for Health, and it is being rushed through all Stages in both Houses of the Oireachtas over today and tomorrow in order to meet the 11 July deadline for the non-consultant hospital doctor turnaround. This is no way to deal with important legislation and it is certainly no way to plan health services. I listened carefully to the Minister's remarks and I hope we will not have to face a repeat of this situation in the future.

It is ludicrous that we should have to send teams of people to India and Pakistan to find doctors to staff hospitals across this State. Recruiting sufficient additional junior doctors is required in the immediate term and the substance of the Bill provides the means to do that by changing the system of registration. The Minister has assured us these incoming non-consultant hospital doctors will be properly qualified, assessed and supervised. It is vital for patients that his commitments are met because skilled professionals are required in these posts. By no means the least important of the skills required are good language and communications skills to deal with patients and other staff. This is an issue which is repeatedly raised by the patients who go through our hospital system.

This Bill facilitates the continuation for the time being of the current system or, I should say, prevents its collapse and the consequent loss of services. How long will this ramshackle structure stand before it is replaced by a proper system of medical training and hospital staffing? What is the Minister's plan, if any, to end the reliance on junior doctors and get better value for patients from consultants?

Sinn Féin has put forward a range of proposals to address this issue. Irish hospital consultants earn €250,000 per annum for a nominal 33 hour week. The implementation of the consultants' contract cost the Government more than €140 million in 2009. Consultants who practice privately in public hospitals are being paid twice to treat the same patient, once by the taxpayer and a second time by the patient or the patient's health insurer. Some consultants have been reported to spend 40% of their working time on private practice, part of which is reimbursed by the National Treatment Purchase Fund. This is a serious matter which has been highlighted

by the Comptroller and Auditor General. Hospital managers have been obliged to write to a significant minority of consultants who consistently breached their contracted duties of public acute hospital service provision. That must be met head-on. Furthermore, the cap of 25% on time spent by publicly employed consultants in private practice is effectively in dispute, with medical unions taking issue with HSE monitoring mechanisms. Questions arise over the reported provision of public care in addition to the known extent of private practice.

In 2009 the Comptroller and Auditor General stated:

As part of contractual arrangement agreed in 2008, consultants undertook to limit private practice to set levels.

There has been limited progress in implementing this provision in that

- private practice levels in many hospitals continue to exceed permitted levels, in some cases significantly so
- monitoring is very much in arrears being reported up to nine months after the work was done

Although an implicit objective of Consultants Contract 2008 was to remove any financial incentive on the part of consultants to engage in private practice above an agreed level, no financial adjustment has yet been effected.

That is a serious and damning statement on the oversight and management of consultants' time.

Sinn Féin takes the view that no monitoring mechanism can adequately deal with a perverse and absurd system which we can no longer afford. The perverse incentives that currently apply to the selection and treatment of patients should be removed. This is necessary so that we can afford to train and employ the medical consultants and general practitioners we so badly need to meet the needs of patients and bring the country up to the OECD average.

We also advocate the introduction of a new public-only consultant contract, capping the salaries of medical consultants. Let us be clear about it; €150,000 is not a petty return. Although we have to go to the people in a referendum to deal with the judges' issue, we do not have to do that with consultants, yet this is not being addressed as it should. It is still unclear how the Government's proposed model of insurance-based health care funding would work in this respect. We need clarity and detail about its health care reform plans, which is something the Fine Gael Party promised but has yet to deliver.

Little attention has been paid in this debate to the constructive contribution of nurses. I want to commend the INMO, whose considered intervention on junior doctors is very worthy of the Minister's consideration. The INMO has stated that it is an exaggeration to say that a unit should close because of a shortage in one profession. I disagree with the earlier contributor who put such strong emphasis on the NCHDs as the back bone of the system. We agree with the INMO view that up to 70% of the care given in emergency departments is provided by nurses. Under medical supervision and protocol, they may be in a position to carry the bulk of the services in many of the departments facing a shortage of NCHDs. The INMO stated the following:

We should have nurse led units, for example, minor injury units, walk in chest pain clinics, stroke units etc. There should be direct referral to nurses and other health professionals e.g. physiotherapists, occupational therapists and others.

Nurses are on duty 24/7 and they are best placed to deliver high quality care around the clock. We need to use the expanded role of the nurse to do procedures previously done by NCHDs. There are nurses already trained to do so.

[Deputy Caoimhghín Ó Caoláin.]

I will not continue with the rest of the quotation because time is going to beat me.

An Ceann Comhairle: You have two minutes remaining.

Deputy Caoimhghín Ó Caoláin: I urge the Minister to take on board the arguments of the INMO, to give them serious consideration and to view them in a positive light.

I want to take this opportunity to flesh out our view on the role of small and medium-sized public hospitals. We reject the policy of centralisation of public hospitals. Centralisation provides a fig leaf for cutting public hospital services. We believe that, given the highly dispersed nature of our population, small and medium sized public hospitals must continue to provide the maximum possible range of services for their communities. In ensuring that second-level care is provided at the most local level, we have called for the development of funding mechanisms designed to address geographic inequality in public hospitals; the retention and development of acute or emergency services in second-level public hospitals; the provision of cancer care on a truly nationwide basis, with access to radiation oncology and other cancer services in all the regions; and the deployment of medical staff and configuration of medical training in a way that facilitates the continuation of services to patients. All of this is achievable.

Let us be very clear on this. The bottom line for the deployment of hospital services, the configuration of medical staffing and the organisation of professional training and registration must be the best interests of patients. That must always come first, before the vested interests of training colleges and professional bodies.

This Bill is a stop gap measure. It is not real reform. It is an expedient. For that reason, and to help ensure the safe and successful roll-out of its intent, we are calling for the implementation of this Act to be under review from day one. I urge the Minister to accept my amendment on Committee Stage. I trust the Minister and those acting on his behalf are successful and I wish success to his exercise in recruiting the full complement of NCHDs required to maintain the continuation of all of the accident and emergency services we need. I conclude by putting on record Sinn Féin's decision to support the passage of this Bill through all Stages today, for the reasons already stated.

Deputy Finian McGrath: A Cheann Comhairle, I thank you for allowing me to speak on this Bill.

All of the citizens of this State are entitled to a decent, quality health service as a right and we should never turn our backs on that core principle. This is very important. It costs money and we will have to pay for it. We have ignored this in the broader debate on our health services. This is why I support the core value of a universal health service. If they can do it countries like Cuba, blockaded by the US for over 40 years, we certainly can do it in Ireland. I urge the Minister to look at the health service in Cuba and look at the example of a country that is being hammered economically but still has a top quality health service. There are strong links between Beaumont hospital in my constituency and many of the health services in Cuba.

I feel very strongly that there is too much talk about reform and change, and not enough action on providing a quality health service. However, today's Bill is part of that reform and I welcome the constructive proposals in it. The Medical Practitioners (Amendment) Bill 2011 is intended urgently to assist in addressing the current difficulty with vacancies for non-consultant hospital doctors. The current level of vacancies at NCHD level has significant implications for the maintenance of acute services, particularly in the smaller hospitals and in certain locations where vacancies are concentrated. The reasons for the shortage of junior doctors are quite complex, and include the fact that the posts in question are mainly non-training posts and

therefore not attractive to doctors. There is a general international shortage of junior doctors. That is the reality on the ground.

When we examine the details of this issue and when we talk about acute services and certain smaller hospitals, we have debates like that yesterday about Roscommon. It is misleading for people to say that TDs and the public want hospitals at every crossroads. We all accept that some hospitals have to specialise and be centres of excellence for serious illness. However, the debate about Roscommon is that the people there have a right to accident and emergency services, just like the people I represent in Coolock, Artane, Beaumont and Marino.

The centres of excellence are also a real issue and must be examined. However, the other issue is that false promises were made to the people before the last general election. If the Minister had not made these promises, he would not have had half the hassle he had yesterday. Politicians should not go out during election campaigns and make promises they cannot deliver. The common comment to me on the doorsteps was to go in there and try to fix the mess that is going on. If we are straight with people, they will be straight with us and will be very respectful.

It is also important to say that we have some examples of where the health service is working, and I commend those directly involved. I strongly campaigned for and supported the introduction of a new cystic fibrosis unit in Beaumont hospital, which cost €3.8 million and which is an excellent service. It deals with young children across the north side. Many of us have been fighting for a unit in St. Vincent's hospital, and the Minister supported it in Opposition, but the good news is that this unit is now being built and will hopefully be finished in a matter of months. We had experiences of delays and bureaucracy between the Department and the HSE, and this is the problem with our health services.

Another example of good practice in my constituency is the orthopaedic hospital in Clontarf. We campaigned for that locally and the €16.6 million required was delivered four years ago, and it is now providing an excellent service. It is a centre of excellence for many people in the orthopaedic area. We have many examples of good practice and good services, so let us try to implement them right across our health service.

There is an issue in respect of the registration of doctors from countries outside the European Union. I commend those doctors who come from non-EU countries and who have made a massive contribution to the health service here. There are also language issues which we must face up to and which are raised regularly with me.

I urge reform and change and call for a top quality public health service. Our people need a quality service based on equality of access. This Bill is another part of that process. I strongly support Deputy Ó Caoláin's point that we need a review of this legislation in the future.

Deputy Catherine Murphy: The first sight I had of this legislation was yesterday. None of us is happy with that nor I am quite certain is the Minister. I support the Bill because it is necessary for us to fill this gap next week and I recognise this Government is in office for a very short time and that it will take time to deliver change. However, there is nothing more certain than we will be back here with amendments. One cannot rush things and anticipate every eventuality. Issues will arise which are unintended.

We have been told in recent weeks that it will take more than one Dáil term to implement fully a new health care system. Will we see a turnover of junior hospital doctors throughout the term of this Dáil? Is this an emergency and a temporary measure or is it an emergency measure which will become permanent? We have been told the majority of doctors are likely to come from India and Pakistan. Reading the Minister's speech, I note they may well be more qualified than some of the people who have just trained here and may well have some specialities. Those countries can probably ill-afford to lose these doctors.

[Deputy Catherine Murphy.]

These doctors will not arrive alone and they will have families. Has any provision been made for their families because people coming to work here must be treated humanely? I echo the point Deputy Finian McGrath made that these doctors keep our hospitals going. Anyone who has had a family member in and out of hospital will know it simply would not function without foreign nationals, including many people from outside the European Union. Foreign doctors working in our hospitals is nothing new.

I am concerned that when we close a small hospital, the feeder hospital to which people go is not, in some cases, receiving additional supports. Last week I received a telephone call from a man who was diagnosed with early prostate cancer. For administrative reasons, his operation in a large teaching hospital in Dublin did not proceed in the middle of June and was rescheduled for the middle of July. I contacted the admissions nurse to find out whether it was likely to proceed on that date. The man was told to telephone the day before or the morning of the operation. That man is really worried about his cancer progressing. I was quite shocked by what nurse said. She said she was cancelling operations on a daily basis, that people were arriving in ambulances and that there was an obvious need for their surgery to proceed on a particular day because they could see blood in urine and so on.

This is not just about Roscommon, Navan and Loughlinstown; it is about the whole system. If we transfer services from one hospital to a centre of excellence, it is essential that it is able to cope with the additional capacity, otherwise our health care system will fail. I am very concerned that it will fail this man who is one of a very large number of people. It is only one story but it is the most important thing that has ever happened to him and it is a story that is repeated. I have major concerns about the lack of integration.

Deputy Clare Daly: The backdrop to this problem is the peculiar and probably very lopsided situation that exists in this country. On the one hand, we invest a phenomenal amount of time and resources in training doctors who we export while on the other hand, we are resorting to panic measures to import doctors frantically to deal with the chaos and crisis. That situation reflects deep-rooted problems in our health service and in the area of medical training which need to be addressed.

Obviously, I am happy to see any measure which will address the crisis but I echo the concerns of other Deputies that the speed with which this legislation is being pushed through may cause us problems in future. As Deputy Catherine Murphy said, we only received the Bill yesterday. We need to be cautious.

As we are discussing recruiting doctors from other countries, it would be remiss not to mention the situation of Irish-trained doctors imprisoned in Bahrain and the very inadequate response in standing up for those doctors. If we want doctors to work in our service, we should be prepared to stand by them when they take humanitarian actions and are penalised for so doing. There was a very poor response and a lack of support for them by the Royal College of Surgeons and the Royal College of Physicians.

The nub of the problem is the shortage of junior doctors. There is a 25% deficit of junior doctors in 32 of our 24-7 accident and emergency departments along with a shortfall in middle grade doctors. The loss of these doctors to the system is causing major problems and has major implications for the future. We need to deal with that but instead we seem to be just plugging the hole by importing hundreds of primarily Indian and Pakistani doctors to do a narrow range of duties and for a narrow timeframe. Will the Minister explain why it is only for two years and why their activity is being restricted? Does he envisage this being repeated after the two years? Presumably, many of these people will be really able and experienced and will make a valuable contribution, so why is it being limited to two years?

The position of non-consultant hospital doctor is not attractive because it is non-training. It does not contribute to the career prospects or the educational advancement of the doctors concerned, so they are not inclined to take up those posts. Therefore, we need to look at measures which will overcome that. One of the ways to make the position more attractive would be to count hours worked as training hours to incentivise more doctors to take up that position. It is noteworthy that the five accident and emergency departments which are not experiencing problems are those which are fully resourced and have dealt with the overcrowding issues. There is a link between the shortage of these doctors and overcrowding.

We need to take a holistic approach and address the other issues in regard to the crisis in the health service if we are to overcome some of the difficulties doctors have. I do not believe we can divorce this from the overcrowding issue. The most important point is that the whole system needs to be looked at.

We must look at measures which will incentivise and encourage doctors trained in Ireland to stay and use their skills here. That is really the nub of this issue. We could do that in a number of ways. Irish-trained doctors should be required to work in Irish hospitals for a certain period after their training and that if they do not do that, there could be some form of pay back to the State of the subsidy provided for their education. Some measures should be adopted in that regard but it should be balanced with enhanced resources and training opportunities which would encourage doctors to stay. Unless we address the issue we will increasingly resort to panic measures which are not the ultimate solution.

Deputy Liam Twomey: Deputy Ó Caoláin and I were in this House prior to the 2007 election, when the Medical Practitioners Bill went through, and I am surprised to be back so soon with amending legislation as a result of a crisis involving the junior doctors in our hospital service. At the same time it is to be expected because of the way we run the health service. There is a crisis in the daily running of our service and in the manner in which we plan and look to reform it. People have seen what happened outside the gate last night and Deputy Ó Caoláin and I have experienced the haphazard changes to the way health services are delivered. One would be surprised at how far back is the genesis of this crisis.

The last Government received praise for changes to cancer services and the cancer treatment reform programme it initiated. The baseline of that change to the delivery of cancer services goes back to 1994 when Deputy Michael Noonan, then Minister responsible for health, published a cancer strategy. It took over ten years for that strategy to have an impact on health services. When we ask why we are here and how quickly we can change the issue, we must realise who is responsible for making changes in the health services and how their decisions can have an impact for such a long time. We must be radical in our thinking if we are to achieve solutions for the current crisis.

Manpower planning in the health services goes back to the Hanly report published in 2003. It was not concerned with closing small hospitals but rather the planning of manpower, and it is still being used by the HSE and the Department of Health to this day. Changes implemented over the past ten years have to some degree contributed to our current position.

The last Government failed to take on board the problems in our public health care system. The former Minister for Health and Children, Mary Harney, abandoned any sort of change within the health system and tried to find a political solution in the co-location project, which was built on the idea that the Celtic tiger would never die. That is another Government policy lying in tatters while still affecting how health services are delivered.

There are many good individuals within the health services but the administration is chaotic, with no grand strategy concerning what we want from the services. Percolating through the

[Deputy Liam Twomey.]

system to hospital and regional management, there are many problems which are not being dealt with by people we are paying well to do so. There is a need for us as politicians to highlight such matters and discuss them in an open, frank and transparent manner in order to deal with the issue.

There is another group within the health service, the hospital consultants, that must take some of the blame for our current position. I spoke about the cancer care policy document published by Deputy Michael Noonan in 1994, the same year I became a senior house officer in Mallow General Hospital. I went through a large number of hospitals in Munster before I went into general practice, and I earnestly believe the same carry-on in training is happening today. There has been little or no change and the group of people responsible is hospital consultants. It would be generous of me to say my training was only haphazard. I can honestly say disaster was averted not because of excellent training or my expertise but because I was lucky and I had a good nurse beside me. That is not the way to train junior doctors.

I am also concerned about supervision within our health services. We must place responsibility not just with some faceless bureaucrats within the HSE who can then hang out a junior doctor when a mistake is made. We must make the people who are delivering the health services responsible for what is happening. We should also wake up and consider what changes can be made. As far back as the late 1990s a programme was being run in Donegal where heart attack patients received thrombolysis in the back of an ambulance under the supervision of trained emergency medical technicians and the local GP. That programme disappeared. In Paris and many parts of France there are now ambulances being driven around with fully trained doctors and cardiologists who can deal with heart attacks and strokes in the back of the vehicle. We have not implemented such radical proposals within our health services.

Innovative pilot projects have been run on a piecemeal basis across the health service in the past 15 years, with some showing potential to work in primary and emergency care, but they have not been progressed or implemented. We are not thinking radically enough about the solutions to the problems.

This legislation is a sticking plaster and it is a bad policy for a country, after 25 years, to rely on 80% to 90% of junior doctors in non-teaching hospitals coming from countries like Pakistan and India. That is the case in this country and we have essentially been relying on countries which need doctors as much as we do, taking their qualified doctors and putting them into our health system. Our doctors are leaving our health care system to go to America, England, France and Germany because the quality of the training in those countries is better, as is the experience they will garner. Some of the doctors will return but many do not. We are acting as a parasite on Third World countries in order to shore up our health service.

As other Members have stated, this policy is ingrained in our health services and we see it as normal that up to 90% of junior doctors are from outside the jurisdiction, which is wrong. There should be opportunities for people from outside the country, such as Pakistan or India, to come to the country for extra training and to improve their skills before returning home. That is not what is happening and we are using these doctors just to shore up our services. Many of those doctors must be just lucky like I was in order to avoid crises in the health service. We have not drilled down into how we train junior doctors within our health services or taken the issue seriously.

I commend the Minister, Deputy James Reilly, as he understands these issues perfectly. His problem is we are dealing with an economic and not just a policy mess. That is having a massive impact on how we deal with the policy disasters in our health service now. I wish the Minister for Health the best of luck in trying to work through these issues.

We should submit our own solutions while being realistic about what can be achieved. Deputy Ó Caoláin and I have seen all this happen very close to home, and we know some issues could have been averted. Radical solutions could have been used but were not. As I noted, pilot projects were promoted but left to fall apart. The health service is chaotic by its nature and includes emergency services, such as Dublin fire brigades, ambulances in Connemara, the emergency care nurse in a small hospital or a junior doctor with limited experience. Nevertheless, we must ensure to maintain the proper standards, protocols and procedures to limit the damage done to patients we are expected to care for within the emergency services.

We must focus on patient safety as it is only through luck that there have not been more disasters in the health service over the past number of years.

We need to make sure there is good training and expertise. Proper procedures, rather than luck, will ensure people get good outcomes from our health services.

Deputy Dara Calleary: I welcome the chance to speak on this legislation. When I read some background information on the Bill, it struck me that it is accepted this problem is not just found in Ireland — it is a Europe-wide problem. I understand it is particularly acute in the UK. Is it time to examine this issue at EU level? Why are the health systems in Ireland, the UK and Europe as a whole insufficiently attractive to the graduates who, as taxpayers, we have put through our education systems? Many medical professionals from this country are going to New Zealand and Australia. It seems to be a Europe-wide problem. Rather than accept it as the norm that this challenge will arise here, in the UK or across Europe every six months, perhaps it is time for us to examine the matter collectively at EU level.

When the results of the leaving certificate and the points race are published in four or five weeks, we will find once again that there is a huge demand for medicine degrees. Those who are maintaining that level of demand are being lost to our system at some point along the way.

12 o'clock We are being forced to pass rushed legislation of this nature to deal with that problem. Deputy Twomey — it is relevant to note he is a doctor — said that as users of the health service, we have accepted being dealt with by international doctors while at the same time wondering where the Irish graduates have gone. Perhaps patients accept that things often happen to junior doctors. I might return to the question of whether many incidents are not being reported or dealt with.

We need to be careful about a couple of aspects of this legislation. I understand Cathal Magee told the Committee of Public Accounts this morning that 158 junior doctor posts are vacant. In the rush to fill those vacancies, we have to make sure we retain the checks and balances that are normally in place when medical personnel are being recruited. They need to be as robust as ever. As a professional, Deputy Twomey understands the sanctity of the doctor-patient relationship. We do not need to start reciting examples of that sanctity being broken. If that were to happen under the new approach proposed in this legislation, it would undermine the whole system. We need to make sure, in the rush that is under way, that the requisite standards are maintained.

It is probably a given, subject to what Deputy Twomey was saying, that those being recruited should have proficiency in their medical skills. They need to have proficiency in many other areas as well. I am not just talking about non-consultant hospital doctors — this applies right across the system. In recent years, I have had personal experience of dealing with consultants on behalf of family members. Some of them are absolutely fantastic at treating patients and communicating messages to patients. Others are just horrendous, frankly. Some consultants in the system want to have a lord-tenant relationship with their patients. They treat people who are paying to use their services with utter disgust. They see patients as something to get out of

[Deputy Dara Calleary.]

the way very quickly. A patient with a range of conditions is fragile enough without having to deal with such a scenario.

As we review educational standards, we also need to consider standards of civility and treatment. I am reluctant to use the term “customer service” because I hate looking at the health service as if it were a business with customer relationships. I am sure every Member of this House has experienced a difficult relationship with a consultant. Thousands of people have had similar experiences. It can be difficult to get some consultants to understand messages or to show respect. Perhaps the process of opening the examination of standards of education will give us a chance to examine these problems formally.

Deputy Twomey spoke about the approaches of general practitioners. We do not use our GPs enough. They are contacted when things go wrong but they should also have a role in health promotion and illness prevention. The Deputy has spoken previously about such matters, which are absolutely crucial. We tend to rush to accident and emergency departments when minor problems develop. If we had a primary care system that was properly managed, resourced and facilitated throughout the country — such a system is beginning to take hold — it would take much of the pressure from accident and emergency units.

I was intrigued to hear Deputy Twomey refer to geographical models within the health system. The House debated that matter last night in the context of the hospital network, which is a huge issue. I often wonder whether the bean counters and accountants in the HSE fully understand the insecurity people can feel when hospital services are geographically distant from them. It is grand in this city because people can hop on a DART or get on the motorway and get to hospital relatively quickly. There is a necklace of hospitals around the city of Dublin. It is a big worry that people in rural areas who suffer heart attacks or strokes may be an hour away from the main hospital in Galway or elsewhere. It strikes me that we might need to examine the models to which Deputy Twomey referred. Not only do we need to use our GPs to a greater extent, but we also need to scale up on our local senior nurses. We need to ascertain what skills are held by district nurses and examine whether it is possible for them to use such skills in emergency situations as they arise. That would alleviate the pressure on accident and emergency units, which is driving the problem we are discussing.

I would like to speak about the recruitment of doctors by private clinics. I often wonder whether we are looking at a timebomb in that regard. In recent years, the Medical Council has taken cases against some private clinics. Deputy Twomey spoke about luck. Unfortunately, some patients in private clinics have not been lucky. Will the standards put in place by the Minister and enforced by the Health Information and Quality Authority apply in private clinics as well as HSE-run hospitals? I understand the Medical Council has dealt with cases in Galway in which patient care was compromised considerably. That is on the public record. We need to make sure such cases are not replicated.

I wish to refer to the approach of the HSE to hospital management and reconfiguration. The HSE's attitude to Members of this House was laid bare during last night's debate. Deputies were given assurances by the HSE only for it to sanction a complete reversal within minutes. Those who are involved in hospital reconfiguration and in the running and management of the HSE need to understand we have a mandate. We have put ourselves in front of the people. We try to present problems, cases and scenarios to the HSE and many other bodies. We are talking about the HSE in this instance. I ask Minister to instil within the HSE a culture of respect for Deputies and Senators, and public representatives in general, as part of the process of reforming that organisation. These processes need to be improved so we can carry messages and make representations on behalf of people.

I understand the Minister is committed to the introduction of the Dutch model of care. I have not had a chance to check whether the problem we are discussing arises in the Netherlands. As I have said, it is a Europe-wide problem. How does the Dutch equivalent of our six-month training rotation work? Our system has probably not changed since the Minister's time and that of Deputy Twomey. One does six months and then one moves on. Although our training mechanism has served the country well, is it the proper one for these times? I am sure Deputy Twomey will agree that the parts of the health service that work — quite a number of them do — are working well. At a time when we are examining everything, it is time to examine whether our training system works for 21st century Ireland. Does it deliver a good experience for students who are becoming doctors? Does it help to make them as proficient as possible? Are we using it to cover gaps in our system? If so, it needs to be addressed.

I wish the Minister well in this portfolio. As a former Opposition spokesman on health and as a medical practitioner, he knows what he is taking on. This is a system. We do not want to have to return to deal with the same problem six or 12 months from now. We have to look at it now. The time has come, and perhaps the Minister can lead this effort in the context of Ireland's upcoming Presidency of the Council, for a European-wide effort to identify why there is a problem in Europe attracting medical practitioners into hospitals.

Deputy Dara Murphy: First, I welcome the Bill, and particularly the co-operation of the Opposition in facilitating its speedy passage through the House. Some reference has been made to the fact there is an element of emergency in this and a strong element of rush. I suppose that has been a factor across a broad range of Departments over the past number of months. However, the Bill must be welcomed and the Minister must be commended in bringing forward the Bill so quickly.

The Minister has gone through the main elements of the Bill but there are a couple of areas on which I want to touch. The first is the important area of confidence. There are measures in the Bill that give confidence to the people of the country, particularly in the area of the assessment, supervision and the potential for censure or removal, if required.

Yesterday, by coincidence, the Indian ambassador visited the Oireachtas Joint Committee on Foreign Affairs and Trade. He was supportive of, and indeed engaged with, the forthcoming arrival of doctors from his country. However, he made the observation — he stated he had met the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Gilmore — that we need to engage more with the universities in securing more students to come to study medicine in the country and follow through as part of their training, rather than come here for a couple of years as a stop-gap measure. He pointed out there are only 1,000 Indian students in this country as compared to 80,000 studying across a broad range of subjects in our neighbours in the United Kingdom and he suggested that some work should continue to be done — he stated he had met the presidents of the universities — to try to encourage an increase in that. From speaking to the president of my university in Cork, no doubt there would be a significant degree of welcome in bringing more international students because of the revenue they can deliver for the universities.

While this is a European-wide problem as has been discussed — the spokesperson for Fianna Fáil, who is not now in the Chamber, made some reference to not being political and then proceeded to be quite political in his remarks — like so many other elements of this first number of months in government, such as our economic problem which is a world-wide problem, somehow we find ourselves with problems that are more serious than those being encountered anywhere else. It must be restated that the reason for that in terms of the health service has been the mismanagement of many areas of those services in this country for the past 14 years. It is unfortunate that a large element of work done by all Ministers in the first number

[Deputy Dara Murphy.]

of months has been to put out the fires but when these have been extinguished, one will see a proper structure that will deliver services, as was suggested, through universal care and other areas.

I support Deputy Calleary, who was much more constructive in his remarks, on the importance of using the existing structures. I note the two previous speakers for Fine Gael, including the Minister and Deputy Twomey, are medical doctors. There is a significant resource in the country in terms of the existing general practitioner network. It has been made clear by the Minister that he wants to see the provision of medical services as close as is possible to general practice. I held discussions last week with an accident and emergency consultant in a Cork hospital who told me that approximately 80% of the patients who attend his accident and emergency department are what he referred to as “ambulatory patients”, in other words, they can walk in to receive services and they can walk out. He strongly believes — this is a premise supported not only by the Minister but by the general practitioner body in general — that we need to develop much more the primary care health system and to use the general practitioners. This consultant placed particular importance on using the training that his nursing staff have and stated the requirement on which we need to focus over the next number of years is to develop systems that allow general practitioners to engage more directly with specialists, therefore by-passing the requirement for patients to wait over long periods in trauma units. The reality, as the House will be aware, is that many patients are left waiting in accident and emergency departments because there are patients with more serious conditions being treated. In many cases the requirement for them to sit there could have been dealt with by their general practitioner and by units that could have by-passed the accident and emergency department.

It has been my experience that hospital managers seem to be a remarkably mixed group of people. In my time some of the best staff I have met in the health service have been hospital managers and some of the worst staff I have met have been hospital managers. It is welcome that the Minister is bringing the health services back under his control. It is far too easy, and, as happens frequently for us, dismissive, to speak about the failings of the health service without acknowledging some of the remarkable talents. This is, after all, a small country. It has a small number of hospitals and it has a small number of senior staff managing the hospitals. I suggest to the Minister — I am sure it is something of which he is aware already — that there needs to be more responsibility in the Department for identifying the better staff who have delivered in their hospitals and the professionals with the ambition and desire to continue to strive to improve the services that they can deliver; equally, to be ruthless enough to identify the professionals who cannot; and ensure we can deliver the best possible services for patients.

Deputy Mary Mitchell O'Connor: I welcome this opportunity to speak on this important legislation. The establishment of this new division of the register of medical practitioners to be called the supervised division with the intention of smoothing the way for the recruitment of non-consultant hospital doctors from abroad is timely and, indeed, necessary considering the current difficulties relating to the recruitment of NCHDs. I am conscious that the shortage of junior doctors is currently a problem in hospitals across the world.

I also recognise the efforts of the Minister to recruit doctors to fill the posts which will become vacant from 11 July. He has already succeeded in recruiting 200 potential candidates from Pakistan and India, thanks in part to an extensive recruitment drive abroad. I am also conscious that the Minister has patient safety uppermost in his mind and has made it clear that he must only employ NCHDs who are suitably qualified and proficient in the English language.

While the Minister is working hard to resolve the current shortage and the establishment of this new supervised division will bring new NCHDs into the system next week, we need to

look at the bigger picture and examine the problem of the shortage of NCHDs generally to ensure this situation will not arise again.

Despite this being a worldwide issue, I make a brief point about one specific issue I believe could help to improve the situation in Ireland. I have a suggestion to make which would help to combat the current shortage of junior doctors. I suggest the Minister for Health consider the possibility of extending to two years the pre-registration period for all junior doctors. We need to keep young Irish-trained doctors in Ireland. Let us face it: there are enough people emigrating in other sectors. Extending the pre-registration period to two years would bring practice in Ireland into line with that in the United Kingdom where the system requires junior doctors to work in foundation years 1 and 2 before completing their internship. I submitted this idea in the form of a parliamentary question to the Minister on 24 June. In his response he indicated that he would examine the option, for which I am grateful. He stated, "The question of contracting doctors who were trained in Ireland to work for a certain period in our public health system is among the options which I intend to examine in the context of the healthcare workforce planning."

The shortage of junior doctors is most visible in accident and emergency units. Accordingly, I suggest that if we require junior doctors to work for a second year, it should be spent in an accident and emergency unit under the supervision of a consultant. This morning I spoke to a consultant anaesthetist who informed me that in several smaller hospitals doctors training to be anaesthetists were putting people to sleep under anaesthetic for operations and, often, the surgeons working with these trainee anaesthetists were also non-consultant surgeons, that is to say, not fully qualified either. The point is that when junior doctors are trained, the trainees should not be running hospital accident and emergency units. The provision of adequate training for junior doctors should also be addressed.

The explanatory memorandum notes that the reasons for the shortage of junior doctors are complex and include the fact that the posts in question are largely non-training posts. Changing the system to a two-year registration scheme could contribute to the efforts to retain junior doctors in Ireland. We are losing their services, since many of them leave the country after their one-year internship.

I acknowledge that the Minister supports the need to reduce the hours currently worked by non-consultant hospital doctors. He should consult junior doctors because they have a view also and often their voice is not heard because of various lobby groups among the medical organisations.

I welcome the Bill and applaud the efforts of the Minister to solve the crisis. I hope he will take my comments on board.

An Leas-Cheann Comhairle: I call Deputy Healy.

Deputy Seamus Healy: I did not realise I was next to speak.

An Leas-Cheann Comhairle: I understand the Deputy was to share time with Deputy Wallace who is not present.

Deputy Seamus Healy: I welcome the Bill and the opportunity to speak to it. I understand its importance and appreciate the necessity for its being fast-tracked through the Dáil. The Minister will be aware that all sides of the House understand the position and are keen to have the Bill passed today.

It appears we are in a situation similar to the one we were in some years ago with temporary registration which in my experience, having worked in hospital for years, worked rather well.

[Deputy Seamus Healy.]

I am not sure why that system was changed, but I imagine there were good reasons for it at the time.

It is important to acknowledge the contribution foreign or non-national doctors have made to the health service over a long period. In my experience, there has been a considerable number of excellent, well trained doctors and trainee doctors who have given excellent service throughout the years.

Given the problem with which the Minister has to deal, the Bill is both urgent and welcome. This measure should have been taken before now. It should have been introduced during the time of the previous Government.

I have wondered about the role of the HSE since the shortage of doctors was identified. The problem did not arise overnight; it was brewing for some time. Therefore, I would have expected the HSE to have dealt with it long before now.

I share the Minister's view on the HSE. I never believed its establishment was a good development. I opposed its formation in this House because I believed at the time — it has turned out to be true — that effectively it would be an unaccountable body. Certainly, it is unaccountable to this House. It has become centralised and is out of touch. With its establishment, local input and the input of locally elected members representing the public were curtailed. Local representation disappeared and, effectively, the HSE became an unaccountable body. In my experience, the idea of consultation is merely an afterthought for it. Effectively, it decides what it wants to do in a given case and the consultation process is either non-existent, incomplete or a rubber-stamping exercise in respect of a decision already made by senior HSE managers who have little or no knowledge of local circumstances.

The formation of the HSE allowed the Minister of the day to wash his or her hands of matters. There was such an occasion in the previous Dáil when parliamentary questions were refused on the basis that the Minister had no responsibility for the day-to-day running of services. I welcome the indication from the Minister that he will initiate reform in that regard. His initial dealings with the board and the appointment of new members are welcome.

Several speakers have raised the matter of language proficiency and the standard of doctors to be appointed using the new procedures. The detail set out by the Minister is welcome. He refers to proficiency in the English language. On occasion, this has presented a difficulty for patients, colleagues and other professionals in hospitals. What the Minister has said appears to cover the matter. One possible reason the HSE did not address this issue in the past is that it somehow thought the shortage of junior doctors might be used for the purposes of the forced reconfiguration of hospital services. While I hope I am wrong in this regard, one worries that everything the HSE does with regard to hospital services is motivated by its so-called goal of reconfiguration or, in other words, the stripping of services from local hospitals and their centralisation in larger regional hospitals. I absolutely oppose this process as the normal range of health services at hospital level should be available locally with easy access for local users.

While the shortage of non-consultant hospital doctors should not be used in such a manner, it also should not put at a disadvantage those hospitals which have built links during the years with medical schools both in Ireland and abroad. I refer to hospitals with proven records of provision of high quality care which have been able to attract doctors on this basis during the years and which continue to so do. Such hospitals which have good in-hospital training services for doctors and through their links with medical schools in Ireland and elsewhere been successful in recruiting non-consultant hospital doctors should not be placed at a disadvantage. I have heard suggestions from time to time that the HSE might wish to relocate doctors from such

hospitals to regional hospitals. However, the point has been made in the media more than once that this problem affects both small hospitals and many of the regional hospitals.

I welcome the two-year registration period and believe there should be long-term manpower planning. New career paths and strategies, as well as planning on a long-term basis, should be put in place to ensure this problem does not recur every six or 12 months.

Deputy Joe McHugh: I commend the Minister for his introduction of this legislation in such a speedy fashion. In addition, I acknowledge his tenacity and determination to introduce a system that is both workable and provides for consistency for the future when the need for junior doctors will be critical, as they will act as vital cogs in the remoulding, rebuilding and restructuring of a broken system. I acknowledge the efforts of the team from Letterkenny General Hospital who travelled to India within the last month as part of the recruitment strategy. I hope the hospital will meet the quota requirements in respect of the imminent allocation of junior doctors.

As for the designation of Letterkenny General Hospital with regard to private patient charges, this morning I forwarded some literature to the Minister. The designation of the hospital might be revisited as a way towards meeting shortfalls in the budget this year, when a deficit of €8.9 million is expected.

Deputy James Reilly: Yes.

Deputy Joe McHugh: Were Letterkenny General Hospital to be redesignated as a regional hospital to provide regional services, including oncology and cardiac services, for patients in counties Sligo and Leitrim, there would be an opportunity to save more than €2.2 million per annum. This is worth considering and I ask the Minister to examine the possibility.

Donegal is the county with the highest level of social deprivation and one of the highest levels of chronic disease in Ireland. It also has the lowest rate of private health insurance coverage at 13%. In the past five years Letterkenny General Hospital has developed its role as a major provider of acute services in the north west. In particular, it has developed its regional role in the provision of cancer, renal and cardiac services. In January the hospital initiated its undergraduate medical education programme, thereby attaining university hospital status, with its first intake of 20 undergraduate medical students who will spend one year of their clinical and academic training at the hospital. Moreover, the programme's scope will increase to 40 medical students in September.

In addition, during the first four months of the year, Letterkenny General Hospital reduced its expenditure by almost 4%, while simultaneously rising to the top of the HealthStat hospital rankings. I commend all staff at the hospital for achieving this recognition. Despite this combination of budgetary reductions which included pay reductions and difficulties in recruiting junior doctors, high consumable costs were incurred owing to the fact that 90% of the hospital's inpatient activity was non-elective. The number of emergency department presentations has risen by 5% in the year to date. Consequently, the possibility of having a deficit of €8.9 million by the end of the year remains. While the figure of €2.2 million will not be realised unless the designation for private health insurance is revisited, savings could be made in this regard.

As for the health system in general, there has been a regional campaign for radiotherapy services for a number of years at both grassroots campaign and political level. I acknowledge the personal attention the Minister has given to this agenda and his commitment to funding Altnagelvin Hospital on the basis of a commitment to admit 30% of patients from County Donegal. This has brought much welcome relief to many cancer sufferers who had been travelling to Galway or Dublin. Border geography should not be a barrier to access and I look

[Deputy Joe McHugh.]

forward to working closely with the Minister on the scheme. It also should be noted that if that type of radiotherapy service is to be provided, it augurs well for cancer services at Letterkenny General Hospital and it is important that one hospital does not detract from the services provided at another.

On the challenge faced by the Minister, while he possesses his own medical knowledge and experience, as a layman, my perception is that he must dismantle a broken bureaucratic monster and in tandem recalibrate the manner in which services are run. Obviously, this will bring pain and be a difficult time for many. I was warned about this on the canvas trail when I was told things would be tough and that people would not envy me for my task. While it is tough, the important point is that although some will harness it in an effort to use it as a political weapon, anger is not and never will be policy. I acknowledge there will be hurt, pain and anger, but to use anger as a political weapon will do no service to either the health service or the people of this country. I commend the Minister on his hard work.

Deputy Peter Mathews: I thank the Leas-Cheann Comhairle for the opportunity to speak on this Bill. I congratulate the Minister for putting together, under urgent and pressing conditions, legislation that answers the practical challenge of bringing the standard of service provision into the hospitals as quickly as possible.

The contributions to the debate have been very good, including from the Opposition speakers. They have put together a very thorough consideration of the Bill.

Deputy Billy Kelleher: I thank the Deputy. We try to be constructive.

Deputy Peter Mathews: Deputy Liam Twomey is both a medical practitioner and a politician. I agree with him that it is regrettable there has been a long, drawn out mess for so long and that we have to face the situation under fire-fighting conditions, but nevertheless well-thought out fire-fighting conditions. I commend Deputy Ó Caoláin on a very measured consideration of the Bill. He points out the weaknesses in the framework of delivering medical education and converting that education into practical experience through the hospital system. I have two brothers who are general practitioners, who went through medical school followed by the junior hospital doctor system. In those days, 30 to 35 years ago, the titles of the medical posts in hospitals ranged from consultant down through registrar and senior houseman to junior houseman. These terms are no longer used but rather the titles now are consultants, non-consultant hospital doctors and pre-registration qualified doctors. Deputy Ó Caoláin pointed out that a public service consultant post has a salary of €250,000 a year and that there is a duty on such a person not to concentrate that much on private practice and only to take on a small level of such work. This example in a profession trickles down and it encourages loyalty, commitment, enthusiasm and support from the people who are newly qualified.

One of the other features of the system is the almost impossible challenge of the six-monthly and one-yearly contracts. Every 1 January and 1 July sees a rush to secure hospital posts. Unless there is a compensation for the unsocial demands on junior doctors, there is a great temptation for them to go abroad to avail of research facilities and other medical opportunities arising. It is a pity we cannot swing some of our economic resources into research and into making the schedules of junior hospital doctors more conducive to a balanced way of life. To work 80 and 90 hours a week on very anti-social rosters does not make sense. The challenge is to look at the whole framework from the classroom education through to clinical education, post-graduation experiences and the development of further experience. I congratulate the Minister and the Department staff on dealing with the emergency by means of this legislation.

Deputy Éamon Ó Cuív: I listened with interest to Deputy Mathews's contribution. This is an issue which has been ongoing for a long time. We must work with the Minister in a rational and reasonable way to ensure the junior doctors crisis which has arisen this year and in other years is finally resolved. If the truth be told, we should all get behind the Minister's efforts because I know he has given a commitment to try to resolve the very issue to which Deputy Mathews has referred. For my part, I believe the greater good of society is served by us working together and not making a political football out of this issue.

There are a number of issues to be considered. I refer to the issue of the training of doctors and the entrance requirements for medical school. Deputy Mathews alluded to the issue of how to attract our young qualified doctors to stay in this country. The third and most complex issue is also the issue that has failed to be dealt with over many years by many governments, namely, the grip which consultants have over the system. The danger is that consultants have the system in a certain way that suits them and this is not friendly to the young, aspiring, up and coming person within the system. In my view, if the Minister is genuinely working to resolve that issue, if he is prepared to do the slow, patient work rather than becoming the tool of vested interests who are trying to preserve the *status quo*, then the Opposition will support him in bringing about the radical change needed.

I refer to the genesis of the mother and child scheme dispute and the 1947 Fianna Fáil Bill that was eventually enacted by Fianna Fáil in 1951. Unfortunately, Dr. Noel Browne failed to have the scheme established and it was the cause of the collapse of a government. That scheme was more about consultants' interests than it was anything to do with the Catholic Church. The more one reads about it, the scheme was a football among the vested interests. In my view, where there is common cause, we should not play politics with it. Unfortunately, however, the record of this present Government when it was in Opposition was exactly as Deputy McHugh said. It was harnessing the anger and making promises it knew could not be delivered once it walked into government. Promises relating to Roscommon hospital were made as late as March of this year. I hope the Minister will give the House an assurance today that this issue of the shortage of junior hospital doctors will not be used on the so-called health and safety grounds to start closing accident and emergency units in smaller hospitals permanently. Sometimes what the system loves is an emergency in which to introduce measures for a temporary period but which are then made permanent. It is fair to say that income tax was first introduced in Britain to pay for the Napoleonic wars. That emergency measure has lasted a long time.

The Minister has clearly identified that the smaller hospitals will be the losers in this regard. I refer to a statement he made when he said that we may very well end up with some accident and emergency department that cannot be safely manned. He assured us it would not be any of the major hospitals but rather that it would be the small, rural hospitals where there would be a real difficulty. If this is caused purely by a temporary difficulty, I hope the Minister gives an undertaking that once that temporary difficulty is resolved, we will then revert to the *status quo*.

As regards the smaller hospitals, I have never believed that the *status quo* can go on forever. I have never been unrealistic. I know people criticise me on various issues for being, what I would call, analytical and realistic and not playing to the gallery. I have never joined the queues of people who say we are going to abolish special areas of conservation, SACs, for example, or that everything in the small hospitals will stay as they were. I defended and I will continue to defend the basic thesis of the cancer strategy. If there was an appreciably better chance, we would go a lot further than Galway or Dublin to get a diagnosis or operation.

I do not believe that we have examined enough the work that could be done to decentralise that which is currently done centrally but does not need to be. We could provide services on a

[Deputy Éamon Ó Cuív.]

much more local basis. If something is high-tech or very specialised and people's chances are better over a short duration, they are willing to travel. I know people who have gone to England and America to get what they thought was a better chance of life in an extreme situation.

People want continuous treatments which can be provided locally to be provided at local level. They could start in one's own home and involve things like tele-medicine. They could also include GP clinics, and primary care centres that should be able to provide more services than they currently do should obviate the necessity of travelling to major hospitals for treatment. The system can work up to smaller hospitals. Very good work practices have been developed in Galway and Portlaoine where outreach services are being provided and doctors go to hospitals because a high level of technology is not involved.

What should be the preserve of the big hospitals are expensive and specialised treatments which need critical numbers. Therefore, the process does not need to be a continuous one of drawing into the centre. As is the case with chemical reactions, the system could go in two directions at once. Lots of things that were traditionally done in the centre could be moved away from it to the most local level possible. Certain specialties that require ever greater levels of technology and specialisation should be centralised because they tend to involve short-term procedures such as operations and diagnosis.

We often get the impression that this is a one-way street and things can only be moved into the centre. I am not a doctor; the Minister is. If there is a problem with MRSA in hospitals, the more people who are brought in unnecessarily to huge conglomerations of people, the greater the risk of infection. Therefore, limiting the time people spend and need for them to come into large centres would be a rational approach. It is also convenient to provide services locally, in terms of reducing queues and so on. There is a lot we can do.

There is a great temptation to play the game that was played with us on the Government. There was cynicism in recent years in terms of promises made which were known could never be fulfilled. In the anxiety to get into Government, any promise could be made. The programme for Government is littered with promises that will never be fulfilled. The temptation is to respond in kind but we would be wrong. The Government was wrong in Opposition and we will not do it because it plays to the gallery.

I was amused to hear the comments of Deputy McHugh. Fine Gael Deputies have short memories. He was correct. When we know in our hearts and souls that change is inevitable, we should work to make change for the better and not pretend that the *status quo* is a perfect solution and no change will happen. I have always argued that if people set their faces against any change, it will take place without any influence or input. If one recognises that we are in a radically changing world with radically new technologies and try to direct the change to give the best output, even though it is not half as spectacular as trying to stop the flood, one will have a much greater chance of influencing change for the better and ensuring it is rational.

As I said on the Order of Business, we are anxious to facilitate this Bill. We accept it is an emergency Bill and it is important that we work with the Minister to ensure this type of emergency legislation is not needed in the future. We should resolve this issue and stop robbing the Third World of people it has trained at great expense and bringing them here because we have a flawed system. It is morally reprehensible that we have to do it. It is mainly a result of vested interests in the medical profession.

Deputy Bernard J. Durkan: I am glad to have the opportunity to speak on this Bill. It is unfortunate we have to introduce it in the first place. I recognise the difficult position in which many Members of the House have been placed in recent times and no doubt will be in the

future. One has to ask why we have to introduce this Bill at the current time. Sadly, the reason is because of the lack of procedures in place to ensure we did not arrive at our current junction.

The Bill is intended to assist urgently in the addressing of current difficulties relating to non-consultant hospital doctor vacancies. Forward planning in all institutions is supposed to be able to identify and plan for something long before the need arises and becomes urgent. I mean no disrespect to the main Opposition party. Sadly, it has to bear a huge amount of responsibility for the situation in which we find ourselves. For the past five or six years I have been listening to how the Minister has been doing a great job in the Department of Health. I am afraid if the Minister did a great job and this is the end result, I do not agree with that and did not at the time.

Needless to say, I did not agree with the setting up of the HSE. I was totally opposed to it when it was set up, as were a number of other people in the House. It created a duplication of services that already existed. The Houses of the Oireachtas and Government handed over to an independent autocratic body full policy-making responsibilities for which the House, its Members and Government became responsible. Decisions are taken by people who are not elected to public office or Ministers. They have taken over and now dictate to the Government and Parliament where we should be going in the future.

The thinking that has led to our current situation is out of date. We have listened to the mantra about centres of excellence. We have heard how they will be the answer to all our prayers and that we will have delivery of services all over the place in a way which was never seen before. It is rubbish. It was the theory in the UK ten or 15 years ago. It had to change its thinking and policy when it found out that big was not beautiful, did not deliver, was too bureaucratic and sprawling and access could not be gained to services in the manner in which the public wanted. Services are provided for the public and patients and should involve ease of access for them rather than internal administrators, consultants and those working in the system.

A great deal of the responsibility for the debacle we have seen in recent times must rest with those who had authority and presided over the situation over the past ten years. I will separate Sinn Féin from my comments on the Opposition because it did not have responsibility for health. I hope the Opposition recognises that it was a disaster and we have seen the results. The sad part is that we have a growing population with a growing demand for services but less access to them. More people are telling us how we should deal with the issue when the simple fact of the matter is that the solution was obvious to all and sundry.

I listened to Deputy Twomey with interest. He gave a very interesting account of the way the system works from the inside. Those of us, including the Minister, who were once members of health boards know full well that what he said was true. In the thrust for forward thinking, the amorphous mass said we must close down services throughout the country and asked what to do to achieve that.

We disrupt services and fail to address the issues before, or as and when, they arise. We refuse to have proper forward planning, so we have dysfunctional institutions. The sad part of it is that, one by one, in the various smaller hospitals around the country means and reasons will be found to remove some part of those services, leaving them incapable to standing alone and providing the services to which people are entitled.

That responsibility rests with the main Opposition party whether or not it wants to accept responsibility for it. I am not suggesting the Members sitting across the floor of the House were responsible. However, we heard all the time about how the previous Minister was doing a great job. I know that Minister was not a member of Fianna Fáil but that party had core responsibility, to use a commonly used phrase. It was readily said that the Minister was doing a

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great job. I could not understand where they were getting their information from but now I know because the information was wrong. It was provided by spin-doctors to tell people they were feeling well. Even though some people might be dying, they were still being told by spin-doctors they should be feeling better. They were told services were in place and access was available. They were asked what the problem was with travelling 50 or 100 miles, if they were in danger of dying in the next the minutes.

What in God's name are we talking about as we move into the 21st century? How often have we seen situations in the recent past, in every branch of society, where modern science and technology cannot do a better or quicker job? Why are we going the other way? We are incapable of responding to people's needs when they arise, although it should be simple to do so. We could get simple things done years ago, but not now.

Not so long ago, matters such as we have discussed over the last 24 hours were raised at health board meetings. We were told, however, that health boards were bad but, ironically, the issues raised there received attention and were addressed. That was because the health board membership comprised medical professionals, such as doctors and nurses, as well as politicians and administrators. They foresaw what was happening in advance and could predict what was likely to happen next year, so we did not arrive at a crisis.

The Minister of the day — I will not say who he was, but he is still an Opposition Member — came forward with this brilliant idea to abolish the health boards. First of all, he said they were not working, so he increased their number from eight to 11, but that did not work. He then decided to abolish them altogether, which was a bright thing to do. He said he would hand them over to what effectively was a private organisation. It was a privatisation of the health service. He handed it over but we now have no service at all.

We have what appears to be a public and private health service but in fact we have two private health services. Therefore when the unfortunate public need access to health services, which would ordinarily be available to them through the public health service, they must now join waiting lists. If they want a hospital bed they will be told that no beds are available. If they wish to be seen by a consultant, they may find the consultant is in another hospital, or could be in two places in the one day — one public and one private clinic. It will depend how urgent a person's case is as to whether they are seen. Meanwhile, the patient's physical condition will not have changed at all, so I do not know how the urgency of a case can change as regards access between the public and private systems.

I understand the need for this legislation, but its provisions were required four or five years ago. That was obvious to all and sundry. In recent years, many of us tabled questions as to why provision was not made to meet such requirements long before it became a necessity. The Department of Health failed to exert its authority over the HSE. How many times were we told when in Opposition that the Minister had no responsibility to the House and that it was a matter for the HSE? What is the HSE and what does it do? Who elected or appointed its members?

The HSE has devolved responsibilities and this, without a shadow of a doubt, is the biggest single enemy of democracy in this country at present. It is the biggest single obstacle to the delivery of health services. As elected public representatives we are expected to deliver to the public, either through Parliament or Government, but we cannot do so. The public have a right to comment on us, but it is within our hands to change the system. I hope this is the last time we will have to take this kind of retrospective action as a result of the negligence of previous incumbents of various offices to do the job they were elected to do.

Deputy Barry Cowen: I welcome the Bill and appreciate that it requires a speedy passage through the House due to the lack of junior doctors at this juncture. The Bill must be passed and enacted before doctors from overseas can register with the Medical Council and fill the vacant non-consultant hospital doctor posts with effect from 11 July.

I commence by paying tribute to all the staff and doctors in our hospitals, not only in my constituency but throughout the country, who have always had their patients' welfare to the fore. Despite whatever difficulties there may be in the delivery and administration of health service facilities, I am always glad to hear when my constituents praise the level of care and professionalism afforded to them and their families when they have had to avail of them. It is only right and proper that we should acknowledge the huge commitment that has and continues to be given by everybody in the health service in these difficult times.

I still fear there may be a number of posts left unfilled next Monday and thereafter. I initially became aware of the impending difficulties concerning the anticipated shortage of junior doctors on 25 May, following receipt of correspondence from the HSE Dublin mid-Leinster region. I was told then that relevant parties were working on contingency plans in the event of such a shortage emerging. Consultative meetings had commenced with clinicians in the midlands, including my constituency. It was further stated that the HSE was putting a number of processes in place on a short, medium and long-term basis to address issues contributing to this difficulty. The communication finally stated that a recruitment drive had commenced and I understand that it is continuing. The Minister updated us last Thursday in this regard and will do so further in the coming hours.

My caution about accepting the assurances concerning hospitals in my constituency is based on the language used in that correspondence. The documentation spoke about contingency plans and various processes being put in place, in addition to various short, medium and long-term processes. That is what gave me cause to worry. Why was there a need to speak of medium or long-term processes being put in place when there was seemingly great confidence in achieving the quotas of doctors required throughout the country?

Yesterday, we saw an example of one such long-term plan in Roscommon. That debacle may not have been diverted had promises not been given by the then Leader of the Opposition, his spokesperson on health and the Fine Gael candidates in that election, but the manner in which people felt let down and betrayed by these personnel may have been allayed.

Deputy Jerry Buttimer: What about your own gang?

Deputy Barry Cowen: As I have been saying for a number of months, the promises made about guaranteeing hospital services were probably not necessary in order to achieve the electoral success that occurred. They also promised to overhaul completely the EU-IMF agreement but that promise had not been and cannot be kept either. They promised not to put one more cent into the banks but that promise cannot be kept. They promised to resist in Government many of the austerity measures in last year's budget, but that promise cannot be maintained either, apart from reversing the minimum wage cut.

Deputy Jerry Buttimer: The Deputy should speak to the previous Taoiseach.

Deputy Barry Cowen: All of this affects the credibility of Deputy Buttimer and others. It affects the trust placed in them by huge numbers of the electorate of this country in electing them to government. It affects their ability to bring the people with them in the context of the tough measures coming down the track.

Last year's budget contained €6.6 billion in cuts. The Government is required to find a further €3.6 billion this year. The Government has postponed until September discussions in

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regard to what areas or Departments may be affected. Meanwhile, the Taoiseach and Tánaiste say there will be no tax increases or changes in welfare rates. The Government should get a few more lifeboats ready, in terms of back benchers, considering what is coming down the tracks.

Deputy Jerry Buttimer: Fianna Fáil wrote the book on it.

Deputy Barry Cowen: This would indicate major spending cuts in various Departments will be announced and spoken about in greater detail come September. Is this to include the Department of Health? In what areas of health will there be further curtailments? Will there be further curtailments in accident and emergency departments and other disciplines in other hospitals throughout the country or will supplementary funding be provided for that Department before then?

During the past number of months Deputy Kelleher has on several occasions asked the Minister for Health if he will be introducing a supplementary budget to maintain the commitment given by him in relation to his Department, based on what has been said by many candidates in February. Perhaps the Minister will make an unambiguous statement in this regard. Last week, we asked the Minister, Deputy Reilly, to list in order of preference the hospitals that would get first call on junior doctors as appointments were ratified. This would allow for details of contingency plans in smaller hospitals to be published and scrutinised. Obviously, I am mindful of hospitals in my constituency of Portlaoise and Tullamore. The Minister did not accede to that request but said he would know more the following day and so on. This culminated in what happened yesterday in regard to Roscommon County Hospital.

Deputy Charles Flanagan eventually announced that the Midlands Regional Hospital, Portlaoise would not be affected. I have accepted his word in this regard and expect confirmation in that regard following the passing of this legislation and subsequent appointment of personnel to that hospital. I expect that the Bill will allow HSE personnel to confirm unambiguously that services in the midlands area will not be affected. We need confirmation and unambiguous commitments in this regard. On Tuesday last, the Dublin-Mid Leinster Regional Health Forum was told that the midland health group will maintain 24 hour emergency services from 11 July pending clarification of a number of issues. As late as last Tuesday, clarification was pending. When I contacted the HSE today and asked for clarification I was told in a communication that it is not envisaged that there will be any impact on midland regional hospitals.

I ask that the Minister put this issue to bed once and for all. The Minister told us last Thursday he would know more the following day and so on. At that stage 221 of the 475 appointments had been agreed. How many appointments have been agreed to date? If the Minister can tell us that, he can then put on the record and publish a list of hospitals that will not be affected, a list of hospitals that will be affected and a list of contingency plans for other hospitals, following which we can scrutinise those lists to see if they hold water and can let the public know what they are facing in this regard.

Like many other members of the Opposition, Fianna Fáil has no problem in supporting the passage of this Bill. We acknowledge the need for it and the Minister's commitment in bringing it forward as soon as available. It is hoped the Bill is water tight and that these appointments can be made following its passage. It is incumbent on the Minister to publish before this week is out a list of hospitals that will not be affected and hospitals that will be affected. In respect of those hospitals that will be affected, I want to see contingency plans. As a public representative, I am entitled to scrutinise those contingency plans on behalf of the people who elected me to this House.

Deputy Jerry Buttimer: I welcome the legislation and cross party support it. It is regrettable we are in this position. We should never be in a position whereby patient safety and delivery of service is in crisis and it should not be allowed to happen again. I commend the Minister, Deputy Reilly, for his stewardship of this issue. The shortage of non-consultant hospital doctors did not arise overnight. This matter was not flagged on a Monday morning by people inquiring of one another how their weekend went discovering there would be no doctors from 11 July. This was known about for two years.

Many members opposite have been complaining about this matter. Where were members of the previous Government during the past two years in terms of delivery of service? Who was in charge? Who was steering the ship of State? I remain unconvinced that anyone was steering the ship in the area of health for the past 14 years. I will come back to that issue. The shortage of non-consultant hospital doctors is an urgent matter. The Minister and his officials have been proactive in dealing with it. I am confident the Minister, Deputy Reilly, will be a reforming and pioneering Minister.

The mismanagement of our health service must stop. We can no longer engage in quenching fires on every street corner and in every county. That must stop. The people want a Minister — they have one now — who will be responsible, accountable and with whom the buck will stop. People no longer have confidence in the Health Service Executive. That confidence has been shattered. We need a new regime and joined up thinking which will ensure delivery of service. The Minister and new board must work in tandem. I call on the Minister not alone to get rid of the board of the HSE but to dismantle the HSE. The Minister should go back to the drawing board and start again. What happened is wrong.

Deputy Durkan is correct that there is no accountability in the HSE. The bureaucratic system that has unfolded as a consequence of the creation of the HSE has not worked. It has failed. The Department of Health has acquiesced by passing the buck between A and B, taking no responsibility and leaving no one in charge. It is time this changed. I say that knowing that many of the staff who work in the HSE are good public servants who do great work. However, there is no leadership or joined up thinking in this area. In my humble opinion, we should get rid of the HSE and start again. I praise the Minister for bringing a resolution to this issue.

Deputy Mitchell O'Connor asked a good question and I ask the same question. Why do so many of our young junior doctors emigrate? Career advancement must be made available to our young qualified doctors.

I very much welcome section 8 of the Bill. I am pleased that there will be no issue of quality or dilution of service and that there will be a rethinking of how we treat our non-consultant hospital doctors many of whom have been unfairly treated regarding their recognition. There is a strong case to be made for career advancement and not just to have them used as stopgap measures in the delivery of a health service. Without these doctors there would be no health service and we would not have a service of the highest quality being delivered. It is important that training for junior doctors and professional development are included as part of their career advancement. Many doctors in our hospitals speak of how they have been treated as we heard on "Morning Ireland" and other radio programmes.

We need a new vision, approach and dynamic in the health service. We must never allow vested interests to monopolise and dominate. We must never allow the chosen few to become the loudest voice. It is important to get what is best for the people, in this case patients. The patient must be at the centre of a health policy. Having listened to Deputy Cowen and other Members speak, we need a debate on the centralisation of services, which in some cases is not the right approach. We need a fundamental plan that is joined-up, real, practical and implementable. While I understand we live in different economic times from when we started

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on the journey of reform of the health service, we still spend billions of taxpayers' money every year, some of which is wasted.

While I may be in a minority in this belief, with political representation on the old health boards there was accountability and answers were being given because people had to report. Deputy Cowen spoke about the Dublin mid-Leinster regional health forum. The creation of health fora was the greatest ever cosmetic exercise in appeasement by a Government to its backbenchers and local authority members. Its reports are not worth the paper on which they are written. No official attending a regional health forum is worried or concerned about what might happen because nothing happens and it is just a forum. We need to go back to reality and there must be delivery of service with accountability and real responsibility given. The Minister is absolutely correct in insisting on not providing more funds to a hospital that has overspent. If Deputy Kelleher overspent at home, his wife would come and ask where the money had gone. If I overspent my bank manager would be on the phone asking where it had gone. We need to be real and the Minister is being proactive.

I am glad we have cross-party support on this measure, which is about the patient, delivery of service and ensuring what we do is right. However, we need to go back to the drawing board regarding the vehicle to deliver the health service the country requires.

Deputy Mick Wallace: I would not claim to know much about medicine or how the health system works, but I am very interested in it. Given that I have so much to learn about it, I would have liked to have got the Bill earlier than yesterday. The HSE seems to be a monster that is out of control, much like the NRA in the transport area. Too much decision making has left this Parliament and gone into the hands of civil servants who could be good, mediocre or disappointing. These are people who cost a considerable amount of money. In the long term we should not relinquish so much power to bodies such as the HSE, the NRA and many other quangos which have more power than they are entitled to.

It is very disappointing that we are educating Irish students who are not here to fill the vacant posts. Deputy Clare Daly stated we should consider making it a precondition that there be some payback from those students and that they be required to serve here for a period of time before disappearing to greener grass. I do not blame anybody for wanting to travel, which is good, but if the taxpayer goes to such expense to train these people it is a pity if the State does not get anything in return.

I do not agree with Deputy Ó Cuív who said we were robbing the Third World by bringing in Indian and Pakistani doctors. In the construction sector I had approximately 80 people from eastern Europe working with me at one stage. If I did not have them we would not have got the work done at all. They were very good workers who were honest in their approach. We paid them the same wages that we paid Irish people and it was good for both sides. I do not see a problem with employing people from other states; we need to be more open than that. We must remember that the Irish doctors who are not filling these posts are going abroad and being accommodated and welcomed in other countries. What is sauce for the goose is sauce for the gander. I have found all Pakistani and Indian doctors I have met in my life exceptionally good. An Indian doctor has been working without pay for the past five years for Wexford Youths. He is an absolute gentleman and brilliant at his job.

Deputy Twomey made some good points — he knows more about the set up than I do. He mentioned the problem of the number of faceless bureaucrats in the HSE which needs to be addressed. He also said that accountability and transparency are lacking. This is not particular to the health service and goes through many aspects of Irish life. We just do not do accountability and transparency very well. It would be wonderful if we changed our approach. The

lack of accountability and transparency is soul destroying for people observing what is going on all the time.

I will not waffle on about a topic about which I do not know much. During this week's debate on the Private Members' motion, Deputy Ó Caoláin said:

It has been known and widely recognised for years that the hospital system is totally over-reliant on junior doctors. Successive Governments have failed to address [this] and now it is looming again, worse than ever. Recruiting sufficient additional junior doctors will be required in the short term, but this is not enough. Nurses [need to] be freed up to fulfil more responsibilities in [our hospital A&E] departments as they are qualified and willing to do this work. Hospital consultants [must] be required to fulfil their contracts to serve the public hospital system, contracts which [are being] widely breached. More consultants are required in [our] public hospital system [and] the current excessive remuneration for consultants [needs to] be reduced to facilitate the employment of more consultants.

The House does not need to hear from me that consultants in most areas of governance in this country are madly overpaid. I have heard they do not totally fulfil their obligations to do work on the public side because they are too busy making a fortune on the private side. This must be addressed because it is a serious abuse of the people.

Deputy Michelle Mulherin: The Minister has my utmost sympathy in dealing with the HSE. I wish to bring a case to his attention which refers to University Hospital Galway, UHG, which is a centre of excellence for cancer care for the people of County Mayo. I regret to tell the Minister that a woman cancer patient has been waiting since the beginning of February for surgery. I am told her GP has been in contact with the hospital and her family is waiting by the telephone but she has not been given a date yet. She would be operated on by a consultant urologist in UHG but the theatre for this surgery has been closed down, and when the consultant returns next week, no staff will be available to support him in theatre. Notwithstanding a substantial waiting list, this woman still does not have a date for surgery. I have contacted the hospital but I can get no clear answers. The consultant is very frustrated.

This is no service. Are there service level agreements in place? What impression does this give and what distress must this put upon the woman and her family, as well as all the other patients who are waiting but do not have a date? I cannot understand how a cancer patient can be left in this situation or how I can get no answers to my inquiries from the HSE. I take it from those who carry out the work at the hospital that the theatre is closed and, even when the surgeon returns next week, the theatre will remain closed until the end of the month. I will pass on the woman's details to the Minister. I would like this matter addressed. This is no service for people when they need it most.

Deputy Sean Fleming: I welcome the opportunity to speak to the Bill. It is excellent that we are in such broad agreement on this essential emergency legislation, which everyone of sound mind should support. Obviously, there will be a few who may find some reason it should not be supported, but the people will see their objections for what they are.

I wish to highlight certain observations from this side of the House. The Medical Practitioners Act 2007 allows for four divisions, namely, the general division, the trainee specialist division, the specialist division and the visiting EEA practitioners division. The Bill provides for the establishment of a new fifth division to allow for the difficulties we are having in obtaining non-consultant hospital doctors in sufficient time for them to be processed, pass the relevant tests and be approved by the Medical Council. This new supervised division will allow the council to assess applicants under a range of headings and link doctors' registration with an

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identifiable supervised post in a specific speciality for a contract period which will be less than two years.

The HSE has been very busy recently in the filling of these points. I am informed that as of three days ago, 4 July, data collected from individual HSE hospitals indicate approximately 172 posts were still vacant. Up to then, there were 4,660 non-consultant hospital doctors in the country, with a vacancy level of some 5%. In filling these posts, much activity has been undertaken by the HSE. Some 208 appointments were made following round one, 294 additional applications were made in round two and there were 229 additional applications in round three. Round four closed on Wednesday, 22 June, with 101 applications received, and round five opened on 23 June and closed on 30 June, with 215 applications received. It is anticipated that the number of appointments from these rounds will be low but will further reduce the existing vacancy levels.

Interviews were held in regard to Indian and Pakistani doctors between 2 and 14 May. Some 34 consultants and six HSE staff participated in the process. In Pakistan, 314 candidates were interviewed and 276 individual follow-up meetings were held. In India, 233 candidates were interviewed and 179 follow-up meetings were held, followed by meetings entailing detailed assessment, confirmation of relevant documentation and preliminary offer of employment. During the recruitment process candidates were informed they would be offered a post and that the HSE would provide the following: an allowance of €700 towards the cost of the flight to Ireland to take up the contract of employment with the HSE; an allowance of €100 per week towards the cost of accommodation for the first eight weeks of the contract of employment with the HSE; refund of the Irish Medical Council registration costs; and refund of their Irish visa costs, all of which is welcome.

I acknowledge that the issue of proficiency in the English language is very important. The HSE informs us that the interviews were conducted through English, using the standard approach, and that the applicants were assessed on this issue.

An issue that arises regularly for Deputies in our daily lives is that of Garda vetting, although I raise it simply in the form of a request for information. Are doctors exempt from Garda vetting? If a person is on a FÁS scheme delivering meals on wheels to elderly people, he or she cannot do it without being vetted by the Garda. This can take up to six months to complete and we all know of people who have been unable to take up posts working with vulnerable cases, including elderly people and children. It goes without saying that anyone who attends an accident and emergency unit, by definition, is in a vulnerable position, and they deal with doctors in sensitive situations. While I am not suggesting there is a scintilla of an issue in this regard, I would like by way of information to know are doctors required to be vetted by the Garda or are they exempt from the general legislation. If it is required, will this be built into the process?

Many issues have come to light and HIQA has prepared reports identifying a number of significant issues relating to hospitals with a similar skills profile to Ennis hospital. Some have referred to the “HIQA ten”, which are the hospitals it lists as a particular risk and where issues are being addressed. The hospitals include Our Lady’s Hospital, Navan; the midland regional hospital group, including Midland Regional Hospital, Portlaoise; St. Columcille’s Hospital, Loughlinstown; Mallow General Hospital; Bantry General Hospital; the Mid Western Regional Hospital, Ennis; Nenagh hospital; St. John’s Hospital; and Roscommon County Hospital, which, as we all know, has been in the news.

A high level status report detailing the progress on each of these hospitals has been prepared by the HSE and was presented to HSE management. I have just come from a meeting of the

Committee of Public Accounts. The chief executive of the HSE, Mr. Magee, was present to answer detailed questions about accident and emergency services which, although not specifically related to this week's events, arose from a report produced on the subject. Among the information he presented to the committee was an internal report on the ten hospitals mentioned. In respect of Portlaoise hospital, it states the volume and complexity of surgical cases are under review with the clinical leads and that risk is otherwise being managed in accordance with HIQA requirements. I am happy to hear that the accident and emergency, pediatrics, obstetrics and psychiatric departments at Portlaoise hospital are being managed in line with HIQA requirements.

The approach adopted by the Department of Health is to designate hospitals as models 4, 3 and 2. It appears Portlaoise hospital will be designated as model 2, which means it will carry out more day cases and fewer overnight or complicated procedures such as heart stents. As I am not a medical professional, as will be obvious to the Minister, I will not speak further on that subject. We all understand as lay people that complicated surgery needs to be carried out in hospitals which offer a range of services.

It is important that senior medics and management in hospitals such as Portlaoise be proactive, rather than refusing to let anything go, with the result that they will be left swinging in the wind when it is all over. Portlaoise hospital is in a unique position. I am speaking for the benefit of the people of County Laois, rather making a criticism. Historically, the hospital was tied with Tullamore and Mullingar hospitals, although it no longer has a relationship with Mullingar hospital. I see our natural hinterland as including Naas, Tallaght, the Coombe and St. James's hospitals. From Portlaoise it is a 30 to 40 minute drive to the southside of Dublin city. I advise the senior medics and administrators in Portlaoise hospital to get on their bicycles and start negotiating with the hospitals mentioned because we do not want to lose out in terms of the direction of the Tullamore-Mullingar axis. There are clear opportunities for development provided the initiative is taken locally.

Everything is contingent on having a good ambulance service. It would be remiss of me to say the ambulance service in County Laois is adequate. There are regularly two ambulances in the county, but sometimes there is only one which may be used to transfer patients to Tullamore. It is often the case that an ambulance has to be despatched from the far side of counties Offaly and Kildare. The ambulance service in the county is not sufficient, but centralisation will only work if an adequate service is guaranteed.

Overall, I support this excellent Bill. The changes it introduces are necessary and, while it will not solve all of our problems, it will allow an appropriate arrangement to be put in place from next week.

Deputy Timmy Dooley: I welcome the opportunity to speak to this Bill and commend the Minister for introducing it. It deals with an important issue which has been a feature of medical staffing for several years. The crisis with which it deals recurs twice a year and needs to be resolved. While the legislation is a stop-gap measure to deal with the immediate problems presented, we need to take a radically different approach to hospital staffing. I look forward to hearing the Minister's proposals for the putting in place of a comprehensive strategy to address the issue. It is not acceptable that the problem recurs on such a regular basis and it throws the management of hospitals into confusion. We regularly criticise the management structures of the HSE and the management initiatives taken by hospitals, but dealing with this issue puts extraordinary pressure on hospital management.

I ask for the Minister's assurance that what will happen on 11 July will not impact on the mid-west region. He will be aware that it was one of the first regions in the country to embrace the process of reconfiguration. From the point of view of hospital management, staff and

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patients, great leadership was shown in this regard. A previous Minister provided an assurance that the appropriate level of staffing and investment would be provided for to ensure the success of the reconfiguration process. It would be a retrograde step, therefore, if those who jumped on the bandwagon of reconfiguration were told service provision would have to change once more because it was not possible to employ the necessary staff. I urge the Minister to use his good offices in order that the people concerned will not be penalised for having agreed to difficult decisions.

Reconfiguration in the mid-west region was vigorously opposed by both Fine Gael and the Labour Party every step of the way. They were scaremongering in regard to the number of people who would be negatively affected. I have always believed reconfiguration is the appropriate solution from the perspective of patient safety and care. Although it was a difficult concept to sell to the public, it was in the best interests of patients in the long-term. For some reason, the Government backbenchers who made inflammatory statements on the potential numbers of deaths that could ensue are the same people who last night trooped through the lobby to inflict the same level of service on the people of County Roscommon. Either the Minister has succeeded in educating them on the benefits of reconfiguration or their statements were disingenuous.

The policy of reconfiguration is progressing in County Roscommon as it did in the mid-west. I supported the policy in the mid-west region and Ennis, in particular, while I was in government and continue to believe the Minister is correct to follow the approach adopted by the last Administration. However, he needs to provide for an appropriate level of resources if he is to assure people it is not solely intended as a cost saving measure. In addition to the potential cost benefits, patients will have better outcomes because they will be treated in the appropriate hospitals. Investment in the ambulance service will also be required if we are to ensure a positive outcome. In this regard, it is welcome that Dr. Cathal O'Donnell who, with Mr. Paul Burke and others in the mid-west region, was a champion of the reconfiguration process has been promoted to the position of clinical director of the ambulance service.

Having accepted reconfiguration in respect of acute surgery, we should not rush to judgment on the delivery of acute medicine. I recognise that certain aspects require centralisation but others should be provided in smaller hospitals to reduce pressure and demand on the system. I refer, in particular, to the cohort of older patients who suffer from pneumonia and other conditions. They have no business being in centralised hospitals because they can access an appropriate level of care in smaller units. There was an acknowledgment that certain services should be moved to smaller hospitals, but, sadly, this has not happened at the rate one might have expected. This can partially be explained by staffing and personnel issues, but the Minister needs to ensure services are delivered in the appropriate settings. That will mean decentralisation of certain services.

If the Minister is to be successful in what he is attempting to do in Roscommon and other hospitals, he must look at the pilot project that took place in the mid-west. He will be required to ensure the services which can be delivered in places such as Ennis and Nenagh are decentralised quickly in order that he will have a benchmark to be used in other areas. To that end, there is a necessity to ensure a coronary care unit, currently in place at both Nenagh and Ennis, will be retained. These services are a fundamental part of ensuring we can continue to deliver a safe medical service and not having a coronary care unit in these hospitals will impact on the capacity to deliver the medical services that can be delivered in smaller hospitals. I, therefore, urge the Minister to ensure some of the views maintained in the HSE will not be allowed to be realised. Everyone accepts acute surgery must be carried out in the appropriate hospital with 24-hour accident and emergency facilities. There was potential for people in

smaller hospitals to have less than adequate outcomes based on the service delivered. However, from a medical perspective, there is a necessity to retain coronary care units in order that smaller hospitals will have the capacity to deliver those services which can be delivered.

In respect of the air ambulance service, the western seaboard of County Clare is a considerable distance from Limerick. There were discussions between the previous Ministers for Transport and Minister and a body of work has been done by Mr. Cathal O'Donnell and the Irish Coast Guard on the provision of a service. I know there is a difficulty with funding, but I call on the Minister to support the work done and ensure the project which was identified a long way back reaches fruition, as it is unusual to have an opportunity to provide for a greater level of service at no additional cost to the State. This would be of benefit to the Irish Coast Guard in maintaining the proficiency of EMTs and ensuring there was the required level of activity in order to maintain their professional standards while availing of the downtime in their schedules. If a service can be provided as part of a pilot project, there would be an opportunity to overlay it across the country using the Irish Coast Guard. There should not be an air ambulance service available to cover every event, only where it is a matter of life or death and there is an absolute necessity to get the patient to hospital on time. I would appreciate it if the Minister put some effort into dealing with this issue.

Minister for Health (Deputy James Reilly): It will be very difficult to respond in five minutes to everything that has been said. I hope, therefore, that those Members whose comments I will not address will forgive me.

I thank everyone who took part in the debate and for its tone, which, in the main, was very constructive. I thank the colleges and the council for their co-operation. I also thank the HSE officials who put a great amount of work into this legislation, especially Mr. Seán McGrath, as well as my departmental officials for the work they have done.

I apologise for the late appearance of the Bill, but the reality is that the Office of the Attorney General has been very accommodating in achieving what we have achieved. I hope Members will take this on board.

Deputy Catherine Murphy referred to the need to assess fully the doctors involved, while several Members spoke about the future training requirements of doctors. We will put in place a forum with the various stakeholders involved which will report not later than the end of the autumn in order that we can provide for proper manpower planning.

Deputy Clare Daly was concerned about the specific nature of the Bill and asked why people would be tied to a particular job. The reason is they will be examined in their area of expertise beyond which we do not want them to wander into other areas in which they might not be as competent, in respect of which we will not examine them. The forum was also an issue for Deputy Calleary.

There is a need for a protocol on how people behave, senior colleagues deal with their peers, juniors and patients. The special delivery unit will introduce and implement such a protocol. There is a poisonous relationship in one hospital to which NCHDs just will not go. That is not good enough in 21st century Ireland.

Deputy Calleary also spoke about the level of complexity involved. We want to treat patients at the lowest level that is safe and in a timely and efficient manner as near to their home as possible. That is why smaller hospitals are so important to us and have a bright future. One can use the term "downgrading" in terms of making something safe, but I do not accept this. We should bring to smaller hospitals the patients they are capable of treating. I have listened intently to what Members have had to say and it is a problem that the so-called centres of excellence do not divest themselves of all the other non-specialist stuff, which is what they

[Deputy James Reilly.]

should be doing. I have already used the analogy of taking a ten year old Volkswagen car to the Ferrari testing centre. I am sure it would do a great job, but there is no need to bring such a car there. Why are patients with a hernia, varicose veins, or a gall bladder problem going to hospitals such as Beaumont Hospital, the Mater Hospital or University College Hospital, Galway instead of going to hospitals such as Roscommon County Hospital, Our Lady's Hospital, Navan or Mallow General Hospital in which they would be cared for every bit as good and in a far calmer and nicer surroundings?

Concern was expressed about the monitoring of private clinics by HIQA, which body will soon have the right to inspect these clinics and have licensing authority over them. I want to see the HIQA standard extended to primary care centres and GP surgeries. There ought to be a role for HIQA wherever health care is delivered in order to ensure standards are maintained.

Deputies Mitchell O'Connor and Wallace, among others, spoke about doctors undertaking a two year internship programme. We should examine this issue in the context of the forum. I am a great believer in using the carrot rather than the stick and would prefer to ask why they are leaving, rather than telling them they cannot leave. Let us get a fix on the reason they are leaving, which is the lack of career opportunities, a clear career pathway, proper training programmes in some instances and the fact that they are used as gofers. The economics in training someone at a cost of €150,000 and having him or her run around a hospital looking for X-rays and blood test results are just crazy. Deputy Healy also spoke about this issue. Registration for two years should mean we will not have to face this problem again. As I said, we will aggressively pursue the matter.

Deputy McHugh called for the redesignation of Letterkenny General Hospital. I am very familiar with this issue and I am going to address it because the hospital should be redesignated, as it is losing out on the fees that should be paid by insurers for treatments carried out on private patients.

Deputy Ó Cuív raised a number of points, in particular, what he sees as the hold of consultants of the system. We have had a few years of consultant bashing here, during which they were portrayed as the rogues in the system. It was stated we needed a new consultants contract and that once that bugbear was out of the way, all would be well in the health service. We have a new consultants contract, yet we know all is not well with the service. The bulk of consultants are hard-working, good and committed professionals. There are only a few rogues and I have undertaken publicly to follow and deal with them. They will be dealt with, but to tar all of them with the one brush is not fair. There is no doubt, however, that they work differently and as such, the need for a specialist grade must be examined closely.

2 o'clock

That would significantly address the number of manpower issues we face.

I did not want this to get political but Deputy Ó Cuív decided to go there. I never made a promise which I knew was undeliverable. I made a promise in good faith. I was not aware of the HIQA Mallow report as it had not been published. I did not have access to all the information I have now as Minister for Health. The reason I alluded to the smaller rural hospitals as being likely to suffer as a result of an NCHD shortage was that one must prioritise the larger hospital because it looks after the larger population. It will be temporary.

I thank everyone who contributed and I will take on board everything said and examine many of the aspects. In regard to the mid-west, had that teamwork report been followed properly, it would have been a great success but instead it stripped out what was in Nenagh and Ennis and did not put in what was supposed to go into Limerick in terms of extra consultants,

a new accident and emergency department, a 40-bed high dependency unit and extra beds in the hospital.

Question put and agreed to.

Medical Practitioners (Amendment) Bill 2011: Committee and Remaining Stages

Section 1 agreed to.

NEW SECTION

Deputy Caoimhghín Ó Caoláin: I move amendment No. 1:

In page 3, before section 2, to insert the following new section:

2.—The Minister for Health, upon the commencement of this Act, shall cause to be undertaken a comprehensive monitoring and review of the implementation of the Act as it affects patient care at hospitals, which review shall be concluded after four months when its findings shall be presented and published in report form for consideration by the Oireachtas Committee on Health and Children.”.

I propose an amendment to this opening section of the Bill which is self-explanatory. It is essential there is proper oversight and monitoring of the implementation of this Bill, as the amendment clearly states. We are talking about NCHDs coming here in supervisory or supervised roles. There is a list of criteria for the conduct of the positions they are to fill over the duration of their service here. It is very important in the early stages of their introduction in service at hospital sites throughout the country that there is monitoring of and a report back in regard to the impact of their presence at various hospital sites, that it must be over a specified period of time — I have chosen a short but reasonable period of four months — and that the findings of that monitoring exercise and review would be presented not only to the Minister but would be published in report form for consideration by the Oireachtas Joint Committee on Health and Children.

We are all committed to the passage of this legislation. What I have chosen to do is to endeavour to highlight what I believe to be a necessary undertaking on the Minister’s part in regard to the outworking of the Bill’s intent. I hope he recognises the value in having the new situation applying as of next Monday properly evaluated and that the impact in regard to patient care should be assessed not by observation alone but in consultation with patients in the various hospital settings where the NCHDs will present. That is in real terms a best practice approach and one that will highlight any deficiencies, weaknesses or flaws within the whole approach. I hope there will be none but there may be some. It is an efficient and effective way of learning what may be amiss and of having the problems addressed in the early stages in order that they do not become an issue or an ongoing sore over the course of the two year duration of the service of any of the NCHDs involved.

I commend the amendment to the Minister. I believe he will understand its purpose and intent, will view it positively and I await his response.

Minister for Health (Deputy James Reilly): I take the amendment in the spirit it is offered but, unfortunately, it is not appropriate. We do not require legislation to review the effect of this Bill, but I will give the Deputy an undertaking that it will be reviewed regularly. Indeed, the HSE keeps patient care and impact on hospitals under review on an ongoing basis and the Deputy will be able to consider the impact of this Bill, in particular.

[Deputy James Reilly.]

I mention the HSE which has been spoken of in not terribly congratulatory terms in the House today. It has not delivered the care we would have liked it to have delivered over the years and that is why we promised to abolish it. The HSE, as currently constituted, will change rapidly but whatever replaces it will continue to review. The patient safety authority which the Government intends to put in place and which is a key priority of mine will, along with HIQA, be very much responsible for keeping an eye on standards and the impact of changes such as this. However, I will undertake to come back to the Deputy with a review of the operation of this legislation and he will be able to avail of that in six to eight months time because a shorter period would be too short a time to know how it is impacting.

As part of the legislation, the HSE must supervise these doctors. That would be done by doctors in the hospitals. People can be very much assured that these doctors are of a very high quality. They have already been screened and assessed by our consultants and they will be assessed again by the colleges and the Medical Council and on a two-week basis in their location of work. That is a really comprehensive assessment. I have the utmost faith in our system to safeguard our patients when it comes to this group of doctors. I echo what Deputy Kelleher said earlier that there is no way these doctors could be, in any way, construed as being inferior. In fact, they are going through a far more stringent assessment than many of the doctors who work in our system.

Deputy Caoimhghín Ó Caoláin: I certainly would not want to suggest, or subscribe to a view, that the doctors being recruited are in any way deficient. I want to make it very clear that I would want to be supportive of every effort to give confidence to patients presenting at our hospital sites throughout the time of their respective service.

I note the Minister's undertaking, a word he used on two or three occasions in his response. I am a little concerned about the period of time. The Minister talked about six to eight months. If there are issues or difficulties, one would certainly not want them going on for that length of time which is more than one quarter or one third of the entire expected period of service. We are speaking of two-year contracts. I would like the report presented earlier than this.

I noted that the Minister indicated fortnightly assessments. The only little element not there, and it is not small at all, is the engagement with patients. I would be willing not to press my amendment if the Minister could give me some assurance that this is not only done in terms of a clinical oversight but that there is also an element of engagement with the patient's experience. That is very important. In our earlier discussion the Minister gave assurances in relation to language and communication skills. Patients cannot be left out of the loop in any assessment of what will unfold from next Monday.

I know a significant effort has been made to recruit the outstanding numbers to fill the vacant posts. However, there is a considerable way to go. I hope for success in that regard in the short time preceding Monday, 11 July. As a final assurance, will the Minister respond with a shorter timeframe and engagement with patients? I would be willing to accept his undertaking that he will report to the House, the committee and designated health spokespersons if this was done within a reasonable timeframe.

Deputy James Reilly: I can certainly provide for patient feedback, which is very important. I will write to the HSE and ask for this to be done quarterly.

Amendment, by leave, withdrawn.

Sections 2 and 3 agreed to.

SECTION 4

Question proposed: “That section 4 stand part of the Bill.”

Deputy Billy Kelleher: This section deals with the setting of criteria for the assessment of applications for registration in the supervised division. Deputy Fleming mentioned proper assessment and examination in specialties, but there was no mention of Garda vetting. Is there an exemption for the medical profession, or are other checks made in that context?

Deputy James Reilly: Garda vetting takes place in the case of non-consultant hospital doctors. Doctors from outside the European Union or a different jurisdiction may bring their own vetting documentation and will have police clearance before entering the country. It would not make sense for Departments to vet them. Our own doctors are vetted here, while those entering the country are vetted by the authorities in their own countries.

Question put and agreed to.

Sections 5 to 20, inclusive, agreed to.

Title agreed to.

Bill reported without amendment, received for final consideration and passed.

Sitting suspended at 2.15 p.m. and resumed at 3.30 p.m.

Ceisteanna — Questions**Priority Questions**

School Enrolments

1. **Deputy Brendan Smith** asked the Minister for Education and Skills the impact that Census 2011 will have on his Department’s school building programme; the likely impact on teaching numbers at both primary and post primary level; and if he will make a statement on the matter. [19410/11]

Minister for Education and Skills (Deputy Ruairí Quinn): We had envisaged that there would be increases of more than 45,000 primary school pupils and 24,900 post-primary pupils, excluding post-leaving certificate students, between now and 2018. The 2011 census did not change that. We have to provide new schools and extensions to existing schools as well as additional teachers to cater for the increased number of pupils. Detailed analysis is being finalised by my Department. Action plans are being drawn up for each area to determine the level of additional school capacity which will be required up to 2017. Detailed data from the 2011 census will feed into this analysis when such information is available next year. I recently announced that at least 40 new schools — 20 primary schools and 20 post-primary schools — are to be established in the next six years. Many existing schools need to be extended. My Department is prioritising this work at the moment.

Deputy Brendan Smith: I thank the Minister for his reply. I am pleased to hear that the Department’s projections are up to date and in line with the preliminary census findings. We all welcome the 8% increase in the population of the State since 2006 that was highlighted in the preliminary findings. I was glad to hear that the population of my own county, which is very rural, has increased by 14%. It is very welcome in light of the prevalence of emigration

[Deputy Brendan Smith.]

in County Cavan over the decades. Another positive aspect of the preliminary population returns is the fact that Ireland has the youngest age profile and the fewest dependent older people in the EU. Many other member states are very concerned about the age profile trends in those countries. In light of the preliminary data that are available, are the Minister and the Department satisfied that the recently announced school building programme, which specified the locations of the primary and post-primary schools that will be built, will meet the needs of new and emerging areas with large young and schoolgoing populations?

Deputy Ruairí Quinn: I am satisfied that it will do so. I am not sure if the Deputies opposite have had an opportunity to examine the new geographical information storage system which tracks the locations where child benefit, for example, is paid. I will raise it at the relevant committee of the House to ensure the system is available to every Member. Deputy Wallace might be interested in it. We now know the geographical location where every child benefit payment is made. The system can provide information on the age profile and physical location of child benefit recipients. On the basis of that identification and other material, we are able to locate the areas that have younger populations. That will allow us to avoid the problem that developed in north County Dublin seven or eight years ago.

Deputy Brendan Smith: I would like to have personal access to any data the Minister can make available to the Opposition.

Deputy Ruairí Quinn: I will have that arranged.

Deputy Brendan Smith: It is very good that the system has been put in place. Are difficulties arising because mature areas have surplus primary and post-primary accommodation? Such areas may be contiguous to developing areas. Is it possible for such additional accommodation to be used to cater for emerging needs?

Deputy Ruairí Quinn: Two separate issues arise from the Deputy's question. Parents in built-up areas might prefer to send their child to a gaelscoil or an Educate Together school but cannot do so. They might prefer the local Church of Ireland school, but it might be full because its numbers have grown and it is obliged to give priority to members of the Church of Ireland community. Such parents might end up having to send their children to second-choice schools. We are prioritising needs that are caused by net additional population demand. We do not yet have the sort of information the Deputy is looking for. Paradoxically, there is a massive excess of demand for certain kinds of schools, including gaelscoileanna and Educate Together schools, in areas that are considered to be mature, including parts of my constituency of Dublin South-East. At the end of the expression of demand process, most if not all children find places in existing schools, although not necessarily in the location their parents would have chosen or with the kind of ethos they would have preferred.

Schools Building Projects

2. **Deputy Seán Crowe** asked the Minister for Education and Skills the funding he intends to make available to complete the construction of new school builds and upgrades to existing buildings including snag lists that were the responsibility of builders who went out of business during the economic downturn resulting in many schools being left unfinished and unfit for use. [19503/11]

Deputy Ruairí Quinn: Each main contractor that is engaged in a major school building project is required to produce a performance bond before it commences works. The bond provides security for the State if the contractor becomes insolvent and is no longer in a position to

complete a contract. If such a scenario arises before the building is completed, a completion contractor can be appointed to complete the works. The performance bond covers any additional expenses incurred, up to the value of the bond. For smaller works, where grants are devolved to schools and the value of the works is less than €500,000, if a bond is not in place, the Department considers providing funding for outstanding defects on receipt of notification and appropriate supporting evidence from the school authority. In addition to the performance bond, moneys held as retention are also available to complete outstanding works within the defects period.

Deputy Seán Crowe: We touched on this when we discussed the Estimates. I do not know the extent of the problem. I am aware of previous problems with subcontractors and with delays in payments to contractors. The only such evidence I have that schools have encountered such difficulties is anecdotal. Apparently, the process of accessing the bond mentioned by the Minister can be quite slow because the legal liabilities and so on have to be examined. The schools I know of are probably caught in that process. That is what is causing their difficulties. It was on that basis that I asked whether departmental support can be made available in these circumstances. Does the Minister know how frequently this problem is being encountered? I understand a new arrangement for public contracts has been drawn up. I accept that the problem of builders going bust does not relate directly to the school issues we are dealing with, but I am trying to get some feedback from the Minister on how schools are being affected by it.

Deputy Ruairí Quinn: A number of contractors that were undertaking schools building projects have gone into receivership. They are in suspended animation, in effect, because they are not performing. The sites in question will have to be taken back. The contractual procedures in the building industry can be quite elaborate. If the Deputy wishes to inquire about specific projects, I invite him to table a parliamentary question or to write a letter to me in relation to them. I will try to get the up-to-date information.

Deputy Seán Crowe: I raised with the previous Minister the fact that many contractors are submitting bids that are too low. That is causing difficulty for legitimate contractors. The University of Limerick had a problem with a contractor recently. This issue arises with big and small jobs. It would be useful if a mechanism could be found to give us a sense of the extent to which this is having an impact. It is certainly affecting Joe Public out there. If it is having an effect on local government and hospital contracts, it must be having some effect on school contracts. I would appreciate it if some sort of review could be done.

Deputy Ruairí Quinn: I know from my previous background as an architect that in recessionary times, contractors sometimes undercut other tenders or bids when a project goes out to tender. They are hoping to buy work, in effect, and subsequently claim extras to recoup the margin and bring the project into profit. I understand that under contract law, the client — the building section of the Department in this instance — is not obliged to take the lowest tender or the lowest price. There is a mechanism for evaluating the capacity of a contractor to deliver the product to the quality, within the timeframe and at the price outlined in the bid. There are safeguards in place. It is a complex area. The construction industry has faced a horrendous time over the past couple of years, as the Deputy will be well aware.

Deputy Seán Crowe: Would the Minister agree to the review?

Deputy Ruairí Quinn: Yes. It is something that concerns me already because there have been bankruptcies in a number of projects. One must put the completion of the contract out for re-tender and that process is cumbersome, slow and, as a result, costly. It also delays the delivery of the final product for the students and teachers.

An Leas-Cheann Comhairle: As Deputy Luke Flanagan is not present, we will go on to Question No. 4 in the name of Deputy Brendan Smith.

Question No. 3 lapsed.

School Staffing

4. **Deputy Brendan Smith** asked the Minister for Education and Skills if he has satisfied himself that only qualified registered teachers will be employed in approved teaching posts in schools from September 2011; and the response to date from schools following a recent Department circular on teacher recruitment registration and qualifications. [19411/11]

Deputy Ruairí Quinn: I am committed to ensuring that schools employ registered teachers who have the qualifications needed for teaching in recognised schools. This is important in terms of quality provision to pupils and in ensuring qualified and registered teachers can secure employment.

My Department recently issued a circular requiring schools to prioritise teachers over unregistered persons and appropriately qualified teachers over teachers qualified for different sectors. Unemployed teachers are given priority over retired teachers.

Only where every avenue for sourcing a registered teacher has been exhausted may a school employ an unregistered person until a registered teacher may be located, for a maximum period of five days.

Any decision to employ an unregistered person is a local decision made by the school authorities and not my Department. The new circular, to which I referred, is aimed at ensuring that boards of management and principals only resort to having an unregistered person in very limited circumstances.

Deputy Brendan Smith: I thank the Minister for his reply. I had the opportunity to state in this House previously that it is not good enough that there are young teachers struggling to get work and yet schools around the country are hiring retired persons to fill substitute positions.

I welcome the fact the Minister issued, relatively recently, as did his predecessor, Ms Mary Coughlan, a circular to schools directing them to hire qualified teachers who are registered, obviously, with the appropriate qualifications.

The numbers may be relatively small on a macro level, but it is wrong if we send out a message that newly qualified persons will be denied a teaching opportunity and a person with a damn good pension is back in the classroom. I ask the Minister if he will take a zero tolerance approach to this issue. It is not the numbers who are in the classroom back from retirement but the very message that is wrong. Of course, for every retired person taking up a teaching position generally, it is denying a newly qualified person that opportunity to start his or her career.

Deputy Ruairí Quinn: The Deputy opposite, Deputy Crowe and I were at the INTO conference in Sligo just after Easter at which time this issue was hotly debated. It really must be brought to the attention of everybody involved that on short notice it is the principal who is the person who hires the substitute teacher if somebody reports sick or cannot attend. The INTO has given a clear indication to all of its members not to work with unqualified teachers. Also, it must be recognised that the principals are members of the INTO. They are the ones who make the decision to hire a substitute teacher and the circular that we issued was directed to them.

Preference is clearly to be given to young unemployed teachers as against retired teachers. Preference is to be given to qualified teachers as against unqualified teachers. A maximum of

five days is allowed where an unqualified person can be in the classroom if the alternative is that those children would be sent home.

We will continue along this road because I share the concerns the Deputy outlined.

Deputy Brendan Smith: I welcome the Minister's comments. He indicated some time ago that he would ask his officials to examine the pension consequences for retirees returning to teach. If he has it available, he might let us know the outcome of that examination by his officials. He quite rightly outlined that teachers must be registered and qualified and only in exceptional circumstances should a retired person be taken back.

The circulars by the former Minister, Ms Coughlan, and by himself, also asked schools to keep a list of registered teachers. Does the Minister's inspectorate know whether all schools are abiding by this direction?

Deputy Ruairí Quinn: We will be moving to have in place by autumn a system whereby the school will make available a panel of substitute teachers that it has in mind should a necessity to hire somebody arise and that panel will be open to scrutiny by members of the school community, the board of management and the parents, and perhaps by a wider public if that is necessary. At the same time, teachers who are seeking work, even substitute work, will be shown how to get onto that panel. We are still working on the detail and the operational modalities of that system. Ideally, what I want for the forthcoming academic year is a panel system where parents and others who are interested will know that if a vacancy arises at short notice, the substitute would be drawn from that group of people. That is the ideal situation as far as we are concerned and we are moving towards it.

Special Educational Needs

5. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a report outlining the way a decision is made by him in which children with behavioural or special needs may lose a special needs assistant; the appeals process currently in place and the amount of schools, children and parents that have been informed that they are losing their supports next year. [19504/11]

Deputy Ruairí Quinn: As Minister, I do not make individual decisions regarding the allocation of special needs assistants to a particular child.

The National Council for Special Education, NCSE, is responsible for allocating SNAs to schools. The NCSE is in the process of advising schools of their SNA allocations for the coming school year.

Some 10,575 whole-time equivalent posts are being provided for the coming school year. To manage this limited resource, 475 of these posts will be retained for allocation over the coming school year to address significant emergency cases, new entrants with special needs or new assessments or injuries acquired during the school year.

The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism.

It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

Deputy Seán Crowe: Would the Minister agree that the critical issue is that parents must trust the SENO and the National Council for Special Education? The difficulty facing many parents who have been recently through the process is that there is a lack of trust, transparency

[Deputy Seán Crowe.]

and consistency. There seems to be a lack of consistency, not only locally in Ireland but internationally. The value for money review highlights that fact.

The value for money report, which is part of the focus on SNAs, stated that in focus groups other professionals referred to pressure and reported a lack of overall control of the situation or their inability to influence decisions relating to the needs of children. Even for those who are involved in the process, there seems to be a problem in that regard. Parents cannot understand that one child will get an assessment for 15 minutes and for other children there does not seem to be that on-site assessment. That is part of the difficulty.

I understand there are problems of funding etc. but the problem facing parents is that there is no consistency. There is any number of examples. Where there is equipment worth €2,500 to help a child see the teacher and the SNA is being taken away, for example, how does the child follow the teacher around the room?

Deputy Ruairí Quinn: I understand the concern the Deputy expressed. I have had it expressed to me by parents in my constituency and around the country, and by many of the Fine Gael and Labour backbench Deputies. I hope the NCSE will be able to respond to the kind of comment Deputy Crowe and others have made in this regard.

The value for money report is a revealing document and should be read carefully by every Deputy dealing with parents who are in this area and who are looking for special needs assistants for their child. We are in a situation where we must cap the numbers. They have grown by approximately 1,000% in the past ten years to the current figure. There are 60,000 teachers in the system and just in excess of 10,000 special needs assistants, SNAs. Now, we must examine how best to deploy this capacity of SNAs. This is something I will continue to keep under review.

Deputy Seán Crowe: I accept a cap is in place. Recently my colleague, Deputy Pearse Doherty, tabled a question about the number of special needs assistants employed in County Donegal. He was informed this was not readily available, which seems bizarre. How are these assessments carried out? It appears there are difficulties across the board.

How many of the children assessed have been taken out of DEIS schools? I realise some SNAs are being held back for the September period but the difficulty for families is to try to get into a school in the meantime. This continues to be a problem and we are going to hit crisis levels come September.

Deputy Ruairí Quinn: I am unsure what the response to getting the statistical data on a county basis will be but I will make inquiries in that regard. If the data are available I will make them available to all Deputies in the House and to Senators as well.

The position regarding holding back a certain number of posts was genuinely misunderstood across the sector at the time. It was a good management precaution. We are now at the end of one academic year and people will be presenting for schools between now and September and onwards. It was considered prudent to hold back something of the order of 10% of the total allocation to establish what new, legitimate claims and requirements for special needs assistants would manifest themselves. If these did not transpire then we would be in a position to go to the full allocation of 10,575 posts. That is the position.

Deputies will understand that I am loath to be in a position to have authorised the NCSE to allocate on the basis of what the council knows now only to find ourselves confronted next September with new demands which do not surface until that time and to be utterly unable to respond to these. It is prudent management to do what we have done. I will make inquiries to ensure that reserve is rapidly deployed.

Other Questions

Vocational Education Committees

6. **Deputy Robert Troy** asked the Minister for Education and Skills the likely timescale for the proposed rationalisation of the vocational education committees; and if he will make a statement on the matter. [19177/11]

Deputy Ruairí Quinn: My officials are working on the preparation of legislation to give effect to the Government decision to reconfigure the VEC sector. This will take the form of a Bill that will consolidate the existing nine separate tranches of legislation. Ultimately, the timeframe for implementation of the decision will depend on the passage of the legislation through the Oireachtas. Consequently, it is expected that the mergers will occur during the course of 2012. The existing committee members will continue to serve together on the merged bodies until the local elections of 2014. In parallel, my Department will continue to engage with the relevant stakeholders, including trade unions representing staff in the VEC sector, in respect of the detailed implementation of the Government's decision and to progress the advance planning for these mergers.

Deputy Brendan Smith: Did I pick up the Minister correctly when he stated it would involve nine separate tranches of legislation?

Deputy Ruairí Quinn: No. We are consolidating nine separate tranches of legislation. The first Vocational Education Committee Act was in 1930. Since then and as recently as 2001, for various reasons there has been various amending legislation. We are using the reconfiguration of the 33 VECs to update and consolidate into one Act all the relevant legislation regarding the operation of the VECs. We are consolidating it. The heads of the Bill are at an advanced stage and I signed off on the first draft over the weekend. The idea is to have one tranche of legislation. My intention is that it will be brought in the form of the heads of a Bill to the Joint Committee on Jobs, Social Protection and Education for discussion by committee members and then returned to the Department before we send it to the Attorney General's office.

Deputy Brendan Smith: I thank the Minister for the clarification. I welcome the rationalisation of the vocational education committees. I have taken a consistent approach in this regard. I am a strong defender of and a believer in the value of the VEC system and what it has done for education since 1932. Better synergies can be had from stronger entities.

I hope I will not have to disagree with the Minister when he decides on the various headquarters and that we can keep this unanimity. Is it the Minister's intention in advance of the publication of the legislation to name the different headquarters? How will the various chief executive officers be chosen? What mechanism will be used to decide who heads up the 16 entities?

Deputy Ruairí Quinn: As the Deputy is aware, there are 33 VECs currently. Within that structure, 22 of the chief executive officers, CEOs, are permanent and the others are acting at present. The union representing the 22 CEOs on a professional basis, SIPTU, is in discussion with the Department to evolve a mechanism that will enable the 16 CEO designates for the new entities to be identified in a manner acceptable to all involved. Once the process of identification of the CEO designates is in motion, the question of the location of the headquarters will become germane. We will be at that stage in the coming five or six weeks and we will proceed in that order. I am keen to get there as quickly as possible and to provide certainty in terms of who the CEO designates will be and the location of the headquarters. The CEO

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designate will act in consultation and concert with the Department to begin to prepare for the integration of the VECs. For example, in some cases a city and county VEC will be integrated with another county VEC. Then, we will complete the process with the local elections in 2014.

Deputy Brendan Smith: Will consideration be given in the legislation to give further education a particular identity? Generally, it is appended to second level education. It amounts to a misnomer at this stage in view of the great success of post-leaving certificate courses, PLCs, and the colleges of further education. I am keen for consideration to be given to this in the context of the legislation that the Minister intends to merge and consolidate. I believe this sector has performed admirably and it deserves its own identity.

Deputy Ruairí Quinn: There is similar thinking on this side of the House in respect of that matter. My colleague, the Minister of State, Deputy Ciarán Cannon, will have responsibility for taking the training element that was FÁS into the space currently occupied by the further education sector and bringing together the disparate elements of the further education components of VEC activities along with what used to be the training component of FÁS to create a recognised space for further education in exactly the way Deputy Smith has articulated. We are still working on the details of how best that can be done but we recognise the necessity to put it all together and give it an identity of its own. It is somewhat tacked in behind the post-primary section of VEC activities in many counties.

Higher Education Grants

7. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills if he will review and honour the pledge he made in February 2011, and reverse the €500 increase in the student contribution fee. [19166/11]

Deputy Ruairí Quinn: The economic circumstances of the country are such that the decision by the previous Government to introduce a new student contribution charge of €2,000 from this September cannot be reversed. The programme for Government commits the Government to implementing the decisions of the 2011 budget, which was passed by the last Dáil.

The new student contribution will replace the previous student services charge and will apply to students who qualify for free fees. The contribution will be paid by the Exchequer on behalf of student grant holders who last year amounted to some 46% of students in receipt of free fees. Conscious of financial pressures on families, an additional category, 50% student contribution, has been included in the student grants scheme. Tax relief provisions have also been put in place in order that second and subsequent siblings will not have to bear the full cost increase. Institutions have also been asked to allow students to pay the contribution in two parts.

Deputy Seán Crowe: Most families try, when their kids enter education, to budget for it over a number of years. However, having established that budget, many families now unfortunately are being obliged to pull their children out of education. In the case of one family with which I am familiar, it was a question of which child would be taken out of education. I refer to the pledge that was made and while I do not put it on the record of the House to embarrass anyone, does the Minister not accept the difficulty facing many students is that they and their families are in a worse position financially this year than was the case last year when the pledge was made? This is the great difficulty faced by such students, many of whom now face being obliged to withdraw from education. Moreover, the difficulty for many families will be to decide which son or daughter will be pulled out of education.

Deputy Ruairí Quinn: The decision to increase the student contribution from €1,500 to €2,000 was made in December 2010. The election took place in February and the programme for Government adopted in full — because the incoming Government had no other option — the entire array of economic decisions contained in that budget of 2011. This included the increase by one third of the student service charge as it then was termed and which now properly and accurately is called the student contribution. As for time to prepare, a minimum of nine months has been put in place to enable families to prepare for what will be a difficult year for them and for everyone else. I accept this will be an extremely difficult time for some families. However, if the economic circumstances of a family have deteriorated, the son or daughter in question then will be, all else being equal, in a position to apply for a student grant. Moreover, the family's income threshold could be such that not only will the student get the grant but the student contribution also will be paid.

Deputy Seán Crowe: As the Minister is aware, the difficulty will be with the grey areas and will affect those people who are on the edge or who are just outside the limit. However, the problem is worsening and increasing numbers of families and students are coming forward in this regard. Another difficulty arises in respect of some students who are lone parents but who also fall outside such thresholds. They claim that their chances of moving to full-time education, moving on with their lives and breaking the cycle of familial poverty will be gone because of the contribution fee being introduced by the Government. I note that no body or group is offering supports in this regard at present. A number of years ago, people could approach student unions and so on with such difficulties but the student unions now state the funds simply are not there because of the demand.

Deputy Ruairí Quinn: The Deputy from Dublin South-West is articulating what the loss of economic sovereignty means. This is the point this country has reached and this is what the loss of control over our own cheque book actually means. The Government is constrained in these circumstances. I am determined to return to a point at which the Government has the economic freedom to make freely-determined decisions based on priorities it would determine. However, we are not there yet and the next two budgets must ensure we reach that point quickly.

School Transport

8. **Deputy Brendan Griffin** asked the Minister for Education and Skills if he will consider directly subsidising schools for the provision of their own school transport through the private sector; and if he will make a statement on the matter. [19188/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The school transport system is organised on behalf of the Department of Education and Skills by Bus Éireann. There is significant private sector engagement in the delivery of services with 85%, or approximately 3,300 of the vehicles used, owned by private operators. Moreover, this percentage will increase over time.

The system was reviewed in a value for money review that was published earlier this year. In this context, options were considered, including options that would not involve school transport being centrally organised. However, the report concluded that, particularly in the context of the complexities of deciding on eligibility for, procuring and developing networks for, school transport, a single national organiser with a regional dimension to operate the scheme is required. I do not believe a school transport system could operate effectively were those administrative burdens to be imposed on individual schools.

Deputy Brendan Griffin: Before discussing the school transport issue, I wish to put on record my thanks to the Minister for his logical decision to retain the Kerry Education Service as a stand-alone entity. I thank the Minister of State, Deputy Cannon, for his response and for the time and effort he has devoted to this issue, which he has inherited and with which he has been landed. It has caused great concern in rural Ireland in particular and I am anxious to find a solution.

An Leas-Cheann Comhairle: Could the Deputy frame a question please?

Deputy Brendan Griffin: Yes. While it is understood that savings must be made, the feasibility should be investigated of making the requisite savings from the overall budget and then allocating the funding directly to schools which in turn could seek tenders from private contractors. Will the Minister of State investigate that proposal? The money being sought could be saved in a single year rather than over a number of years. Moreover, this proposal would ensure those people in rural areas who sought buses would get them.

In addition, is it possible to make available the details concerning the 150 routes that are to be lost next September? People in my constituency and elsewhere have raised this point with me and I wish to ascertain whether such information can be made available.

Deputy Ciarán Cannon: I am no great champion of Bus Éireann and have been highly critical of the company in the past for the predatory and anti-competitive practices in which it sometimes has engaged. I refer to instances in which private operators that had identified profitable routes had their buses followed around the city by Bus Éireann buses in an attempt to stymie the success of those routes. However, it is important to point out Bus Éireann's role in providing the national transport system for schools. It is an extremely onerous role and no other entity exists at present — I stress at present — that has the corporate capacity or knowledge to provide this service. I will run through Bus Éireann's role in the provision of school transport to illustrate this point. It is responsible for the procurement of and payments in respect of approximately 1,400 private operators that are needed to deliver the services and must ensure that each contractor, driver and vehicle procured meets all relevant tax and legislative compliance criteria, including child protection vetting. It processes every single primary school transport application, liaises with the transport liaison officers in the VECs in respect to post-primary applications and assesses eligibility for pupils across the entire school network. Bus Éireann is involved in the design, constant renewal and revision of the 6,000 routes that are needed to pick up and drop off children each year. It also is responsible for collecting parental contributions centrally and providing an online payment facility. Finally, the company undertakes the day-to-day supervision and monitoring of service performance, standards and safety.

Given the practical issues in which Bus Éireann is involved on a daily basis, I do not consider there to be any opportunity at present for establishing another entity that somehow could take over its role. Effectively, what is in place at present is virtually a model public private partnership in which Bus Éireann oversees the process at a national level, while 85% of the routes are provided by the private sector.

An Leas-Cheann Comhairle: As we are running out of time, Deputy Griffin may wish to ask another question.

Deputy Brendan Griffin: In particular, I seek information on the 150 routes that face an immediate threat. Serious concern is being expressed on this matter in rural areas, including in my constituency in County Kerry, particularly regarding the change from seven to ten in the minimum pupil number qualification criterion, which effectively means routes will be lost for some people.

Deputy Ciarán Cannon: Back in 2001, the requirement to establish a service was a minimum of ten pupils. This was changed by the then Minister to seven pupils and the cost of operating the school transport system rose by €20 million the following year. Bus Éireann has established in recent months that potentially, 600 routes could be lost but it then carried out a forensic and in-depth analysis of the aforementioned routes. On concluding that analysis, the company decided that for a substantial number of those routes, taking them off the road would not provide any real saving to the Exchequer. The number has been reduced from 600 routes to 150. It is my understanding that those schools which will lose their bus service will be informed of this loss in the near future. I will endeavour to provide the Deputy with a list in order that he can be better informed.

Special Educational Needs

9. **Deputy Willie O’Dea** asked the Minister for Education and Skills the progress made in relation to the publication of a plan to implement the Education for People with Special Education Needs Act 2004; and if he will make a statement on the matter. [19174/11]

19. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will explain the root cause in the delay in implementing fully the Education for Persons with Special Educational Needs Act . [19149/11]

29. **Deputy Sandra McLellan** asked the Minister for Education and Skills the timescale in which he proposes to initiate fully the commencement acts that are needed to implement the Education for People with Special Educational Needs Act. [19162/11]

Deputy Ruairí Quinn: I propose to take Questions Nos. 9, 19 and 29 together.

The Deputies will be aware that a number of sections of the Education for Persons with Special Educational Needs, EPSEN, Act have been commenced. The National Council for Special Education, NCSE, made recommendations which suggested additional investment over a period of years of up to €235 million per annum across the education and health sectors would be required to fully implement the EPSEN Act. My Department’s opinion is that the level of investment required would be greater than that envisaged in the NCSE report. In the light of the very difficult economic situation and these significant costs, the previous Government deferred full implementation of the EPSEN Act. Given the costs involved and current fiscal constraints, addressing this issue will be very challenging. I will be considering how we can develop a plan to implement the objectives of the EPSEN Act to deliver improved educational outcomes for students with special needs.

Deputy Brendan Smith: The Minister made the point earlier that there had been an increase of 1,000% in the number of special needs assistants in schools. He also said there were 60,000 primary teachers and 10,000 special needs assistants. It might be useful to know how these compare with the figures for primary level education in other countries in the European Union. Deputy Crowe has referred to a lack of uniformity in assessing the needs of particular children. From my knowledge as a public representative, the appointment of special educational needs organisers was a worthwhile and positive development which stemmed from the establishment of the National Council for Special Education. Is there any element of the EPSEN Act which the Minister hopes to initiate, considering the commitment given in the programme for Government, perhaps an aspect that may not be as demanding as other strands of the Act?

Deputy Ruairí Quinn: I share the Deputy’s concern and those expressed by a wide number of Deputies across the House. The advice to me in the Department is that there would be difficulties if we tried to introduce the legislation on an age-cohort basis. I intend to review the

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spirit of the legislation in these difficult times to see what provisions can be implemented, perhaps by different means. I am not entirely sure, as it is a complex issue. However, we are simply not in a position in current circumstances to even contemplate taking on a recurring additional burden of €300 million each year. I would be misleading the House and all those directly involved if I were to give any sense of hope this was possible.

Deputy Seán Crowe: The Minister states the investment could be more than €290 million. Can a breakdown be provided of what has not been implemented? For instance, the Joint Committee on the Implementation of the Good Friday Agreement, of which I am a member, is carrying out an audit of the provisions of the Good Friday Agreement that have not been implemented. The investment needs to be rights-based. Is that where the cost difficulty lies? When the legislation was introduced many years ago, everyone knew there would be a cost factor. For how long must people with disabilities wait? If the timetable is that it will not happen in the foreseeable future, that is not fair to those who want to become full members of society. We placed them in mainstream schools to try to move forward, yet we are now holding them back. Society is impairing them.

Deputy Ruairí Quinn: I understand the Deputy's point and heard him use the phrase "rights-based". One could exercise these rights if this was a sovereign republic in control of its own economy. There is only one crowd in the world who will lend us money at present and that is the European Central Bank.

Deputy Seán Crowe: We had choices as to how we could have dealt with it.

Deputy Ruairí Quinn: It is the European Central Bank or the money-lenders. The House needs to understand the reality of where we are. We have lost our economic sovereignty. We cannot deliver on a rights-based approach because we do not have the money to do it. The money we would attempt to offer would be provided by the European Central Bank. The IMF is in this city. When Deputy Boyd Barrett was outside the Department of Finance yesterday, he made this very clear. There is nobody else who will lend us money, except at money-lenders' rates.

Deputy Seán Crowe: Therefore, we treat our citizens as second-class citizens.

An Leas-Cheann Comhairle: I ask the Minister to finish as I must call Deputy Boyd Barrett.

Deputy Ruairí Quinn: I will not get into the blame game because everybody knows how we got here. The debate has to be informed by reality. I support what Deputy Crowe is looking for and we may be able to look at it when we have regained our sovereignty but not before.

Deputy Richard Boyd Barrett: Does the Minister really expect the parents of the most vulnerable children in the country to accept that answer, given that both the Labour Party and Fine Gael were extremely vociferous in demanding full implementation of this legislation just one year ago? Does he really expect them to accept that money cannot be found when the value of the most recent bond paid for Anglo Irish Bank far exceeded the €230 million he says is necessary to implement the legislation? We can find the money to pay off the bondholders of a zombie bank such as Anglo Irish Bank, but we are unable to find the money to meet the needs of the most vulnerable children in the country. In the discussions with the EU-IMF delegation do we tell them we have no chance of economic recovery if implementation of the Government's austerity programme means substantial and consequential long-term adverse effects in terms of the quality of education provided for young people who are the key to our

economic recovery? Is it not asking us to apply cannibal logic to our society and children? How can we accept this?

Deputy Ruairí Quinn: The reality, sad and all as it may be, is that we have to reduce current expenditure in the education sector in the forthcoming fiscal year. The thrust of my reply is that if we were to attempt to implement in full the balance of what is required under the EPSEN Act — instead of reducing expenditure by a certain amount, which will be tough when the issue is debated before Christmas — we would add an additional mountain of approximately €235 million, according to the NCSE, or something closer to €300 million, according to my Department. It is simply not possible to do it. We will look at other ways of trying to address, with limited resources, some of the more acute components relating to people with special needs. I would be misleading the House if I were to say we could do it.

Deputy Simon Harris: The problem is that the disability community and parents of children with disabilities the length and breadth of the country are aware that the last time there was great economic growth and we had more money than sense, we did not act on this issue and that as soon as the previous Government came up against an economic problem, this was one of the first measures to be put in cold storage. What parents and I want to hear from the Minister is that when our economic sovereignty is restored, this issue will be a priority for his Department and that he will have the preparatory work done now in order that the Government will not miss opportunities to deliver, unlike the previous Government.

Deputy Ruairí Quinn: That is a very fair request. We will explore ways by which we can implement the EPSEN Act.

Teaching Qualifications

10. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the steps that have been taken to ensure that the Professional Development Service for Teachers has sufficient full-time staff to meet the needs of Gaelscoileanna, Gaelcholáistí and Scoileanna Gaeltacht; if he has made provision for the interviewing of candidates through the medium of Gaelige; and the supports in place to ensure the competency of staff to teach in Irish speaking schools. [19140/11]

Minister of State at the Department of Education and Skills (Deputy Seán Sherlock): It is the policy of my Department that professional development support services for teachers provide a service through Irish for teachers working in Irish-medium schools. The PDST has ten full time members of staff who have the capacity to provide a service through the medium of Irish and this is being reviewed in the context of planning for the next school year. Recruitment processes take account of the skills and capacity requirements of the service and relevant statutory requirements.

In addition to the supports provided by the PDST, there are a number of other supports for teachers in Irish-speaking schools. At post-primary level, An tSeirbhís Tacaíochta Dara Leibhéal don Ghaeilge is a full-time team dedicated to providing support to teachers of Irish in all post-primary schools. Other supports include summer courses and online resources.

Deputy Seán Crowe: I commend the work of the PDST which is excellent. However, there are deficits in teaching subjects through Irish. Those who come from a meánscoil and those teaching project maths and related subjects require technical support. It is not just a case of people being able to speak the language, they must have the technical ability to deliver it. I do not know the extent of the vacancies. I urge the Minister of State to re-examine the issue and provide support. That is the message I am hearing from meánscoileanna and gaelscoileanna.

Deputy Sean Sherlock: I think the Deputy for his comments. I ask him to identify specific areas, schools or service which engaged with the PDST and where a deficit was found. I would like to hear more about that. Perhaps the Department could engage with him. The PDST can also augment its support mechanisms through the engagement of advisers. It has the facility to recruit part-time advisers. I am willing to engage with the Deputy on a specific issue.

Deputy Seán Crowe: Language activists and those involved in schools have said there is a weakness in the system. I will revert to the Minister of State. The people concerned have referred specifically to the teaching of chemistry and mathematics which need support if taught through the medium of Irish. Those delivering supports often do so through English rather than Irish. That is the weakness in the system.

Deputy Sean Sherlock: If the Deputy is aware of specific people who have identified a range of issues, the Department will have to engage with such people. It is vital.

Voluntary Contributions

11. **Deputy Derek Keating** asked the Minister for Education and Skills the controls that will be implemented to assist families who are expected to make a voluntary registration fee at the start of every year for primary and secondary school students, who are also expected to pay €40 to €80 for photocopying services for the year as well as anything from €100 to €300 for extra curriculum such as sport, drama, music ; if he will implement regulations to assist families who do not qualify for the back to school grant and who are not in a position to meet these extra payments; his views that the term free education is now redundant; and if he will make a statement on the matter. [19026/11]

Deputy Ruairí Quinn: It is not my Department's policy to prohibit the practice of schools seeking contributions from parents as long as it is made absolutely clear that the contributions concerned are voluntary. The manner in which contributions are sought and collected is a matter for school management. However, their collection should be such as not to create a situation where either parents or pupils could reasonably infer that the contributions take on a compulsory character. I have no plans to alter this position provided schools ensure the contributions are sought in a manner that makes this clear to all concerned.

In regard to payments sought for photocopying services, a school may seek payment to cover the cost of photocopied or other such learning materials where the amount sought by the school is consistent with the costs involved and the level of materials provided. It is also permissible for a school to seek payments in respect of extra-curricular activities, provided such activities are not obligatory and individual pupils can choose whether to participate. No charge may be made, however, in respect of instruction in any subject of the school curriculum or recreation or other activities where all pupils are expected to take part.

Regarding possible regulations, the Deputy may be aware that I have recently launched a discussion paper on a regulatory framework for school enrolment which contains suggestions on how to make the process of enrolling in schools more open, equitable and consistent. While I do not propose to comment on the nature of any regulations that might result from this process, I draw the Deputy's attention to the fact that the issue of financial contributions is raised in the paper. The Deputy may wish to note that I am inviting interested parties to submit their views to my Department by 28 October 2011.

I acknowledge that our current economic difficulties mean that schools are under increased funding pressures and that for many schools, fund-raising is an important additional source of income. However, it is also important that schools are cognisant of the financial pressures that

many parents are experiencing and that such fund-raising is carried out in a manner that is sensitive to these difficulties.

Deputy Derek Keating: I thank the Minister for his comprehensive reply for which I am very grateful. I know he will agree that investment in education will form a central part of our country's national recovery and anything that obstructs education for our children, young adults and parents engaged in back-to-education schemes will affect our recovery into the medium to long term. I received a copy of a letter recently which is typical of those sent to many families throughout the Dublin region, setting out the costs of various items that will be required before September. Many families have two, three or four children in school.

An Leas-Cheann Comhairle: I ask the Deputy to frame a question.

Deputy Derek Keating: I ask for the indulgence of the Chair for 20 seconds. Some of the costs add up to almost €600. When one factors in two, three or four children, one would have very little change from €2,000 for 2011-2012. It is not an exaggeration to say that many people find it restrictive. I ask the Minister in the interests of common sense that a directive be issued to schools. The Department could show leadership and help control some of the costs which are restrictive, especially for families who do not avail of the back-to-school allowance. Such families are the focus of my question.

Deputy Ruairí Quinn: I thank the Deputy for raising these matters in a supplementary question. The Society of St. Vincent de Paul, the National Parents Council and others have raised two issues with me. One is the frequent change of books on the curriculum and so-called revised editions where the amount of revision is minimal. I met the Society of St. Vincent de Paul, the National Parents Council and representatives of the publishers and will meet them again. We will be actively exploring with effect from the following academic year the benefits of a book lending scheme in schools.

If one has two or three children, one frequently finds that a book the eldest child was using for geography is not the same as that required for the youngest, even though the rivers and mountains of Ireland have not changed in the meantime. There are similar concerns in respect of uniforms, where parents have to buy them from a designated vendor. Generic grey, blue, green and red uniforms are sold in large retail stores and if schools confined themselves to selling their badge or emblem, we could seriously address the cost issues. I am actively exploring those areas.

Deputy Derek Keating: I thank the Minister for the supplementary answer. It will be of great assistance and comfort to parents in the years ahead as we face difficult challenges.

Deputy Richard Boyd Barrett: I echo the sentiments of Deputy Keating. I am aware of a school in my constituency which I will not name. There have been consistent complaints about serious pressure being put on less well-off students to come up with extra money for things that are part of the core curriculum, such as art and other subjects. Parents have had stand-up rows with a headmaster, during which they have told him that they do not have the money and that a daughter is being excluded and put under extreme pressure and anxiety.

Could a circular be sent to schools setting out in strident terms that it is unacceptable to put any pressure on students to come up with money for core curriculum subjects? Could we have a unit in the Minister's Department which people could contact if they have a problem? If schools are not obeying the rules, what can be done about it? What recourse do parents have to bring such matters to the Department's attention so that action can be taken?

Deputy Seán Crowe: What is really galling for many parents is the fact that these payments are supposedly voluntary. When addressing some of the teachers' conferences, the Minister referred to the book-lending scheme initiative and also said he would not put new books on the curriculum. We all support that initiative but how will it be rolled out? No one should be putting families under extra pressure, particularly in the current difficult climate.

Deputy Ruairí Quinn: I will respond first to what Deputy Boyd Barrett said. Within the primary school structure there are parents' representatives on the boards of management. Therefore, if any parents feel they have been unduly pressurised, I suggest their first port of call should be to the parents' representative. In the post-primary sector, depending on the school, parental representation is not as transparent because the structures are different. If they cannot, or do not want to for personal reasons, go to a parents' representative on that board of management, I recommend that they contact the National Parents' Council and express their concerns there. The National Parents' Council is a recognised partner in the education sector, so that is the way I would recommend them to go if they do not feel personally that they wish to contact the school's board of management.

With regard to Deputy Crowe's point, school uniform and book-lending schemes will reduce the turnover involved. A decision to change, for example, a geography book for 90 junior cycle children has implications. We are talking about books that cost €24 each. A schoolbook lending scheme will prolong the life of the volumes and reduces the costs involved. The primary school survey that must be completed by October each year contains a question about book-lending schemes. We do not know how many such schemes there are, and they can operate in different ways. We are hoping to get a best practice model that can operate in primary schools and another model for secondary schools. If it happens, it will not be in the current academic year but hopefully it will start to happen next year.

School IT Systems

12. **Deputy Seán Crowe** asked the Minister for Education and Skills if his attention has been drawn to the problems being experienced in some schools where there are difficulties in maintaining and upgrading essential IT systems and the way he proposes to address this matter. [19146/11]

Deputy Ruairí Quinn: Each school is responsible for the development, management and maintenance of its IT systems and there is no requirement to notify difficulties to my Department. The Department recognises the need for the provision of technical support to schools but funding is not available due to the overall resource constraints being faced at this time.

To help schools upgrade their ICT Infrastructure, my Department has provided €92 million in devolved grants since November 2009 under the ICT in schools programme. This funding was to be used for the installation of a digital projector and teaching computer in every classroom, after which schools could use remaining funds to buy other appropriate ICT hardware and software.

The Department funds a national support helpdesk for the schools broadband service, incorporating content filtering and anti-virus protection. In addition, it has deployed national procurement frameworks for schools, covering digital projectors, computers and printers, and providing a three-year next-business-day on-site warranty as standard.

Deputy Seán Crowe: I am aware of the initiative on rolling out broadband. One of the difficulties facing schools is the speed at which such a service can be accessed. Another difficulty can arise if an IT teacher retires because one must then buy in such expertise, which puts pressure on existing resources. It is increasingly happening and the issue is being discussed by

boards of management which are trying to surmount the difficulty. Supports are provided for through departmental Estimates but when we move into the school structures the supports are not there. I do not know how to get around that problem. There is probably a lot of IT expertise in the community, including people who are doing internships. That may not be a long-term suggestion but it could be examined in terms of addressing this difficulty. I do not know how the Minister or the Department can deal with it.

Deputy Ruairí Quinn: That is a very helpful suggestion which I will explore.

Deputy Brendan Smith: There has been a major IT investment in primary and secondary schools over the past four or five years in particular. In schools that I have had the opportunity to visit, it is great to see good suites of hi-tech equipment. Will the Minister consider the possibility that progressive VECs could have a role in providing support services for our primary schools? It is already happening in my own constituency where VECs provide information technology services to voluntary secondary schools and primary schools. With the forthcoming rationalisation of the VECs, perhaps they could take on those additional responsibilities, thus justifying an enhanced role for them not just as providers of second-level and further education, but also as providers at primary level.

Deputy Ruairí Quinn: That suggestion is very much in the spirit of the reforms for the VEC sector that we have in mind.

Deputy Mick Wallace: It so happens that in two of the schools I visited in Wexford that were complaining about cuts to their education budget — concerning resource teachers for Travellers — they said they would like to have had an extra teacher rather than the IT facilities they received. I cannot be sure if it is the same all over the country, but when the IT materials was being given out in the good times, schools in Wexford were happy with the level of IT. They even said it was a bit on the generous side at times. They are killed now that they are losing resource teachers, which will have a much bigger impact.

Deputy Ruairí Quinn: I note what the Deputy has said.

Schools Building Projects

13. **Deputy Noel Harrington** asked the Minister for Education and Skills the progress made by Cork County Vocational Education Committee in securing funding for the proposed development of a 900 pupil secondary school for Skibbereen, County Cork; the stages of the assessment still to be processed; the proposed timetable for the completion of this project; and if he will make a statement on the matter. [19028/11]

Deputy Sean Sherlock: In 2005, my Department allocated funding of €300 million for a public private partnership programme comprising 23 new post-primary and four new primary schools. The provision of the proposed new secondary school in Skibbereen was included in that announcement. As a site for the school was secured in 2009, it had not been possible to include this project in any of the bundles already being procured. As part of the jobs initiative recently announced by the Minister, I confirmed that I am developing two further bundles of PPP schools. The provision of the school in Skibbereen will be considered in this context.

The issues to be considered in the timing and bundling of schools include, site availability for each school, geographical spread and total cost of the proposed school bundle. The time-scale for the provision of the school is approximately four years from the time the bundle is announced.

Deputy Noel Harrington: I thank the Minister of State for his response. When the scheme was announced recently it was met with some disappointment. I accept, however, that it was a different scheme involving the announcement of entirely new schools on new sites. This issue in Skibbereen has been going on for a quite a number of years. There is a clear need to build a new school, where three existing schools are being amalgamated: the Mercy Heights School, De La Salle School and Rossa College. The new school project would provide a facility for up to 900 or 1,000 students in Skibbereen. The identification of a suitable site was always a big issue but thankfully it has now been resolved with the generous help of County Cork VEC and Skibbereen Town Council among others. That issue has been put to bed.

Having heard the Minister of State's response, I appeal for the issues I have raised to be considered seriously by him and his Department in the context of the new bundle that hopefully will be announced under a new PPP arrangement. These issues have already been brought to the attention of the Minister of State and his Department.

Deputy Sean Sherlock: I take on board everything Deputy Harrington has said. It is vital to proceed with and expedite this project as soon as possible.

School Transport

14. **Deputy Timmy Dooley** asked the Minister for Education and Skills if any analysis has been undertaken to identify possible savings in relation to school transport costs with improved coordination of school holidays at both primary and post primary level; and if he will make a statement on the matter. [19179/11]

Deputy Ciarán Cannon: The school transport scheme, which is operated by Bus Éireann, facilitates the transportation of more than 123,000 children to primary and post-primary schools each day. The parties to the Teachers' Conciliation Council have agreed the standardisation of the school breaks at Christmas, Easter and mid-term in the first and second terms, for the 2011-12, 2012-13 and 2013-14 school years.

School transport services will be co-ordinated and arranged to tie in with these dates while the commencement date for services will take into account the start date of the certificate examinations in June of these years. In general, bus services operate for 183 days at primary and 167 days at post-primary level each school year.

The 2011 allocation for the scheme is approximately €180 million which represents a daily cost of approximately €1 million. My Department is working closely with Bus Éireann to ensure services continue to operate in an efficient and cost effective manner.

Deputy Brendan Smith: I welcome the Minister of State's statement that school breaks will be standardised. However, we have heard this before. A number of years ago, a predecessor of the Minister, Deputy Quinn, was forceful on that issue. I understood — I am open to correction on this — that immediately following the then Minister's announcement school breaks were standardised. However, this has lapsed in the meantime.

I spoke recently to parents of two primary school-going children, one attending a boy's school and the other a convent in the same town, in respect of whom there was practically a week in the difference in terms of summer holidays, which is ludicrous and is a burden on parents. Non-standardised school breaks can create an unnecessary burden for parents of two children attending different primary schools and another in their first or second year of second level in terms of work commitments and caring. I hope the Minister or Minister of State has the power to ensure the standardisation is adhered to. I acknowledge that in difficult winters schools must often close for a few days. Many parents who have spoken to me, some of whom

I know well, are frustrated by the lack of co-ordination of school breaks and holidays within small communities.

Deputy Ciarán Cannon: I am interested in hearing about the deviation which the Deputy suggests is occurring in the locality concerned. The Department will issue a circular reminding schools of their obligations to standardise breaks. The type of savings required in respect of school transport could be made in conjunction with standardisation of school breaks at Christmas, Easter and mid-term. We will issue a circular in each of the coming years to ensure compliance with standardised breaks.

Deputy Brendan Smith: I welcome the Minister of State's commitment. This should be strictly enforced. The Minister of State mentioned that school transport costs €1 million per day and that his Department must save more than €70 million over a four year period. A considerable amount of that €70 million could be achieved by practical measures. I have previously tabled questions to the Minister of State in regard to co-ordination of school, rural and HSE transport. All of those practical initiatives must be implemented and maximised at a time when there are particular pressures on the school transport budget.

Deputy Ciarán Cannon: The Deputy has made valid points. These are exactly the type of practical measures that can be used to achieve the savings required. In relation to co-ordination of transport services, discussions are ongoing between the Minister of State, Deputy Kelly, and my Department in regard to how we begin the process of merging the school, rural and HSE transport services in order to achieve economies of scale.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Brendan Ryan — the need to reverse the removal of applications for rent supplement from community welfare officers in Balbriggan, Swords and other areas of north Dublin to a central facility; (2) Deputy Dominic Hannigan — the need to clarify the position in relation to the GMS contract and the provision of free blood tests for medical card patients and GP visit card holders; (3) Deputy Noel Harrington — the construction of a relief road for Bantry, County Cork; (4) Deputy Brendan Griffin — the unapproved removal of materials containing asbestos from schools and other public buildings; (5) Deputy Martin Ferris — the loss of a special needs assistant at Presentation primary school, Listowel, County Kerry; (6) Deputy Joe Costello — the need to grant recognition and provide a permanent home for Glasnevin Education Together, Dublin; (7) Deputy Clare Daly — the implications of the KEMA Health and Safety report published last week in relation to the East-West Interconnector in Rush, County Dublin; (8) Deputy Charlie McConalogue — the need to appoint a new full time IDA manager for the north-west region and the maintenance of a full-time IDA office in Letterkenny, County Donegal; (9) Deputy Seán Kyne — the need to review the decision to end automatic entitlement to the non-adjacent grant for mature students.

The matters raised by Deputies Costello, Kyne, Hannigan and McConalogue have been selected for discussion.

Estimates for Public Services 2011: Message from Select Committee

Acting Chairman (Deputy Peter Mathews): The Select Sub-Committee on the Environment, Community and Local Government has completed its consideration of Vote 25 for the year ending 31 December 2011.

Adjournment Debate

Schools Recognition

Deputy Joe Costello: I thank the Minister of State for taking this important matter in relation to Glasnevin Educate Together. The Minister of State will, no doubt, be aware the school was established almost ten years ago in 2002 in the Glasnevin area. Like many schools formed throughout the country it has not been given recognition or a school building. The school is in limbo in that the Department has not granted it recognition despite it having an enrolment of 230 pupils, representing Ireland and 20 other countries. Some 768 pre-enrolled children are anxious to attend the school yet for almost a decade the Government has not seen fit to give it recognition or to address its accommodation needs.

Currently, the school is largely accommodated in portacabins which are old, dark, cramped, ant infested, too hot in the summer and cold and damp in the winter. These are not satisfactory conditions for children to be taught in. Unfortunately, there are too many similar situations. I know the Minister and Minister of State are concerned about the number of schools they have inherited in such conditions. This is particularly true of gaelscoileanna and educate together schools. There appears to be a reluctance on the part of the Department of Education and Skills to grant these schools recognition and to address their accommodation needs.

It would be worthwhile for the Minister to compile a database of all schools in this situation. This would provide a pattern countrywide which would allow the Minister to address this issue. I am sure the Minister and Minister of State have access to all that information. Glasnevin Educate Together has been awaiting recognition for some time. Accommodation at the school is unsuitable and substandard for children to be taught in in this day and age. In any day and age these conditions would be considered substandard. There is a huge waiting list to attend this school. The Department has been sitting on its hands in relation to this matter. I urge the Minister of State to take on board what I and Glasnevin Educate Together have been saying on a continuing basis to the Department, grant the school formal recognition and commence construction of a permanent new school for the children of Glasnevin and surrounding areas.

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I am taking this matter on behalf of my colleague, the Minister for Education and Skills, Deputy Quinn.

I thank the Deputy for raising the matter as it provides me with the opportunity to outline to the House the Government's strategy for capital investment in school building projects and also to outline the current position concerning the long term accommodation requirements at Glasnevin Educate Together national school. The Minister would also like to take the opportunity to note the regular representations he has received from the Deputy, and also from the Minister of State, Deputy Shortall, in relation to this school.

As the Deputy will be aware, all applications for capital funding are assessed in the planning and building unit of the Department. The assessment process determines the extent and type of need presenting based on the demographics of an area, proposed housing developments, condition of buildings, site capacity and so forth, leading to an appropriate accommodation solution.

Projects are selected for inclusion in the schools' building and modernisation programme on the basis of priority of need which is reflected in the band rating assigned to a project. As part of this process, a project is assigned a band rating under the published prioritisation criteria

for large-scale building projects. These criteria were devised following consultation with the education partners.

Glasnevin Educate Together school is currently located in temporary accommodation in the Glasnevin area. The school is operating with provisional recognition from the Department and this was awarded on the basis that it would be providing multid denominational education in the Clontarf-Marino-Fairview area of Dublin. In light of demographic changes in the Glasnevin area, it would now appear that a need exists in the area in which the school is now operating. On this basis, the Department is currently considering the school's request for permanent recognition and expects to be in a position to convey a decision to the school authority shortly. This position was communicated to the school patron at a recent meeting with the Department.

On the question of a permanent accommodation solution for the school, the school authority has made a number of suggestions to the Department regarding the acquisition of a permanent site for the school. Department officials have conducted technical inspections of two such properties. Arising from these inspections, a preferred option was identified. Subsequently, a proposal was made to the landowner regarding a possible acquisition of the property in question. This proposal is under consideration by the landowner in question and a response is awaited by the Department. When this response is received, it will be considered in detail and the acquisition of a suitable site and the delivery of new school buildings will be considered in the context of existing commitments and other competing demands on the Department's capital budget.

Higher Education Grants

Deputy Seán Kyne: I thank the Ceann Comhairle's office for affording me the opportunity to speak on this issue.

I appreciate the grave financial difficulties currently facing us, caused by reasons already known and spoken of at length in this Chamber and outside. I acknowledge the commitment and dedication of the Minister, Deputy Quinn, and the Ministers of State, Deputies Cannon and Sherlock, who are working hard to maintain educational supports and best utilise stretched budgets in the face of diminished resources.

Despite the very regrettable changes to the levels of grants, I welcome that none of the measures being taken will result in the loss of a grant for a student or a student becoming ineligible for one. I also acknowledge the efforts of the Minister and Ministers of State to introduce measures to create efficiencies in the areas of administration, such as the online application method for grants and the creation of a single grant-awarding body, the City of Dublin VEC. However, I sincerely hope that this centralisation will prove more successful than that of the drug payment scheme under the HSE which has been centralised in Dublin but has more than doubled the waiting time for reimbursements to eligible citizens. However, *sin scéal eile* and I will pursue that matter on another occasion. Such efficiencies in the administration of the grant system can and will minimise the impact on the rates of grant payments. I am sure the Minister of State, Deputy Cannon, with whom I served on Galway County Council a few years ago, will remember the delays in the processing of grants, so I hope the change will be a positive one

The one measure of great concern to me and a number of constituents in Galway West, however, is the ending of the automatic entitlement to the non-adjacent grant for mature students. This is unfair and at the very least there is a need to enable mature students who are pursuing educational courses to retain their funding grants at the current non-adjacent rate. Mature students have made significant investments in furthering their education, and acquiring new skills and knowledge while at the same time having other commitments such a family or

[Deputy Seán Kyne.]

financial ones which other students would not have. The State has also acknowledged their investment by providing grants and other educational supports.

In 2009-10, mature students comprised more than 13% of the total student population with more than 45,000 mature students attending third level institutions. At some educational institutions such as NUI Galway, NUI Maynooth and Dublin City University, more one in ten students were in the mature category with the figure rising to one in five students for the institutes of technology. The figures provide a clear indication of the value and success of second-chance education and life-long learning policies. It would be unfair to proceed with a funding measure that will undo years of hard work and commitment on the part of students which may also ultimately deprive students of the fruits of their investment.

If, as may be the case for thousands of mature students, a person has to drop out of an educational programme owing to the financial hardship the loss of the non-adjacent grant would bring, the State would also stand to suffer the financial consequences of the increased strain on the social welfare system. For the sake of saving a few thousand euro, therefore, the State would end up paying five times this amount in jobseekers benefits or allowances and the supplementary benefits that the former mature student would now have to seek. It would be a case of being penny rich but pound foolish and I ask the Minister to reconsider the measure for all current and perspective mature students but in particular for those who currently attend third level educational institutions in Galway and across the State.

Deputy Ciarán Cannon: I am taking this matter on behalf of the Minister for Education and Skills, Deputy Quinn and I thank the Deputy for raising it.

The Deputy refers to a change to the student grant schemes announced in budget 2011 by the previous Fianna Fáil-Green Party Government, which removed the automatic eligibility for mature students to the non-adjacent rate of grant effective from September 2011. I understand the overarching need in making changes to the student grant schemes for the 2011-12 academic year was to find savings to manage additional cost pressures arising from a significant increase in the number of students qualifying for grants, a proportionate increase in the number of students qualifying for higher rates of grants and payment of the student contribution on behalf of grant-holders.

As a consequence, the removal of the automatic entitlement to the non-adjacent rate of grant for mature students was one of three measures introduced to ensure that the student grant system is not extended beyond what current resources will allow in a climate of overall pressures on the public finances.

The non-adjacent rate of grant is designed to assist with the costs of living away from home. I know that the change for mature students took account, therefore, of the availability of improved transport facilities and road networks, and better and more cost effective travelling options that have altered commuting practice more generally in society over that time. It also took account the availability of further and higher education options closer to home in the PLC and institute of technology sector.

Reliance was also placed on the fourth round of the Irish Eurostudent Survey which provides information on where students live. The statistics indicate that 45% of all full-time students now choose to live in their own or their parents' home during term time, yet 77% of grant holders are currently on the higher non-adjacent rate. Clearly, this is a mismatch given what the non-adjacent rate of grant is trying to achieve.

The recently published DIT Student Cost Of Living Guide 2011-12, which provides students with information on costs for rent, utilities, food, travel, etc. shows that the likely cost for a

student living in rented accommodation is almost twice the cost involved for students living at home. This underscores the reason for a non-adjacent rate of grant. Where mature students are living within 45 km of their college the measure in question brings the grant level that will be paid to them from next September in line with all other students in similar circumstances.

In general, it was considered that none of the changes in budget 2011 would result in a student losing a grant or becoming ineligible for a grant. However, if the approach was not taken to target grant reductions in areas where students' costs are genuinely lower, a far deeper cut than the 4%, which was introduced for all grant levels in January of this year, would have been needed. The potential impact of this on all students, particularly those on the lowest income, was taken into account.

From next September, all eligible students, including mature students, living more than 45 km away will get the non-adjacent rate of grant and those with particularly low incomes will still qualify for a top-up in the special rate of grant. In addition, the student assistance fund at some €5 million continues to be made available through the access offices of third-level institutions to assist students in exceptional financial need.

I regret that the economic circumstances of the country are such that the Minister is not in a position to reverse or vary any of the changes to the student grant schemes, including that for mature students.

General Medical Services Scheme

Deputy Dominic Hannigan: I thank the Ceann Comhairle's office for giving me the opportunity to raise the issue and I thank the Minister of State, Deputy Shortall, for taking the matter.

The charging of medical cardholders for blood tests was raised with me just after the general election in February. A couple were asked to pay for a blood test even though they were in possession of a valid medical card. Of course they paid because they were worried about their health and felt that failure to pay would result in failure to have a test, resulting in the illness going undiagnosed or untreated. They were confused and decided to pay as of course they would.

They worried about how they could afford it and whether this was just the start of a creeping system whereby they would pay for more and more services while at the same time being in possession of a medical card. I know they were not the only couple as others across County Meath have contacted me, and I believe it is common in other counties for GPs to charge people for taking blood, even though those people have medical cards.

At present, one in every three people in the country has a medical card or a GP card, and this number has been increasing since the start of the recession. The HSE's figures suggest that by the end of this year up to 40% of the population will be in receipt of a medical card. The overall cost of the GMS scheme to the Exchequer was just under €2 billion in 2009 and payments to GPs under the scheme total approximately €500 million every year. Some 2,100 GPs are in receipt of a GMS contract and the average payment to each of them is approximately €225,000. Payments vary throughout the country but, of course, on top of those payments GPs are also entitled to take on private clients, so the total payments going into a GP's practice could typically be of the order of €400,000 to €500,000 per year.

There was an 8% cut to the payment a couple of years ago and the Irish Medical Organisation argues that this makes it more difficult for GPs to provide services. However, not one GP has opted out of the GMS contract so, clearly, it is not that difficult to cater for the 8% cut. It is intolerable and unfair that GPs are asking vulnerable people to pay a blood test

[Deputy Dominic Hannigan.]

charge, which is a direct attack on poor people. Personally, I am disgusted any doctor would do this.

I am glad to see the Minister of State, Deputy Shortall, in the House. We need to have clarity on this issue so I ask the Minister of State to outline the situation and clarify whether GPs have the right to charge people with medical cards for blood tests, what they can charge for and whether the Minister will be issuing guidance in this regard so we can clear up the matter once and for all.

Minister of State at the Department of Health (Deputy Róisín Shortall): I thank Deputy Hannigan for raising this matter. I know it is an issue he has been concerned about for some time and he first raised it with me shortly after being elected to this House. I am glad to have the opportunity to provide clarification on the matter. A number of other Deputies have raised it in parliamentary questions also, so it is important we get this clarification.

Under the General Medical Services contract, a general practitioner is expected to provide his or her patients who hold a medical card or a GP visit card with all proper and necessary treatment of a kind generally undertaken by a GP. Where blood tests form part of the investigation and necessary treatment of patients' symptoms or conditions, these should be provided free of charge to medical card and GP visit card holders.

The HSE also points out that in many GP surgeries it is the practice nurse who takes blood samples. The HSE significantly subsidises the cost of employing practice nurses. In fact, last year the executive provided €39 million in allowances to GMS GPs in this regard.

There are almost 2,300 GPs contracted by the HSE to provide GP services under the GMS scheme to more than 1.6 million medical card holders and 120,000 GP visit card holders. As Deputy Hannigan pointed out, GPs within the GMS receive payments up to approximately €500 million in this regard. The HSE has recently reported to my Department that it has received approximately 30 formal complaints from GMS patients regarding GPs charging for blood tests and there have also been a significant number of queries to the HSE's national information line about this issue. Formal complaints will be dealt with through the HSE's consumer affairs service.

The GMS contract prohibits GPs seeking or accepting payment from patients for the provision of services under the contract. I am disappointed that a minority of GPs have disregarded this provision and have chosen to charge patients whom the State has deemed to be unable to meet the cost of medical services. As Deputy Hannigan said, these are the most vulnerable people. At my request, the HSE has recently written to all GMS GPs reminding them of their obligations under their contract. I will be monitoring the situation closely to ensure this unacceptable practice is brought to an end. In the meantime, public patients should contact the HSE if they believe they are being wrongly charged for services by their GP and the matter will be appropriately investigated.

I appreciate that because of the nature of the GP-patient relationship, it may be difficult for patients to make such complaints. Where public representatives are made aware of GPs charging GMS patients for blood tests, they may wish to notify the HSE directly.

I thank the Deputy for raising this matter. I assure him of my determination to address the issue and bring an end to this practice.

Industrial Development

Deputy Charlie McConalogue: I thank the Ceann Comhairle's office for the opportunity to bring this very important issue to the attention of the House. I ask the Minister of State, Deputy

Cannon, to give a commitment that a new IDA manager will be appointed for the north west and that the Letterkenny IDA office will remain open and will remain as a hub for attracting new industry to Donegal and the north west.

In recent weeks, the outgoing manager for the region has been promoted to a national role working with engineering companies, which means that the role is now vacant. In addition, the other member of staff in Letterkenny has also been appointed to a national role. This means that the Letterkenny office is not now working in the way it was before, namely, working to attract industry to Donegal and the north west. I urge the Minister of State to give a commitment that this situation will be rectified immediately and that we will continue to have, as we have always had in recent years, an office in Letterkenny working to ensure industry is attracted to the area.

I am particularly concerned that the IDA has made this move without first ensuring it had an exemption and permission from the Minister for Finance to replace that role and appoint a new north west manager before moving the person out of the role. That shows where the IDA's priorities currently lie, which is not with ensuring the north west and Donegal have people working on its behalf to ensure we get our fair share of investment. This, allied with the fact the IDA manager for the north-east region of Monaghan, Cavan and Louth has not been replaced either since retirement, indicates that the IDA is moving away from giving the support that is required to Border counties.

I very much hope the Minister of State will be able to give us an assurance that the situation will return to the way it was before, and that we will have a manager and an office. In these difficult times, foreign investment has been the key to driving Donegal, in particular Letterkenny, which has been a gateway area. I will give some examples of how this has benefited the town and the county. In September 2009, SITA announced an extra 80 jobs to bring its employment level up to 150. In December 2010, Zeus Medical Devices invested €10 million to create 75 new jobs over three years. Pramerica has been expanding constantly since 2000 to a point where it now has in excess of 800 employees. In July last year the UnitedHealth Group announced 200 new jobs to add to its total of 340.

As we all know, it is more difficult to attract jobs to the regions, which is why the regional manager structure and the regional office structure have been in place in recent years. During these most difficult of times for attracting investment, I hope the new Government will not announce it is moving away from a structure which has been important for County Donegal and the north west. I urge the Minister to give us a commitment on the appointment of a new north west regional manager for the IDA and on the retention of an office in Letterkenny.

Deputy Ciarán Cannon: I am taking this matter on behalf of my colleague, the Minister for Jobs, Enterprise and Innovation.

The IDA is an autonomous agency set up by statute with a mandate to attract foreign direct investment in manufacturing and internationally traded service industries into Ireland and support new and existing foreign direct investment operations so as to maximise the related industrial employment, output, exports, economy expenditures including wages and corporation tax contributions. The management and location of IDA staff is a day-to-day operational matter for the agency and not one in which the Minister.

The IDA's head office is located in Dublin and the agency has a number of regional offices throughout the country as well as a network of marketing offices globally. The IDA decides where it needs to invest its resources to meet its strategic goals. The agency has informed the Minister that the north west was in the unique position of having two IDA offices, in Letterkenny and Sligo, respectively. These have now been merged into one north-west regional office

[Deputy Ciarán Cannon.]

based in Sligo. Under the national spatial strategy Letterkenny is one of nine gateway locations and will continue to be a key location for foreign direct investments. The north west contains 36 IDA client companies which employ almost 5,000 people. Letterkenny had two key client announcements in the past year, with a 200 job expansion of UnitedHealth Group to more than 400 employees and Zeus, which expanded its manufacturing facility to create 75 additional jobs. Examples of other client companies in the Letterkenny are Pramerica with 800 employees, SITA with 90 employees, Medisize with 140 employees and Abbot with 140 employees. The IDA's focus on these key clients and on the north west continues through one north-west regional office based in Sligo.

The IDA's strategy, Horizon 2020, sets out the agency's targets for direct job creation in the FDI sector to 2014 of 62,000 direct jobs in 640 investment projects over the period, resulting in an additional 105,000 jobs overall. In implementing this ambitious strategy the agency has also set specific regional goals of securing 50% of all investment in locations outside the two major cities and transforming the existing FDI base throughout the country to develop, retain and grow employment in client companies operating here.

In the context of achieving successful implementation of its strategy and challenging job creating targets, the IDA is maximising efficiency by increasing its focus on business generation and client facing activities which will ultimately benefit all regions. The transformation of the IDA involves the redeployment of its staff into client facing activities, an expanded footprint in the marketplace, an increased allocation of resources for existing client companies to retain and grow their presence and a more efficient support to front-line staff through reorganised shared services internally and externally with partner agencies. Since the launch of its strategy in March 2010, the IDA has carried out a business transformation process which examined every job in the organisation. This process identified operational changes that could be implemented to support achievement of Horizon 2020, areas of duplication which could be addressed by improved processes and areas where additional information technology could be used to bring about staff savings. The outcome of the process provided opportunities to free up staff resources for core business generation activities and needs additional staff to ensure the IDA meets its job targets. The process specifically identified potential changes in how the IDA drives business to regional locations, manages its property portfolio, the preparation and dissemination of information and the application of information technology.

The objective of the regional transformation is to enable a more focused and intensive emphasis on driving new investments into regional gateway locations that will benefit to the entire region by changing the role of staff located in those areas to increase contact with key infrastructure and service providers and developing regional value propositions that provide a compelling attraction for clients in identified sectors. They will have closer interaction with targeted investment and their needs, as well as meet identified needs in the business generation area.

While the Minister accepts that in the period 2008 to 2010, IDA staff numbers fell from 302 to 268 and are due to reach 254 by the end of 2011, the IDA has indicated that the overall staff complement in 2011 is sufficient to implement its current strategy in the period to 2014. The Minister has every confidence in the abilities of the IDA's board and senior management team to manage the available resources to enable the agency to continue to win FDI for this country, even in the face of the most difficult economic circumstances.

The Dáil adjourned at 5.15 p.m. until 2.30 p.m. on Tuesday, 12 July 2011.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 and 2 answered orally.

Question No. 3 lapsed.

Questions Nos. 4 to 14, inclusive, answered orally.

Teaching Qualifications

15. **Deputy David Stanton** asked the Minister for Education and Skills if all persons holding a Bachelor in Civil and Environmental Engineering who have successfully completed a Post-graduate Diploma in Education are deemed eligible by the Teaching Council to teach mathematics and applied mathematics at post-primary level; if not, the reason; and if he will make a statement on the matter. [19170/11]

50. **Deputy David Stanton** asked the Minister for Education and Skills the discussions, if any, he has had with the Teaching Council regarding the rules and standards which are applied to engineering graduates who have completed Postgraduate Diplomas in Education and their eligibility to teach mathematics and applied mathematics at post-primary level; and if he will make a statement on the matter. [19171/11]

Minister of State at the Department of Education and Skills (Deputy Sean Sherlock): I propose to take Questions Nos. 15 and 50 together.

The Teaching Council is the body with statutory responsibility for the registration of teachers including the recognition of teaching qualifications. Neither I nor my Department have a role in this process.

Currently, there is a large range of engineering courses which are recognised for the teaching of Mathematics and/or Applied Mathematics. These are listed on the Teaching Council's website. I am advised by the Teaching Council that eligibility for registration depends on the amount of Mathematics or Applied Mathematics covered in the undergraduate degree course.

[Deputy Sean Sherlock.]

The Teaching Council has engaged with the professional body for engineers, Engineers Ireland, on this matter with a view to identifying further study options through which persons with engineering degrees not recognised above can make up for shortfalls in mathematical content in their qualifications. Options identified include a Higher Diploma in Mathematics/Mathematical Studies available in a number of Irish Universities or one or more modules in Mathematics available from the Open University. Engineering graduates interested in following one of these routes should check with the Teaching Council beforehand to ensure that the proposed qualification would make up for any mathematical shortfalls in their engineering degree.

School Staffing

16. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills his views on the redeployment of primary school teachers to gaelscoileanna, even if their standard of Irish may not be adequate to teach in an Irish speaking school. [19167/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Traditionally redeployment at primary level has operated within schools of the same patronage. The Croke Park Agreement provides for the continued employment of surplus teachers through redeployment. This process is nearing completion, with very limited movement of teachers between schools of different patronage. I appreciate the goodwill that applied in making this happen and recognise that this could only have been achieved through collaborative work between patrons, management bodies and my Department.

While I appreciate the desire of school patrons to select and recruit their own teachers, this must be balanced with the need to ensure that the redeployment process works. Flexible redeployment arrangements are required in order to ensure all surplus permanent teachers are redeployed into vacancies. Quite simply, the country cannot afford to have surplus teachers in a school while permitting recruitment to take place in another school.

I want to assure the Deputy that it is not a question of forcing teachers into jobs, it is one of ensuring that surplus teachers who would otherwise have to be made redundant have first call on vacant posts.

My Department will have further discussions with the relevant stakeholders to ensure that the redeployment arrangements are fit for purpose in the years ahead. I can say to the Deputy that as a general principle we will be endeavouring to bring about a situation where teachers are happy with the schools to which they are assigned and that schools are happy to receive the teachers.

Third Level Staff Remuneration

17. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his views on the recent media reports in relation to remuneration levels for staff in third level colleges and universities; and if he will make a statement on the matter. [19176/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The number of staff earning more than €100,000 in universities and Dublin Institute of Technology includes the most senior levels of management whose salaries exceed €150,000, Academic Medical Consultants whose salaries exceed €200,000, and Professors who have salaries up to €145,952. These numbers also include some Associate Professors in universities and some Senior Lecturers in Institutes of Technology whose salaries in some instances exceed €100,000. Salaries for these grades were independently established through normal pay determination structures. These grades were subject to pay

reductions from January 2010 along with the pension levy provisions. Staff in the Higher Education Sector are covered by the provisions of the Croke Park Agreement, which provides that their pay will not be further reduced. As part of Budget 2011 the Government has applied a 10% reduction in the pay rates applicable to persons recruited for the first time to direct entry grades in the Public Service with effect from 1st January 2011. Future appointments to Heads of Universities will be subject to the €200,000 pay ceiling applying across the Public Service.

Education Schemes

18. **Deputy Catherine Murphy** asked the Minister for Education and Skills in view of the recommendations in the value for money review of the special needs assistant scheme and the clear evidence highlighted in the review that the role of SNAs here has evolved to include an educational remit, if he intends to regrade SNAs to reflect this evolving role; if he will consider establishing a parallel learning support assistant position for which SNAs could apply assuming they had acquired the relevant skills for such a role; and if he will make a statement on the matter. [19186/11]

38. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills if he will provide further details on the way in which he intends to restate the purpose of the special needs assistant scheme following the findings of the value for money review of the scheme; and if he will make a statement on the matter. [19184/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 18 and 38 together.

The Deputy will be aware that my Department has published a Value for Money (VFM) and Policy Analysis review of the Special Needs Assistant scheme. This review is available on my Departments website: *www.education.ie*.

The Review has shown that the SNA Scheme has been successful in supporting schools in meeting the needs of students with disabilities who also have significant care needs. However, it is clear that the allocation process is generally not well understood within schools and by parents nor is the purpose of the Scheme fully understood.

The review recommended that the SNA scheme should be restated to ensure an efficient allocation of SNA resources and to clarify the ‘care’ nature of the SNA role for parents, schools and professionals. The review did not recommend a change in the role of the SNA and there are no plans to regrade them.

The DES is currently establishing a working group which will consider and implement the recommendations of the SNA Value for Money report.

Question No. 19 answered with Question No. 9.

School Curriculum

20. **Deputy Jonathan O’Brien** asked the Minister for Education and Skills if he will clarify and confirm that, in the context of any future proposed reforms of the junior certificate cycle or programme, teachers devising their own courses and who are subject to continuous assessment and self-evaluation will be evaluated within a standardised timeframe that is based on fairness and which will not over burden teachers with unnecessary bureaucratic procedures. [19143/11]

21. **Deputy Willie O’Dea** asked the Minister for Education and Skills if he has received the report of the National Council for Curriculum and Assessment on reform of the junior certificate; and when he will publish the recommendations of the NCCA. [19183/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 20 and 21 together.

The National Council for Curriculum and Assessment is currently finalising its advice to me on the direction of junior cycle reform, in consultation with the partners in education.

I have been kept informed of the Council's general progress, and I am aware that an advanced draft of proposals was discussed at a meeting of Council in June. However, I am also aware that many issues in relation to changes to the junior cycle programme and assessment are still under consideration. I expect that I will receive advice from the National Council for Curriculum and Assessment on changes to the junior cycle programme in the Autumn and I will not be in a position to comment on the detail of the Council's proposals until then.

Pupil-Teacher Ratio

22. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will give a commitment to protect class sizes in this year's budget following recent figures from him which indicate a higher than expected increase in student numbers between now and 2017 and also following the publication of Census 2011. [19173/11]

Minister for Education and Skills (Deputy Ruairí Quinn): At this point I do not propose to give any specific commitment on the allocation of teachers to schools for the 2012/13 school year. The number of teaching posts that we can afford to fund in schools is a matter that I will have to consider with my colleagues in Cabinet in the context of the next budget and meeting our obligations under the EU/IMF Programme.

The National Recovery Plan 2011-2014 makes provision for a net increase of just over 2,000 posts across the education sector between the end of 2010 and the end of 2014.

Clearly the latest information from the census will have to be factored into those deliberations.

As the Deputy will be aware the National Recovery Plan provided for consultation with the education partners in relation to how best to achieve a further reduction in teacher payroll costs from 2012. It envisaged the introduction of appropriate increases in the classroom teacher allocation schedules if the consultation process did not produce alternative feasible measures to deliver the required savings.

My Department has commenced this consultation process. The education partners at primary and post-primary level have been given the opportunity to contribute this month to the process of identifying a range of measures that the Government can consider in order to achieve a further reduction in teacher payroll costs from the school year 2012/13.

School Books

23. **Deputy Derek Keating** asked the Minister for Education and Skills if he will consider following the practice of the Department of Education in the United Kingdom by introducing a national school books service to reduce the increasing cost that burdens parents every year because of the changing curriculum and changing reading lists; if he will consider establishing a review body to report back to him within weeks to advise on the way the cost of books can be reduced; if he will ask the review body to consider the benefits of a graded reader scheme versus text books which can often go out of date; his views that the benefits in significant savings for a family along with the individual benefit to the student using a graded reader scheme will have a significant impact in our education system; and if he will make a statement on the matter. [19031/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I share the concern expressed by many parents and organisations, including the St. Vincent de Paul, in relation to the high cost of school books and the frequent rate of revisions made by book publishers.

I previously indicated to the House that I would meet with book publishers and representatives of parents to discuss this important issue in greater detail. I can confirm that I met with these groups, including representatives of the St. Vincent de Paul on the 22nd June.

The education publishers have agreed to reflect on the concerns I raised with them and I am currently awaiting a formal response from them following our recent meeting.

I am currently examining how best to encourage schools to establish book rental schemes. I have also asked the National Parents' Councils to provide me with examples of best practice which they have encountered in this area and I will disseminate these to schools.

Psychological Service

24. **Deputy Dessie Ellis** asked the Minister for Education and Skills the average time taken by the National Educational Psychological Service Agency to assess children under the age of six years suspected of having special educational needs or behavioural difficulties; and the average time taken to assess children over the age of six years suspected of having special educational needs or behavioural difficulties. [19161/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department's National Educational Psychological Service (NEPS) operates an early intervention continuum of assessment in schools for children with the broad range of special educational needs, including behavioural difficulties. The continuum of assessment allows for the identification of pupils with special educational needs, their nature and severity by harnessing the experience of class teachers and support teachers, in consultation with parents, and with the support of the psychologist.

This allows for a response to be put in place at the earliest possible juncture for children before their difficulties can become intractable. Assessment of needs at this stage of the continuum involves information gathering, testing and observation by the various school personnel involved and support from the NEPS psychologist, as required.

Where the pupil does not make adequate progress following the interventions, or where the nature of the child's special educational needs are significant, severe and complex, the school may agree with the psychologist that a psycho-educational assessment be conducted to identify the specific nature of the needs and the appropriate response necessary. Students, so identified, are scheduled for assessment within the school year or, usually, the school term in question.

Special Educational Needs

25. **Deputy Mick Wallace** asked the Minister for Education and Skills his plans to introduce an independent appeals process which would allow parents of special needs children to make appeals directly to the National Council for Special Education; and if he will make a statement on the matter. [19169/11]

52. **Deputy Seán Crowe** asked the Minister for Education and Skills in relation to the current review into special needs assistants and when a special education needs organiser recommends the removal of an SNA from a child, the extent to which the same SENO can be involved in any appeal process. [19160/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 25 and 52 together.

[Deputy Ruairí Quinn.]

The National Council for Special Education (NCSE) is responsible for allocating Special Needs Assistants (SNAs) to schools. 10,575 whole time equivalent posts are being provided for the coming school year. To manage this limited resource, 475 of these posts will be retained for allocation over the coming school year to address significant emergency cases; new entrants with special needs; or new assessments or injuries acquired during the school year.

The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism. It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

Future Skills Needs

26. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which he expects to utilise the skills currently available to meet the requirements of industry thus leading to greater job creation; the extent to which he expects to engage with the third level institutions with a view to meeting the requirements for both the public and private sector in the future; and if he will make a statement on the matter. [19236/11]

128. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent of third level courses that are available to meet requirements of the public and the private sector in the future; if particular disciplines have been identified or trends established which might suggest a scarcity of graduates in the future; the measures taken if any to address this issue; and if he will make a statement on the matter. [19464/11]

Minister of State at the Department of Education and Skills (Deputy Sean Sherlock): I propose to take Questions Nos. 26 and 128 together.

The Expert Group on Future Skills Needs plays a key role in advising on the future skills needs of enterprise. Its reports are disseminated directly to third level institutions and provide a valuable input to the development and amendment of course curricula. EGFSN research and engagement between higher education providers and industry also informed the development and selection of the part time higher education programmes being funded through Springboard. Under this new initiative 6,000 places are being provided for unemployed people in areas where employment opportunities are expected to arise in the future, ranging from the food industry to ICT to green technology and international services. My Department and the HEA, in collaboration with the Secretariat to the Expert Group on Future Skills Needs, are also working closely with the ICT industry to develop further responses to specific skills needs that have been identified by that sector.

Higher Education Grants

27. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the number of students that will have their higher education grants approved at €1,250 rather than €3,120 because of changes to the non-adjacent rate; if he has analysed the socio-economic and or income of the groups most affected; if he is prepared to condone students from low-income or one parent families leaving third level education because of their inability to afford the course or childcare costs; if there has been any analysis into the consequential increase in jobseeker's allowance for students who can no longer afford third level education; if he is conscious of the

likelihood of a return to the days when only the wealthy could afford third level education; and if he will make a statement on the matter. [19153/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I regret that I am not in a position to reverse changes to the student grant scheme announced by the previous Government.

Some 18,000 students qualifying for grant support are estimated to live between 24kms and 45kms from their colleges. Furthermore, it is estimated that some 6,900 mature students qualifying for grant support live 45 kilometres or less from their institution. Students qualifying for the maintenance element of the student grant in these cohorts will receive the adjacent rate of grant together with payment of their fees or student contribution.

All students on particularly low incomes, including those that may be in one-parent families, will continue to receive a “top-up” in the special rate of grant. The Student Assistance Fund at some €5m continues to be made available through the access offices of third-level institutions to assist students in exceptional financial need. Childcare costs may be supported under this fund.

Post Leaving Certificate Places

28. **Deputy Clare Daly** asked the Minister for Education and Skills his plans to increase the cap on students by 175 in Dún Laoghaire College of Further Education, County Dublin, which would enable the creation of four new courses for which there is a very clear labour market justification as part of a job creation initiative; and if he will make a statement on the matter. [14733/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): An additional 1,000 Post Leaving Certificate (PLC) places were made available as part of the Government’s Jobs Initiative. Following an application process, 55 of these places were allocated to Dún Laoghaire Vocational Education Committee (VEC), which manages Dún Laoghaire College of Further Education, bringing the VEC’s total allocation for the 2011/2012 academic year to 2,206 places. Further distribution of these places to its schools/colleges is a matter for the VEC. The application process is completed and all available additional places have been allocated.

Question No. 29 answered with Question No. 9.

School Enrolments

30. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills his plans to deal with the number of children who will be excluded from schools in September; and if he will make a statement on the matter. [19235/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department’s main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Under section 15(2)(d) of the Education Act, 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the right of parents to send their children to a school of the parents’ choice are respected.

[Deputy Ruairí Quinn.]

Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Educational Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school, expels a student or suspends a student for 20 or more days in any school year.

My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB will be able to offer assistance and advice on securing a school placement within the pupil's area. The contact details for the NEWB head office is NEWB, 16-22 Green Street Dublin 7, Tel: 01 8738623.

Special Educational Needs

31. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills his plans to ensure that children assessed under the Special Educational Act 2004 have a personal education plan in place. [19155/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that although the relevant sections of the EPSEN Act providing for a statutory requirement for the use of Individual Education Plans (IEP) plans have not yet been commenced, schools are encouraged to use such plans through policy guidance, support, training and inspection. The DES Inspectorate's advice is that the majority of schools are now using some form of individual education planning for children with special educational needs.

The Department's Learning Support Guidelines recommend that an Individual profile and Learning Programme should be devised for all children who are receiving supplementary teaching from the learning-support teacher.

Training has been provided to primary and post primary schools by the Special Education Support Service in relation to individual education plans, taking close account of the procedures that are set out in EPSEN Act 2004. The provision of individual plans for children with special needs is recognised as an important feature of good practice, and it is in this context that inspectors examine and comment in Whole School Evaluation reports on the quality of planning and the collaboration that takes place between the various teachers, parents and outside services in regard to the provision of an appropriate education for children with special educational needs.

Public Private Partnerships

32. **Deputy Barry Cowen** asked the Minister for Education and Skills if he is confident that funding can be secured through public private partnerships to build some of the 40 new primary and post primary schools required over the next six years to meet demographic growth; and if he will make a statement on the matter. [19181/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I recently announced that up to 40 new schools are to be established within the next six years. The optimum delivery method for each of these schools will be considered on an ongoing basis within the context of my Department's multi-annual School Building and Modernisation Programme and available financial resources. As part of the recent Jobs Initiative announcement I also confirmed that I intend to progress two further bundles of schools to be provided via Public Private Partnership.

To date as part of the PPP process, my Department has operated the Design, Build, Finance and Maintain (DBFO) as the preferred option for PPP projects and this has proved a successful vehicle for the funding and delivery of the 11 projects completed to date with a further 6 schools to be completed this year. It is my intention to continue with this PPP model for the delivery of schools' infrastructure projects.

Higher Education Grants

33. **Deputy Seamus Kirk** asked the Minister for Education and Skills if he will ensure that farming families are protected from any changes to the assessment for third level grants in view of the his recent comments on these matters. [19027/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I have taken no decision in relation to the introduction of a capital assets test for student grant purposes.

I have made it clear, however, that I want to ensure that the objective of the student grant schemes is met. This objective is the most equitable distribution of the available resources in favour of those who have the greatest level of need and who clearly comply with the terms of the student grant schemes. As the current system deals with income alone, it may allow people with accumulated wealth — be they unemployed, employed, self-employed or retired — to obtain grants which were designed as a State support for those with insufficient means to ensure access to higher education for their children.

It is intended that a single student grant awarding authority will be in place from 2012. This will enable fundamental reform of the student grants administration process and will allow for improvements to the way in which grant assessment is carried out. This development, together with improvements in the administration of means testing generally, will inform further consideration of the introduction of a capital assets test for student grants.

Bullying in Schools

34. **Deputy Michael Colreavy** asked the Minister for Education and Skills the recourse available to a victim of serious school bullying in cases in which the school authorities have contributed to the problem and the school board of management have not successfully resolved the issues arising; and if he will make a statement on the matter. [19033/11]

48. **Deputy Michael Colreavy** asked the Minister for Education and Skills if he has read the file that this Deputy sent to him on 1 June 2011 (details supplied) relating to a young person who was wrongly and publicly accused by a school principal of kicking another student; if he has any responsibility to provide any supports to this young person and their parents; and if he will make a statement on the matter. [19034/11]

98. **Deputy Seán Crowe** asked the Minister for Education and Skills if he has read the file sent to him on 1 June 2011 (details supplied) relating to a young person who was wrongly and publicly accused by a school principal of kicking another student; and if he will make a statement on the matter. [19249/11]

126. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent school bullying incidents are reported to him, with particular reference to the need to review such incidents in order to determine frequency or seriousness; the procedures if any in place to deal with such matters at local and central level; and if he will make a statement on the matter. [19462/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 34, 48, 98 and 126 together.

I take the issue of bullying in schools very seriously and am committed to ensuring that schools tackle bullying in all its forms. Under the Education (Welfare) Act 2000, all schools are required to have in place a Code of Behaviour and this code must be drawn up in accordance with the guidelines of the National Educational Welfare Board (NEWB). The NEWB guidelines were issued to schools in 2008 and make it clear that each school must have policies to prevent or address bullying and harassment and schools must make clear in their code of behaviour that bullying is unacceptable. The guidelines further state that as well as making explicit that bullying is prohibited in the school, and having an anti-bullying policy, the code of behaviour should indicate what action the school will take in relation to alleged breaches of the school's bullying policy.

Every school therefore must have in place a policy which includes specific measures to deal with bullying behaviour, within the framework of the school's overall school code of behaviour. Such a code, developed through consultation with the whole school community and properly implemented, can be the most influential measure in countering bullying behaviour in schools.

The Department has also issued Guidelines on Countering Bullying Behaviour as an aid to schools in devising measures to prevent and deal with instances of bullying behaviour. These guidelines were drawn up following consultation with representatives of school management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of their school.

As a further aid to post primary schools, the Department published a template that can be used by post-primary schools in developing an anti-bullying policy. The anti-bullying policy template is based primarily on the key document Guidelines on Countering Bullying Behaviour. However, it also takes account of more recent legislative and regulatory changes, and reference is made to issues of contemporary concern such as the need to tackle text bullying, cyber-bullying and homophobic bullying.

The education of students in both primary and post-primary schools in relation to anti-bullying behaviour is part of the Social, Personal and Health Education (SPHE) curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools. In addition, training on The Stay Safe Programme is offered on an ongoing basis to primary schools.

Responsibility for tackling bullying falls to the level of the individual school, as it is at local level that an effective anti-bullying climate must be established and at that level that actions should be taken to address bullying. There is no requirement for local school authorities to report incidents or allegations of bullying or of verbal or physical abuse of school staff to my Department, nor do I believe that this should be the case.

Under the Education Act 1998, legally, all schools are managed by school Boards of Management, on behalf of the school patrons or trustees, and it is the Board of Management who employ the teachers at the school. Accordingly, whereas I provide funding and policy direction for schools, neither I nor the Department have legal powers to instruct schools to follow a particular course of direction with regards to individual complaint cases, or to investigate individual complaints except where the complaint involves a refused enrolment, expulsion or suspension, in accordance with Section 29 of the 1998 Education Act.

My Department does receive parental complaints and queries regarding matters that they refer to as bullying. In 2010 my Department received a total of 390 such complaints/queries via telephone or written correspondence. To the end of June 2011 my Department has received 231 similar complaints/queries.

I can confirm that I received the file that Deputy Colreavy sent to me on the 23rd June. My officials are examining the file and a response will be issued in the coming days.

In dealing with these and other parental complaints, my Department's role is to provide information to parents and students on the operation of schools' complaints procedures and to clarify for parents and students how grievances and complaints against schools can be progressed. If a parent wishes to make a complaint against a teacher or school they should contact the relevant school authorities. The complaint procedures adopted by most schools are those that have been agreed between the teacher unions and school management bodies.

The Office of the Ombudsman for Children may independently investigate complaints about schools recognised with the Department of Education and Skills, provided the parent has firstly and fully followed the school's complaints procedures. The key criterion for any intervention by the Ombudsman for Children is that the action of the school has had a negative affect on a child. The office can be contacted at Ombudsman for Children's Office, Millennium House, 52-56 Great Strand Street, Dublin 1, (Ph) 1800 20 20 40 or (01) 8656800, E-mail oco@oco.ie.

Further guidance to parents on progressing a concern in relation their child's school is available on the Guide to Services Page of my Department's website at www.education.ie.

If a parent has a child protection concern they can report this directly to the Health Service Executive, which has statutory responsibility for investigating child protection allegations. Child protection concern reported to my Department are dealt with in accordance with the Department's Procedures for responding to allegations of Child Abuse brought to the attention of staff employed by the Department of Education and Skills.

Under these procedures, the child protection concerns brought to the attention of staff employed by my Department are immediately transmitted to the relevant investigatory authorities, without judgment, including the relevant school authorities, the Health Service Executive and/or An Gardaí.

Educational Projects

35. **Deputy Timmy Dooley** asked the Minister for Education and Skills the progress made to date in advancing a new digital school resource; and if he will make a statement on the matter. [19180/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I take it that the Deputy is referring to a recommendation made in the Smart Schools = Smart Economy report in relation to the development of a national "Virtual Learning Environment" or VLE.

My officials are currently exploring ways of implementing this recommendation. As the Deputy will appreciate, this is not a straightforward undertaking. In the context of a rapidly changing and developing software environment and resultant user expectations, considerable research is required in order to identify suitable and cost-effective options which could be successfully integrated into day-to-day practice by school communities. Having regard to the current availability of resources to my Department, it is not possible to allocate significant funding to advance this recommendation at this time.

Teaching Qualifications

36. **Deputy Joan Collins** asked the Minister for Education and Skills if he will explain the way in which a school principal is expected to guarantee that a person with no teaching qualifications is competent and capable of acting in a teaching capacity in the school as laid out in section 6.2 of circular 31-2011; and his views on whether this provision makes a mockery of the Teaching Council statutory role in assuring the quality of teachers in Irish schools. [19029/11]

45. **Deputy Clare Daly** asked the Minister for Education and Skills the way a school principal is expected to guarantee that a person with no teaching qualifications is competent and capable of acting in a teaching capacity in the school as laid out in section 6.2 of circular 31-2011; and his views that this provision makes a mockery of the Teaching Council statutory role in assuring the quality of teachers in Irish schools. [19030/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos.36 and 45 together.

I am fully committed to ensuring that, to the greatest extent possible, only qualified and registered teachers are employed in recognised schools.

My Department issued Circular 0031/2011 in May this year. It requires schools to prioritise teachers over unregistered persons, appropriately qualified teachers over teachers qualified for different sectors and unemployed teachers over teachers in receipt of a public sector pension. Only where every avenue for sourcing a registered teacher has been exhausted may a school employ an unregistered person until a registered teacher may be located, and this employment may last no longer than 5 school days.

It is important that, where a school does find itself having to employ an unregistered person, it satisfies itself that the person is fit to act in place of a teacher. I see this as simply capturing what a principal must have to consider in these circumstances. Any other approach could be seen as relieving a school of any responsibility in its choice of unregistered person in the limited circumstances where this can arise.

School Books

37. **Deputy Brendan Smith** asked the Minister for Education and Skills the progress, if any, made following his meeting with book publishers in relation to the need to reduce the costs of school books; and if he will make a statement on the matter. [19172/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I previously indicated to the House that I would meet with book publishers and representatives of parents to discuss this important issue in greater detail. I can confirm to the Deputy that I met with representatives of the book publishers on the 22nd June.

At that meeting I emphasised the need to minimise the amount of changes they make in textbooks. I also stressed the need to avoid new editions, where only minor changes are involved. I urged the publishers to consider closely the cost of the books they supply to the market.

I sympathise with parents who are experiencing difficulty in paying for school books. The harsh economic reality in Ireland means money is tight for many parents. It is precisely for that reason that I will continue to encourage schools to establish book rental schemes as the most effective means of lowering the cost of books for all students. Many schools are already using the funding for books provided by my Department to operate successful rental schemes, however there remains room for improvement across the wider education system. I am currently examining how best to encourage schools to establish book rental schemes and I have asked the National Parents Councils to provide me with examples of best practice that they have encountered in this area and I will disseminate these to schools.

Question No. 38 answered with Question No. 18.

School Transport

39. **Deputy Tom Barry** asked the Minister for Education and Skills if the closed school rule

as applied under the school transport scheme was, and is, a legally binding contract between the schools and his Department; if an evaluation study has been carried out to see if school transport can be provided more efficiently; the schools that were involved in the value for money review of the scheme and if any of those schools were closed schools; and if he will consider using the model already in use by an organisation (details supplied) to appoint one transport company to cover the entire school transport contract. [19032/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): School transport arrangements under the Closed School Rule originated from the last major amalgamation of schools in the late 1960's. Under the Closed School Rule, transport is generally provided to the school of amalgamation for pupils who reside in a closed school area. However, over the course of the last forty two years, many parts of Ireland have experienced changes in population, the number of schools in an area may have increased and private transport is more widely available. While my Department acknowledges the importance of school transport, my Department must always seek to ensure that every service that is funded by the public is operated in a manner that delivers for pupils, parents and taxpayers alike.

Changes to school transport services relating to the Closed School Rule were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from recommendations in the Value for Money Review of the scheme.

It is important to stress that there are a number of dimensions to the cessation of the Closed School Rule (CSR).

The first of these, which will be implemented from September 2011, involves the uniform application of the distance criterion to all pupils travelling under the primary transport scheme, including those travelling under the CSR. This means that children residing less than 3.2 kilometres from their school of amalgamation will be deemed ineligible for school transport. In such cases, these children may apply for concessionary transport.

The second element of the change is scheduled to take effect in September 2012 and will apply only in the case of pupils commencing their primary education from that date. This second element will restrict school transport eligibility for those pupils entering in September 2012, to pupils who meet the distance eligibility criterion and are travelling to their nearest school. As part of this review, a sample study was undertaken of 92 randomly selected schools served with school transport under the CSR. Available statistics, based on the sampling undertaken indicate that the impact of this second change will be limited as the majority of pupils categorised under the CSR are in fact attending their nearest school and will not be affected by this change.

Before implementing this second main change which is proposed for 2012, my Department has requested Bus Éireann to conduct a detailed analysis of the “on the ground” impact for individual schools and the rural communities they serve. This analysis will be based on the most up to date information available on current school transport usage patterns and I expect to have this information available to me this summer. I will then have an opportunity to carefully examine the likely affects of this change well in advance of the 2012 implementation date. The review also considered a number of possible approaches through which the State can seek to support transport to school in line with the overall objectives for the support of school transport. However, the report concluded that, particularly in the context of complexities of deciding on eligibility for school transport, procuring school transport and developing networks for school transport, a single national organiser with a regional dimension to operate the scheme is required.

[Deputy Ciarán Cannon.]

The report further concluded that in the medium term the single national organiser should continue to be Bus Éireann.

Private Schools Funding

40. **Deputy Brian Stanley** asked the Minister for Education and Skills if he will consider carrying out a comprehensive review of the funding for the private school sector; and if he will provide a breakdown on the annual costs to the State. [19150/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I understand that the Deputy is referring to recognised voluntary secondary schools that charge fees.

The schools concerned are fully recognised by my Department since their foundation. The central funding measure is the payment of salaries in respect of teaching posts approved by my Department. The estimated cost of these in 2011 is in the order of €100m.

I am already on record that this is not a simple matter as these are arrangements that are historic and of long standing.

Literacy Levels

41. **Deputy Barry Cowen** asked the Minister for Education and Skills when he expects the national literacy and numeracy strategy to be published in view of his promise to publish it at the end of June; and if it will contain proposals in relation to the professional development of teachers in the area of literacy. [19182/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I will be launching Literacy and Numeracy for Learning and Life, the national strategy to improve literacy and numeracy among children and young people, tomorrow, June 8th. The strategy contains a range of actions on the professional development of teachers in the area of literacy.

School Staffing

42. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills if he has any plans to introduce a centralised system for the advertising of teaching posts including principal and vice-principal posts. [19185/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The advertisement of teaching and other posts is the responsibility of boards of management of schools and are managed by the relevant management body in accordance with guidelines agreed by the education partners.

Primary school posts are advertised on a number of websites approved by the management bodies. These include *www.educationposts.ie*, *www.eteach.ie*, *www.staffroom.ie* and *www.educationtogether.ie*. Employers may also advertise Principal and Deputy Principal posts either in a national newspaper or online on *www.publicjobs.ie*.

At post-primary level all schools are obliged to advertise teaching posts in the national press. In addition, management bodies at this level may specify appropriate websites such as *www.educationposts.ie*.

I have no plans to centralise the advertising of teacher posts at the current time.

Education Schemes

43. **Deputy Gerry Adams** asked the Minister for Education and Skills if he will elaborate on the findings contained in his value-for-money report on special needs assistants which found

an over-allocation of 27% in primary and post primary schools and 10% in special needs schools which claimed the purpose of the scheme was not well understood by either schools or parents, and that this had led to some problems with allocation and also resulted in the role of the assistants being expanded beyond its original intention. [19165/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that my Department has published a Value for Money (VFM) and Policy Analysis review of the Special Needs Assistant scheme. This review is available on my Departments website: *www.education.gov.ie*.

The Review has shown that the SNA Scheme has been successful in supporting schools in meeting the needs of students with disabilities who also have significant care needs. However, the review has found that the allocation process is generally not well understood within schools and by parents nor is the purpose of the Scheme fully understood. The review recommended that the SNA scheme should be restated to ensure an efficient allocation of SNA resources and to clarify the ‘care’ nature of the SNA role for parents, schools and professionals.

My Department is currently establishing a working group which will consider and implement the recommendations of the SNA Value for Money report.

School Curriculum

44. **Deputy Peadar Tóibín** asked the Minister for Education and Skills his plans for future co-operation with the North’s Education Minister, John O’Dowd, MLA, in order that the expertise of Áisaonad can be used throughout the entire island to translate teaching materials relevant to the curriculums in both jurisdictions. [19141/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am committed to joint co-operation in this important area. An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta (COGG), which is funded by my Department to co-ordinate the provision of teaching resources for Irish medium schools, works in partnership with CCEA to jointly plan the development of resources where appropriate. COGG has recently agreed to invite CCEA to appoint a representative to its board to further develop this partnership.

COGG, CCEA and An tÁisaonad in St Mary’s University College, Belfast have developed a database of all resources available for Irish medium education on the island of Ireland. An early literacy programme is being currently developed by these 3 organisations and the first stage of the programme will be available this September. COGG and CCEA share all teaching resources.

Question No. 45 answered with Question No. 36.

Third Level Staff Remuneration

46. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills in view of the increasing demands for funding from his Department’s budget, if he intends to review or introduce a cap on the salaries, expenses and benefits in kind of heads of universities and third level institutions and some senior third level lecturers therein, of whom more than 1,000 earn an annual gross salary in excess of €100,000. [19164/11]

59. **Deputy Sandra McLellan** asked the Minister for Education and Skills in view of the increasing demands for funding in the education budget, if he intends to initiate any review or introduce a cap to the salaries, expenses and benefits of heads of universities, third level institutions and educational related boards. [19163/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 46 and 59 together.

The Government is taking measures to reduce Public Sector salary costs. The Government announced recently that salary costs at the highest levels across the Public Sector will be reduced through the application of salary ceilings. We have shown our commitment to this by introducing a cap of €200,000 for persons serving in higher positions across all sectors of the Public Service. In the Education Sector future appointments will be subject to the €200,000 pay ceiling now applying across the Public Service.

Higher Education Grants

47. **Deputy Pearse Doherty** asked the Minister for Education and Skills if his attention has been drawn to the growing concerns relating to the rollout of applications for higher education authority grants; and the way he proposes to reduce the delays to student applications as experienced in previous years. [19148/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The student grant scheme for the 2011/12 academic year has been published on *www.studentfinance.ie* and students are urged to apply as early as possible for a grant. They do not have to wait for a CAO offer. Applicants should make sure that their application forms are properly completed and that they have the correct supporting documentation. Late applications and incorrectly completed applications contribute significantly to delays in getting decisions.

Several administrative improvements have been introduced to the student grant schemes in recent years to speed up processing. These include the introduction of a single unified grant scheme this year to make it easier to apply for a grant. Students in 35 grant awarding authorities can now also apply online. The Department is also working with the CAO, the Institute of Guidance Counsellors and USI to make sure that students apply early for grants.

In addition, the four student grant schemes have been consolidated into one for the 2011/12 academic year. From the 2012/13 year onwards, grants will be centrally administered by a single grant awarding authority which will eliminate the delays which some students have experienced in recent years.

Question No. 48 answered with Question No. 34.

Telecommunications Services

49. **Deputy Martin Ferris** asked the Minister for Education and Skills the position regarding schools located in catchment areas that are commonly experiencing problems in relation to the rollout of broadband; the way this is impacting on teaching in these schools; the way he intends to resolve these matters; and if he will make a statement on the matter. [19147/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the schools Broadband Programme my Department procures broadband services on behalf of schools and under the resultant contracts the best available connections are provided subject to over resources constraints.

Under the Schools Broadband Programme connectivity to the internet is routed through a National Broadband Network, developed by HEAnet — the National Education and Research Network provider. HEAnet controls the broadband access to schools, and it provides centrally managed services for schools such as security, anti-spam/anti-virus and content filtering. A national helpdesk managed by the National Centre for Technology in Education (NCTE) has been established to interface between the network, the Internet Service Providers (ISP) and

the schools. It also provides schools with on-going advice and assistance. I am aware of the difficulties that some schools are having in relation to their broadband connectivity and in particular in relation to satellite connections.

Schools are only offered satellite connections where no alternative was offered during the procurement process. Should a better solution become available from the contractors over the lifetime of the contracts, schools will be migrated to the new solution; to date approximately over 200 additional schools have been migrated off satellite to a fixed line or wireless service under the phase 2 contracts.

The current broadband contracts are due to be re-tendered this year, my officials have explored the options with industry on how to further reduce the number of schools reliant on satellite and as a result anticipate a further reduction in schools reliant on satellite.

Question No. 50 answered with Question No. 15.

Special Educational Needs

51. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the degree to which he expects to meet the educational requirements of children with special needs in the future; his plans to best provide for such requirements; and if he will make a statement on the matter. [19237/11]

119. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which it is expected to meet the requirements in terms of special needs teachers and special needs assistants in mainstream education in all areas throughout the country in the coming year; and if he will make a statement on the matter. [19455/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 51 and 119 together.

I wish to inform the Deputy that 10,575 whole time equivalent (wte) Special Needs Assistant (SNA) posts are being provided for primary, post-primary and special schools for the coming school year in order to support the care needs of pupils with disabilities. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. For example, it represents an increase over the December 2010 position where 10,543 posts were sanctioned and in place.

Approximately 9,950 learning support/resource teacher posts, including those provided under the General Allocation model, are also being provided in primary & post primary schools in order to provide additional teaching support to pupils with special educational needs. This represents an increase of approximately 350 wte posts over last years allocation. Over 1,000 teachers are also being provided for in special schools providing teaching to pupils with various disabilities at much reduced pupil: teacher ratios e.g. autism PTR is 6:1; moderate general learning disability PTR is 8:1.

Enhanced levels of school capitation are payable to most special schools and special classes and special School Transport arrangements for pupils with disabilities are provided at a cost of over €60m per year. Approximately €1.3m is also provided annually to schools for assistive technology support. Early educational intervention is provided for children with autism from 2½ years of age. There are now 56 early intervention classes for children with autism attached to mainstream schools that are funded by the Department. Funding is also provided through the home tuition programme for children with autism aged from 2½ years to 5 who are unable to access an early intervention class.

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An extended school year is also currently available for pupils who have either a severe/profound general learning disability or who have autism. In all, in excess of €1bn has been allocated in the 2011 budget to support pupils with special educational needs. This level of expenditure is in line with the provision in 2010 and represents a significant commitment to special education provision at a time when savings are being required across a range of expenditure areas.

Question No. 52 answered with Question No. 25.

Irish Language

53. **Deputy Charlie McConalogue** asked the Minister for Education and Skills the steps he proposes to take to improve the quality and effectiveness of the teaching of Irish at second level as per the commitment in the programme for Government; and if he will make a statement on the matter. [19175/11]

Minister for Education and Skills (Deputy Ruairí Quinn): At post primary level An tSeirbhís Tacaíochta Dara Leibhéal don Ghaeilge is a full time team dedicated to providing support to teachers of Irish. In the last school year the team provided over 5,000 training places for second level teachers of Irish. There are also a number of local and summer courses provided through the education centre network which are aimed at upskilling Irish teachers as well as a range of online resources. These supports will continue in 2011/2012.

The 20 year Strategy for the Irish Language 2010-2030 contains a number of actions relating to improving the quality of Irish teaching. Amongst these are initiatives at both pre service and in service level. A working group has recently been established, under the auspices of the Department of Community, Equality and the Gaeltacht, to scope out and agree the steps to be taken in the implementation of the strategy. This Government is committed to supporting the overall thrust of 20 Year Strategy for the Irish Language 2010-2030 and will deliver on the achievable goals and targets proposed.

Digital Literacy Levels

54. **Deputy Robert Troy** asked the Minister for Education and Skills his views on the OECD PISA Digital Literacy Test results; and if he will make a statement on the matter. [19178/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The OECD PISA 2009 Digital Literacy Assessment showed that Irish students' ability to read computer-based text was significantly above the average of the 19 OECD countries that took the test. It is reassuring to see that students in Ireland compare very well with their OECD counterparts in this study but there is no room for complacency about reading standards in our schools. The above-average results of Irish students on the digital literacy tests contrasts with their poor performance in the 2009 round of the traditional pencil-and-paper PISA literacy tests. These results seem to suggest that the reading standards of Irish 15-year olds may be better than the poor results achieved on the traditional pencil-and-paper test in 2009 but not at the above-average levels scored by Irish students in 2000.

Irish Language

55. **Deputy Jonathan O'Brien** asked the Minister for Education and Skills if he will encourage the provision of a graduate diploma in the teaching of specialised subjects through Gaeilge and that consideration be given to providing courses online. [19142/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The 20 year Strategy for the Irish Language 2010-2030 contains a number of actions relating to teacher education including the introduction of a new Post Graduate Diploma in Education for teaching at post primary level delivered in full through the medium of Irish and a new post graduate programme for a Diploma in Irish Language Education (Primary Teaching) which will provide specialised skills in Irish to those who have already completed a teacher education programme.

A working group has recently been established, under the auspices of the Department of Community, Equality and the Gaeltacht, to scope out and agree the steps required to implement the strategy over the 20 year period. Implementation will also have to take account of the availability of resources. This Government is committed to supporting the overall thrust of 20 Year Strategy for the Irish Language 2010-2030 and will deliver on the achievable goals and targets proposed.

School Enrolments

56. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the changes to be made to the current school enrolment policy that will deal with the discriminatory practices which have allowed elite schools to flout the equality legislation by actively discouraging the intake of pupils with special educational needs and behavioural difficulties. [19145/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that I have recently launched a discussion paper on school enrolment. The document, “Discussion Paper on a Regulatory Framework for School Enrolment” contains suggestions on how to make the process of enrolling in schools more open, equitable and consistent and I am inviting education partners and interested parties to submit their views to my Department by the 28th of October.

The paper is not meant to be prescriptive, nor have any decisions been made as to what elements will be contained in any final regulations or legislation. It is meant to lead and provoke debate on enrolment policies. However, central to this debate on enrolment is the need to ensure a fair and transparent system at all of our schools, which does not discriminate unfairly against students, including pupils with special educational needs, or their parents. The discussion paper and details of how interested parties can make a submission to my Department can be found on my department’s website. I look forward to receiving the opinions of our education partners and others on this important topic.

Special Educational Needs

57. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the circumstances in which a special education needs officers can overrule a specific and explicit recommendation by a consultant child psychiatrist that a pupil being treated by him or her should have access to a special needs assistant. [19144/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the Education for Persons with Special Educational Needs (EPSEN) and Disability Acts set out clearly the role and functions of the National Council for Special Education (NCSE) and the Health Service Executive (HSE) and their staff in carrying out assessments and with regard to the provision of services for children with special educational needs.

Responsibility for deciding on the quantum of educational supports and resources to be allocated to schools, or to individual pupils, rests with the NCSE in accordance with my Department’s policy. Whereas health reports provide valuable assistance to education providers in

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identifying a diagnosis or identifying appropriate interventions, health staff are asked not to include references to the specific quantum of educational resources in their reports, but should state the outcome of tests carried out and the range of needs of the child as clearly as possible as the responsibility for allocating educational supports and resources to children or schools, rests with the NCSE.

Pupil-Teacher Ratio

58. **Deputy Catherine Murphy** asked the Minister for Education and Skills in view of the preliminary census results which indicate a significant growth in population here since 2006, the likely effects of this growth on school class sizes; his plans to deal with such effects; and if he will make a statement on the matter. [19187/11]

Minister for Education and Skills (Deputy Ruairí Quinn): At this point I do not propose to give any specific commitment on the allocation of teachers to schools for the 2012/13 school year. The number of teaching posts that we can afford to fund in schools is a matter that I will have to consider with my colleagues in Cabinet in the context of the next budget and meeting our obligations under the EU/IMF Programme. The National Recovery Plan 2011-2014 makes provision for a net increase of just over 2,000 posts across the education sector between the end of 2010 and the end of 2014. Clearly the latest information from the census will have to be factored into those deliberations.

As the Deputy will be aware the National Recovery Plan provided for consultation with the education partners in relation to how best to achieve a further reduction in teacher payroll costs from 2012. It envisaged the introduction of appropriate increases in the classroom teacher allocation schedules if the consultation process did not produce alternative feasible measures to deliver the required savings.

My Department has commenced this consultation process. The education partners at primary and post-primary level have been given the opportunity to contribute this month to the process of identifying a range of measures that the Government can consider in order to achieve a further reduction in teacher payroll costs from the school year 2012/13.

Question No. 59 answered with Question No. 46.

Special Educational Needs

60. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills the number of applications for special needs assistants that have been turned down; the number and percentage of schools that received less than the requested allocation of resource hours and SNAs for September 2011; the number of individual applications for resource hours and SNAs that have been refused; and if he will make a statement on the matter. [19234/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that 10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming school year. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOS) for

allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts. The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

The NCSE asked schools to submit all applications for SNA support to them by 18th March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year. As this process is ongoing, it is not possible to provide details of the level of allocation of SNAs for schools for the coming school year. There has similarly been no overall reduction in the number of Resource Teaching posts in our education system.

In relation to the allocation of individual Resource Teaching hours, the position is that for the coming 2011/12 school year, an allocation of 90% of valid identified resource teaching allocations has been made by the NCSE to schools, in the first instance, to provide schools with the majority of their allocation, while also preserving enough capacity to deal with late applications and ensure that the Department of Education and Skills can remain within Employment Control Framework obligations. Schools have been asked to forward as soon as possible any outstanding applications, or additional outstanding materials to support incomplete applications, to the NCSE for consideration, but in any event by no later than 16th September 2011. Following consideration of all of the applications received, if the level of demand permits, the initial 90% allocation may be revisited and increased.

School Transport

61. **Deputy Dara Calleary** asked the Minister for Education and Skills the reason Bus Éireann received an over-payment of €14 million for administering the school transport scheme on behalf of his Department as outlined in a recent report on the published accounts of Bus Éireann and Dublin Bus conducted by a company (details supplied) and published by the Coach Tourism and Transport Council; and if he will make a statement on the matter. [18907/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I am pleased to have this opportunity to clarify the factual position in relation to the School Transport scheme which is operated by Bus Eireann on behalf of my Department. This is a complex transport network planning operation, which in the current school year involves the provision of daily transportation of some 123,000 children involving 4,000 vehicles on 6,000 routes to 3,000 schools. Bus Eireann also manages all of the administration issues associated with this complex system.

The Bus Éireann administration charge for 2010, as shown in the independently audited accounts now available on my Department's website was €18.2 million, and follows reductions in each of the previous three years. Bus Eireann has further committed to reducing this figure by a further €1.5 million this year to €16.7 million and to finding further cost reductions over the next three years. My Department is currently engaged in discussions with the company in this regard. I can confirm that Bus Éireann did not receive an overpayment of €14 million for administering the school transport scheme.

Tax Code

62. **Deputy Finian McGrath** asked the Minister for Finance if he will clarify the situation regarding the reduction in VAT (details supplied) at hotels. [19264/11]

Minister for Finance (Deputy Michael Noonan): The Finance (No. 2) Act 2011 provided for a second reduced VAT rate, of 9%, on a temporary basis in respect of certain services and goods mainly related to tourism for the period 1 July 2011 to end 2013. The services subject to the 9% rate include restaurant and catering services (excluding alcohol and soft drinks), lettings of rooms and accommodation provided by a hotel. Hotels must account for VAT at the 9% rate on these services provided by them on or after 1 July 2011.

In general, any advance payment, including a deposit, received by a hotel before 1 July 2011 is subject to VAT at 13.5%, and any balance paid on or after 1 July for services provided on or after 1 July is subject to VAT at 9%, the second reduced rate. Where a (VAT inclusive) price has been agreed between the hotel and a customer on the basis that a 13.5% VAT rate would be applicable to the services provided, the customer should pursue with the hotel the question of whether that price should be reduced to reflect the Finance (No. 2) Act 2011 changes.

Tax Collection

63. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare is paying the correct universal social charge; and if he will make a statement on the matter. [19284/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the Universal Social Charge payable monthly by the person concerned is as follows: the first €837 of income per month at 2%; the balance of the income per month at 4%. Based on enquiries made by Revenue Commissioners to the relevant pension provider the correct charge is being levied on the person concerned.

Tax Code

64. **Deputy Dominic Hannigan** asked the Minister for Finance the number of tax breaks that can be availed of for 2011 through the Revenue Commissioners; if he will provide a breakdown of each tax break and its implication for the overall tax take for 2011; the reason each of the tax breaks is being offered; and if he will make a statement on the matter. [19292/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the total identifiable costs to the Exchequer of all income tax and corporation tax allowances, reliefs, exemptions and tax credits available are set out in the following tables for 2007 and 2008, the most recent year for which the necessary detailed historical information is available. Relevant notes relating to items in the tables are also included.

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- a) Note on the Cost of Tax Credits, Allowances and Reliefs 2007 & 2008
- b) Table IT 6 showing Cost of Tax Credits, Allowances and Reliefs 2007 & 2008
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Estimates of the corresponding costs to the Exchequer for years 2009, 2010 and 2011 are not available.

Cost of Tax Credits, Allowances and Reliefs 2007 and 2008

The following table IT 6 shows the estimated cost in terms of revenue forgone of the personal tax credits and the main reliefs and deductions allowable under the income tax system. A number of reliefs which apply both to individuals and companies is also included and the cost shown in relation to these reliefs covers income tax and corporation tax. An adjustment is included in the cost figures applying to income tax to compensate for incomplete numbers of tax returns on record at the time of compiling the estimates.

The tax credits and reliefs listed in the table serve varying purposes. Many are essentially structural reliefs through which individual tax liabilities are adjusted to reflect relative taxable capacity. The main personal tax credits are a good example of this since they may be regarded as part of the progressive income tax structure representing a band of income chargeable at a zero rate. Others, such as relief for interest paid in full or investment in corporate trades, are tax-based incentives in favour of specific groups or activities which are designed to promote certain aspects of public policy.

However, it should be noted that the restriction of reliefs or horizontal measure seeks to restrict the capacity of high earners to reduce their income tax liability to very low levels, or to zero, through the cumulative use of various tax incentives. From the 2010 tax year, high earners that are subject to the full restriction now pay an effective rate of income tax of 30%, on average this is an addition to PRSI and the Universal Social Charge.

In computing taxable profits, account needs to be taken in some way of the depreciation of capital assets incurred in earning those profits. To this extent, the figures in the table of the “costs” of capital allowances should not be regarded as measuring a “loss of tax revenue” on profits. To compute such “loss”, regard would have to be had to the excess of the amount of the capital allowances at current rates over the amount of the normal allowances.

The figures shown for the basic personal tax credits (married, single and widowed) are the costs of these tax credits as if all other tax credits and the exemption limits did not apply. They do not include individuals who are not on Revenue records because their incomes are below the income tax thresholds. The cost figures for the exemption limits are based on the excess of the exemption limits over the basic personal tax credits. The figures of cost are for 2008 and 2007 and all figures are based on tax due in respect of assessments for each year and not on tax receipts within that year.

The figure against each credit or allowance represents the additional tax which would become payable if the tax credit or allowance were withdrawn assuming no consequent change in the behaviour of taxpayers (for example, in relation to the reliefs for savings), or the amounts of payments (for example, interest payable on certain savings schemes might need adjustment to take account of the new tax liability). The numbers of claimants of each credit or relief are shown for both years to the extent that they are available. The numbers included are the taxpayers who would be adversely affected by the withdrawal of the respective credit or relief.

In the calculations, each tax credit or allowance has been dealt with separately and on the assumption that the rest of the tax system remained unchanged. It would be therefore inaccurate to calculate the effect of withdrawing all the credits, reliefs and allowances by simply totalling the figures. For example, the costs shown for capital allowances and stock relief are also calculated on the basis of separate withdrawal of these reliefs. Their combined cost would be greater than the sum of the separate costs because allowances are not always fully set off against available profits. For instance, a person with €1,000 gross trading profits, €1,000 capital allowances and €1,000 stock relief would pay no tax if either of the reliefs were withdrawn but would pay tax on €1,000 profits if both reliefs were withdrawn. In this case, the cost of each relief separately is nil but the combined cost is tax on €1,000. Basic data is not available to enable an estimate of the combined cost of these reliefs to be made.

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The figures for estimates based on tax returns have been grossed up to an overall expected level to adjust for incompleteness in the numbers of returns on record at the time the data was extracted for analytical purposes.

Apart from the artists exemption, these figures do not take account of the application of the restriction of reliefs originally provided for in section 17 of Finance Act 2006, which took effect from 1 January 2007. The restriction was extended by Section 23 Finance Act 2010. Finally, the estimates shown in many cases are tentative and are subject to revision in the light of later information.

Income Tax and Corporation Tax

Table IT6 Cost of Tax Credits, Allowances and Reliefs 2007 and 2008

Tax Relief Provision	(1) Estimated cost for			
	2007		2008	
Income Tax	€m	Numbers	€m	Numbers
<i>Exemption limits:</i>				
General Exemption (2)	0.0	0	0.0	0
Child Addition (2)	0.2	800	0.3	900
Age Exemption (2)	75.3	51,500	90.8	57,700
Married Person's Credit (3)	2,776.7	834,900	2,944.9	853,100
Single Person's Credit (3)	2,392.0	1,552,800	2,406.8	1,503,300
Widowed Person's Credit (3)	171.3	79,500	184.3	81,100
Additional Credit to Widowed Person in Year of Bereavement	4.8	4,000	4.9	4,000
Additional Bereavement Credit to Widowed Parent	6.6	2,400	6.9	2,300
Additional Personal Credit for Lone Parent	199.0	122,200	197.4	116,700
Homecarer Credit	68.5	92,200	79.5	93,100
Additional Credit for Incapacitated Child	31.7	11,700	39.0	12,300
Employee (PAYE) Credit	3,153.1	1,732,000	3,253.8	1,710,200
Dependent Relative Credit	1.8	17,600	2.0	18,700
Person Taking Care of Incapacitated Taxpayer	4.6	1,070	5.8	1,260
Age Credit	33.7	82,900	42.3	88,100
Blind Person's Credit	2.0	1,240	2.1	1,320
Medical Insurance Premiums (4)	300.3	1,195,300	321.0	1,322,400
Health Expenses	225.7	496,300	266.8	542,600
Contributions Under Permanent Health Benefit Schemes, after Deduction of Tax on Benefits Received (5)	3.6	26,300	4.0	29,200
Employees' Contributions To Approved Superannuation Schemes (6)	590.0	708,500	655.0	792,600
Employers' Contributions To Approved Superannuation Schemes (6)	150.0	364,700	165.0	362,700
Exemption of Investment Income and Gains of Approved Superannuation Funds (6) *	900.0	N/A	685.0	N/A
Exemption of employers' contributions to Approved Superannuation Schemes from employee BIK	540.0	364,700	595.0	362,700
Tax Relief on "tax free" lump sums (6)	130.0	N/A	140.0	N/A

Tax Relief Provision	(1) Estimated cost for			
	2007		2008	
	€m	Numbers	€m	Numbers
Income Tax				
Retirement Annuity Premiums	407.9	121,300	352.8	116,000
Personal Retirement Savings Accounts	61.1	46,600	73.8	53,900
Interest paid:				
Loans relating to Principal Private Residence	542.7	720,000	704.6	778,100
Other (7)	46.9	5,300	48.5	5,400
Rent Paid in Private Tenancies	82.1	206,000	96.5	222,100
Expenses Allowable to Employees under Schedule E	69.8	894,400	75.2	835,900
Third Level Education Fees	18.1	34,500	19.9	36,000
Exemption of Certain Earnings of Writers, Composers and Artists	27.4	2,650	21.8	2,630
Dispositions (Including Maintenance Payments made to Separated Spouses)	20.5	7,220	22.3	7,820
Exemption of Interest on Savings Certificates, National Instalment Savings & Index Linked Savings Bonds	130.3	N/A	88.1	N/A
Rent a Room	4.7	3,180	5.6	3,600
Exemption of Income of Charities, Colleges, Hospitals, Schools, Friendly Societies, etc. (8) (10)	30.7	N/A	35.8	N/A
Retirement Relief for certain Sports Persons.(9)	0.2	20	0.2	17
Exemption of Irish Government Securities where owner not ordinarily resident in Ireland (10) *	240.8	N/A	320.8	N/A
Exemption of Statutory Redundancy Payments	87.6	25,000	85.4	29,800
Service Charges	24.4	413,100	27.1	455,200
Top Slicing Relief — Reduced Tax Rate for Payments in Excess of Exemption Amounts Made as Compensation for Loss of Office	27.8	3,020	44.7	3,790
Revenue Job Assist allowance	0.3	360	0.2	330
Allowance for seafarers	0.3	170	0.3	160
Trade Union Subscriptions	20.7	316,300	26.4	341,900
Exemption From Tax of Certain Social Welfare Payments:				
Child benefit *	355.0	347,760	435.3	401,200
Early childcare Supplement*	84.3	193,200	98.3	195,200
Maternity allowance *	15.2	20,950	18.2	23,420
Foster Care Payments	29.4	3,330	28.1	3,470
Exemption of Income arising from the Provision of Childcare Services	0.7	400	0.8	440
Approved Profit Sharing Schemes *	107.6	98,870	99	111,180
Savings-Related Share Option Schemes *	11.9	2,600	1.3	2,800
Approved Share Option Schemes *	3	1000	0.08	280
Relief for New Shares Purchased by Employees	0.2	210	0.3	280
Investment in Corporate Trades (BES)	17.5	1,900	55.7	3,200
Investment in Seed Capital	2.3	63	1.7	56

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Tax Relief Provision	(1) Estimated cost for			
	2007		2008	
Income Tax	€m	Numbers	€m	Numbers
Stock Relief *	2	N/A	2.0	N/A
Relief for expenditure on significant buildings and gardens	5.0	210	5.9	290
Donation of Heritage items	5.3	4	4.7	5
Donation of Heritage property to the Irish Heritage Trust	1.9	7	3.6	4
<i>Income Tax and/or Corporation Tax (11)</i>				
Donations to Approved Bodies	47.6	110,700	52.4	131,100
Donations to Sports Bodies. (9)	0.4	700	0.3	850
Employee Share Ownership Trusts*	4.4	26,000	8.4	29,200
Total Capital Allowances: (12)	2,019.2	270,900	2,176.6	270,200
Rented Residential Relief — Section 23 (13) *	133.6	2,920	74.7	2,429
Effective Rate of 10% for Manufacturing and Certain Other Activities (14)	406.9	2,667	160.9	1,046
Double Taxation Relief	610.8	17,600	596.5	18,000
Investment in Films*	31.1	3,000	32.8	3,200
Group Relief	254.1	1,936	450.3	2,430
Research & Development Tax Credit (15)	165.6	479	146	582

Notes on Table IT6

- (1) Figures accompanied by an asterisk * are particularly tentative and subject to a considerable margin of error.
- (2) The cost figures for the exemption limits are based on the excess of the exemption limits over the basic personal tax credits. They include the cost of marginal relief for taxpayers whose incomes are not greatly in excess of the exemption limits.
- (3) The figures shown for the basic personal tax credits (married, single and widowed) are the costs of these tax credits as if all other tax credits and the exemption limits did not apply. They do not include individuals who are not on Revenue records because their incomes are below the income tax thresholds.
- (4) Arising from the change over to Tax Relief at Source the figures relate to the number of policies issued. These include policies where subscriptions were paid by businesses on behalf of their employees.
- (5) Part of the cost of contributions to Permanent Health Benefit Schemes is not identifiable as a result of the move to a “net pay” basis for contributions by PAYE taxpayers from 6 April 2001.
- (6) See the following note on “Green Paper on Pensions” for background commentary on the basis of the cost figures.
- (7) “Other” relates to borrowings for purposes such as acquiring an interest in a company or partnership.
- (8) The income on which the cost of exemption for charities, colleges, hospitals, schools, friendly societies, etc. from income tax is based includes repaid income tax that has been deducted at source on dividends, other investment income and payments received under covenant, donations and associated tax relief by the PAYE sector to approved bodies and donations by the self-employed and corporate sectors to approved bodies and approved sports bodies. Information is not available about other income received gross.
- (9) The cost figures for relief for donations to Approved Sports Bodies and for certain Sports Persons are based on self assessment returns.
- (10) In the absence of other information, tax has been assumed at the standard rate of income tax even though a different rate might be appropriate in many cases.
- (11) The costs included for corporation tax are by reference to accounting periods which ended in the years 2007 and 2008.
- (12) The cost shown for capital allowances does not include any cost associated with “unused capital allowances”, that is, capital allowances which are not absorbed by a company in the accounting period in which they arise because they exceed the amount of the company’s profits of that accounting period which are available for offset. Unused capital allowances can be offset as losses against taxable profits arising in the previous accounting period and against certain profits arising in future accounting periods and can be offset against the profits of another company in the same group of companies. It is estimated that €2820 million and €3587 million of unused capital allowances were claimed in respect of 2007 and 2008 accounting periods respectively but as the proportion of this item which is included in previous years losses and in group relief is not separately identifiable a reliable estimate of the cost of the capital allowance element cannot be provided.

(13) The tax cost shown for section 23 type relief is the estimated ultimate tax cost relating to the total allowable expenditure in respect of claims made in 2007 and 2008 tax returns for the first time. The cost shown is for income tax cases only.

(14) The cost shown for manufacturing relief for 2008 is compiled using the basic data available but for technical reasons associated with a system redesign it is understood to be understated by at least €100m.

(15) The costs shown for R&D is for claims for R&D on corporation tax returns for accounting periods ending in 2007 and 2008. However, the cost includes the cost associated with claims where the company was entitled to the credit but was unable to absorb it in that accounting year.

Green Paper on Pensions — Review of Estimates of Cost

As part of the work on the Green Paper on Pensions, a review was carried out of the current regime of incentives for supplementary pension provision with a view to developing more comprehensive and reliable estimates of the cost of reliefs in this area. The review examined, among other things, the current reliefs and incentives for investment in supplementary pensions and the data available on which to base reliable estimates of the costs in revenue foregone to the Exchequer.

The review drew on newly available 2006 aggregate data on contributions to pension schemes by employers and employees arising from a P35 initiative introduced on foot of provisions that were included in Finance Act 2004 with a view to improving data quality. Estimates of the cost of tax for private pension provision updated for 2007 and 2008 are included in table IT6.

The breakdown and make-up of these estimated costs of reliefs differ from presentations of costs in this area for years prior to 2005 in a number of respects and are not directly comparable. Further details on the cost of tax and other reliefs and the changes in the methodology are contained in pages 106 and 107 of the Green Paper on Pensions which is available at www.pensionsgreenpaper.ie.

Certain property-based tax incentives and incomes exempt from tax — uptake and estimated potential cost to the Exchequer in terms of income tax and corporation tax forgone based on 2007 and 2008 tax returns

Provisions were included in the Finance Acts of 2003 and 2004 to enable new statistical data on the uptake of tax relief for certain property-based tax incentives and incomes exempt from tax to be obtained from tax returns. This information, derived from changes introduced by the Revenue Commissioners to income tax returns and corporation tax returns for 2007 and 2008, is set out in the following tables.

The figures shown include the amounts claimed in the year but exclude amounts carried forward into the year either as losses or capital allowances, and include any amounts of unused losses and/or capital allowances which will be carried forward to subsequent years.

2007 Tax Incentive/Income Exemption	Amount Claimed €m	Assumed maximum tax cost €m	Number of claimants
Urban renewal	280.0	109.3	3,501
Town Renewal	86.1	34.6	1,128
Seaside Resorts	20.3	8.0	1,231
Rural Renewal	121.9	48.6	2,807
Multi-storey car parks	24.0	9.6	147
Living Over the shop	8.0	3.0	93
Enterprise Areas	7.0	2.8	137
Park and Ride	3.3	1.4	33
Holiday Cottages	30.7	12.4	832
Hotels	307.1	118.0	1,893
Nursing Homes	45.3	18.3	687

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2007 Tax Incentive/Income Exemption	Amount Claimed €m	Assumed maximum tax cost €m	Number of claimants
Housing for the Elderly/infirm	6.3	2.6	166
Hostels	1.8	0.72	24
Guest Houses	0.1	0.02	8
Convalescent Homes	1.2	0.5	27
Qualifying Private Hospitals	29.6	12.1	330
Qualifying sports injury clinics	4.3	1.8	59
Buildings Used for certain childcare purposes	24.2	9.8	420
Qualifying Mental Health Centres	0.0	0.0	1
Student Accommodation	108.7	42.0	941
Exemption of profits or gains from Greyhounds	0.4	0.1	13
Exemption of profits or gains from Stallions	59.6	11.2	226
Exemption of profits or gains from Woodlands	21.8	8.5	1,886
Exempt Patents (Section 234, TCA 1997)	528.2	90.9	1,251
Totals	1,719.8	546.5	17,841

2008 Tax Incentive/Income Exemption	Amount Claimed €m	Assumed maximum tax cost €m	Number of claimants
Urban renewal	224.6	84.5	3,271
Town Renewal	60.5	23.7	965
Seaside Resorts	14.5	5.7	1,051
Rural Renewal	84.6	34.2	2,634
Multi-storey car parks	16.8	6.6	136
Living Over the shop	6.1	2.5	81
Enterprise Areas	6.2	2.5	138
Park and Ride	1.7	0.7	19
Holiday Cottages	26.8	10.8	833
Hotels	300.6	114.7	1,966
Nursing Homes	47.6	19.4	725
Housing for the Elderly/infirm	7.4	3.0	179
Hostels	1.62	0.66	21
Guest Houses	0.3	0.11	10
Convalescent Homes	1.3	0.5	33
Qualifying Private Hospitals	30.2	12.3	340
Qualifying sports injury clinics	3.7	1.5	58
Buildings Used for certain childcare purposes	29.9	12.0	511
Qualifying Mental Health Centres	0.1	0.0	3
Student Accommodation	58.0	22.7	790
Caravan Camps	1.5	0.6	10
Mid Shannon Corridor Tourism Infrastructure	1.8	0.7	12
Exemption of profits or gains from Greyhounds	0.0	0.0	9

2008 Tax Incentive/Income Exemption	Amount Claimed €m	Assumed maximum tax cost €m	Number of claimants
Exemption of profits or gains from Stallions	91.4	14.8	183
Exemption of profits or gains from Woodlands	49.4	13.0	2,357
Exempt Patents (section 234, TCA 1997)	187.2	50.2	1,184
Totals	1,302.4	455.0	18,089

These figures do not take account of the application of the restriction of reliefs originally provided for in section 17 of Finance Act 2006 and which took effect from 1 January 2007. The restriction was extended by Section 23 Finance Act 2010.

Notes:

- The figures shown relate to the various reliefs/incentives and exemptions as specified in the 2007 and 2008 form 11 and CT1.

65. **Deputy Frank Feighan** asked the Minister for Finance in lowering the rate of VAT from 13.5% to 9% the reason beauty salons were excluded. [19298/11]

Minister for Finance (Deputy Michael Noonan): VAT is charged on the supply of goods and services, and the rate applying is subject to the requirements of EU VAT law with which Irish VAT law must comply. While many tourist related services were made subject to a new temporary lower reduced VAT rate of 9% from 1 July, it is not possible to extend this treatment to the goods and services that remain subject to the 13.5% rate. While hairdressing services apply at the new temporary 9% rate, services consisting of the care of the human body, including beauty salons, will remain subject to the 13.5% rate.

This arises from the fact that many of goods and services to which Ireland applies a reduced rate of VAT, including services related to care of the human body, have their basis under an EU derogation that provides that as we applied a reduced rate to these items on 1 January 1991, we are entitled to continue applying that reduced rate to those items. However, this continuation of reduced rate application is conditional on the rate being no less than 12%. These are known as ‘parked’ items, and are provided for under Article 118 of the EU VAT Directive. As the services provided by beauty salons are part of these parked items, it is not possible for Ireland to apply the rate of 9% to them.

It is for this reason that the Finance (No. 2) Act 2011 introduced a 9% VAT rate in respect of tourist activities such as restaurant and hotel accommodation services, while other tourist activities such as tour guide services and the short-term hire of cars, boat, caravans and mobile homes remain liable to VAT at the 13.5%. However, it should be noted that in the majority of EU Member States services consisting of the care of the human body apply at their standard VAT rate of up to 25% in some cases, compared to 13.5% in Ireland.

66. **Deputy Frank Feighan** asked the Minister for Finance in lowering the rate of VAT from 13.5% to 9% the reason dry cleaners were excluded. [19299/11]

Minister for Finance (Deputy Michael Noonan): VAT is charged on the supply of goods and services, and the rate applying is subject to the requirements of EU VAT law with which Irish VAT law must comply. While many tourist related services were made subject to a new temporary lower reduced VAT rate of 9% from 1 July, it is not possible to extend this treatment to the goods and services that remain subject to the 13.5% rate.

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This arises from the fact that many of the goods and services to which Ireland applies a reduced rate of VAT, including dry cleaning, have their basis under an EU derogation that provides that as we applied a reduced rate to these items on 1 January 1991, we are entitled to continue applying that reduced rate to those items. However, this continuation of reduced rate application is conditional on the rate being no less than 12%. These are known as ‘parked’ items, and are provided for under Article 118 of the EU VAT Directive. As laundry and dry cleaning services are such parked items, it is not possible for Ireland to apply the rate of 9% to them.

It is also for this reason that the Jobs Initiative introduced a 9% VAT rate in respect of tourist activities such as restaurant and hotel accommodation services, while other tourist activities such as tour guide services and the short-term hire of cars, boats, caravans and mobile homes remain liable to VAT at the 13.5%. However, it should be noted that in the majority of EU Member States dry cleaning services apply at their standard VAT rate of up to 25% in some cases, compared to 13.5% in Ireland.

67. **Deputy Frank Feighan** asked the Minister for Finance in lowering the rate of VAT from 13.5% to 9% the reason caravan sites were excluded based on the fact that they are an important part of the tourist trade. [19300/11]

Minister for Finance (Deputy Michael Noonan): The hire of a mobile home or caravan in a caravan park, camping site or other similar establishment is regarded as the provision of self-catering holiday accommodation and is subject to VAT at the new 9% rate, as provided for in the Finance (No. 2) Act 2011. Similarly, the hire of a site in a caravan park, camping site or other similar establishment is also liable to VAT at the new 9% rate. However, the hire of a mobile home or caravan in general, separate from a site, continues to be liable to VAT at the parked rate of 13.5%.

National Asset Management Agency

68. **Deputy Michael McGrath** asked the Minister for Finance, further to Parliamentary Question No. 88 of 30 June 2011, if, in view of the higher than originally expected discounts applied on NAMA loans which had the consequence of inflating the losses forward among participating banks, he has any plans to propose an amendment to the National Asset Management Agency Act 2009 to further limit the amount of relief that can be claimed by participating institutions for losses carried forward from earlier years. [19311/11]

Minister for Finance (Deputy Michael Noonan): Ireland follows the international norm in that losses incurred in the course of a business are taken into account in arriving at the appropriate amount of tax that a company should bear. Under existing legislation, companies are entitled to carry forward unrelieved trading losses for offset against trading profits of the same trade in future accounting periods until the losses are fully relieved or the trade is discontinued. In this way, unused losses can be carried forward indefinitely by companies and this is the position both for institutions involved in the NAMA process and for companies generally.

However, Section 396C of the Taxes Consolidation Act has the effect of restricting the amount of taxable trading income of an institution participating in NAMA which can be reduced by losses carried forward, including losses arising from the NAMA process. This differs from the treatment applicable to companies, generally, who would be allowed to use all of their trading income arising in an accounting period to absorb losses of the same trade carried forward from previous accounting periods. The feature of note for institutions participating in

NAMA is that it is the trading income against which losses may be offset that is restricted rather than the losses themselves. It will, of course, take a longer period of time for those losses to be fully used up than would be the case if the restriction did not apply.

The intention behind the section 396C restriction is that, when the participating institutions return to profitability, a minimum of 50% of their trading income will remain chargeable to tax in an accounting period notwithstanding claims for relief for losses carried forward into that period. I have no plans to increase the level of the restriction on trading income.

Financial Services Regulation

69. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will increase the length of time in which the offence of mismanagement of a credit union can be investigated, which currently stands at two years from the date on which the offence was committed. [19337/11]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that the Commission on Credit Unions was established by Government on 31 May 2011 and has begun its programme of work. The Commission will review the future of the credit union movement and make recommendations in relation to the most effective regulatory structure for credit unions. Included in the terms of reference for the Commission is the requirement to examine existing credit union legislation and, in particular, the Credit Union Act 1997 and make recommendations on changes required to implement its findings. I expect that this review will include an examination of the offences already provided for in the Act. I have no plans to carry out a separate review of the offence of mismanagement of a credit union. The Commission will make initial recommendations on strengthening the regulatory framework for credit unions by 30 September 2011 and will submit a final report to me, as Minister for Finance, by 31 March 2012.

National Asset Management Agency

70. **Deputy Michael McCarthy** asked the Minister for Finance if he will outline the role that the National Asset Management Agency has once it has taken over a company and acquired its assets in terms of the discharge and management of debts that the company had prior to its take-over by the agency; and if he will make a statement on the matter. [19338/11]

Minister for Finance (Deputy Michael Noonan): NAMA has a commercial remit to manage its portfolio of acquired loans and property to generate the best achievable financial return for the State. To date NAMA, has only acquired loans not properties or companies. Following the transfer of a debtor's loans to NAMA, each debtor is requested to complete a realistic and concise business plan. The viability of the business plan of each major borrower is then assessed by NAMA. Where viability cannot be demonstrated or where a borrower is not co-operating with the process NAMA will take enforcement action against the borrower concerned.

As at end-May 2011, NAMA has approved the appointment of receivers in 66 cases. On appointment it is then the receiver's primary role to recover the money owing to the creditors. The receiver is the agent of the debtor but acts on NAMA's instructions. Each receivership proceeds on a case-by case basis in order to maximise the recoverable proceeds from a debtor's assets. In order to do this the receiver may continue to manage the business and/or sell or realise the debtor's assets.

Banks Restructuring

71. **Deputy Michael McGrath** asked the Minister for Finance when a detailed plan, including

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a detailed timeline for the achievement of various milestones, for the downsizing and deleveraging of AIB is to be finalised. [19365/11]

73. **Deputy Michael McGrath** asked the Minister for Finance when a detailed plan, including a detailed timeline for the achievement of various milestones, for the downsizing and deleveraging of Bank of Ireland is to be finalised. [19367/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 71 and 73 together.

Allied Irish Banks (AIB) and Bank of Ireland (BoI) submitted detailed deleveraging plans for the three years to the 31 December 2013 to the Central Bank of Ireland (CBI) as part of the Financial Measures Programme, which was announced on 31 March 2011. These plans outlined how the institutions would achieve a loan-to-deposit ratio of 122.5% by end 2013. To monitor progress, semi-annual interim targets have been set for each of the institutions and progress against these targets will be reported every six months. The first reporting date by the institutions to the CBI is 31 December 2011.

Subsequent to 31 March 2011, AIB and BOI were required to provide alternative deleveraging options to account for the fact that the transfer of sub-EUR 20 million land and development loans to NAMA will now no longer take place. These plans were submitted to the CBI in May 2011.

Banking Sector Staff

72. **Deputy Michael McGrath** asked the Minister for Finance the number of persons currently employed by AIB and the number expected to be employed at the end of the downsizing and deleveraging process. [19366/11]

Minister for Finance (Deputy Michael Noonan): I am informed by AIB that it currently employs 13,890 staff on a full time equivalents (fte) basis at end June 2011. This excludes the staff (slightly in excess of 600 ftes) being taken on under the just completed acquisitions of EBS. The Deputy will appreciate that it is not possible to give a number at this stage as to what the employment level will be post the restructuring and deleveraging of the bank.

Question No. 73 answered with Question No. 71.

74. **Deputy Michael McGrath** asked the Minister for Finance the number of persons currently employed by Bank of Ireland and the number expected to be employed at the end of the downsizing and deleveraging process. [19368/11]

Minister for Finance (Deputy Michael Noonan): The most recent annual report of Bank of Ireland states that the average number of staff in the 12 month period ending 31 December 2010 was 14,284 based on full time equivalents. It is not possible at this stage to say the number expected to be employed at the end of the downsizing and deleveraging process.

State Banking Sector Remuneration

75. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of any reductions in basic pay which have imposed on or volunteered by the Chief Executive of Anglo Irish Bank and the senior management team in 2010 or to date in 2011. [19369/11]

Minister for Finance (Deputy Michael Noonan): The bank has informed my Department that there were no reductions to the basic pay of its Chief Executive or any of its senior management team in 2010, or to date. Anglo Irish Bank is being run on an arms length commercial basis and it is therefore a matter, in the first instance, for the Board of the bank to formulate and implement its remuneration policy subject to the overall framework and limits on remuneration as outlined by Government for the covered institutions. However, as the Deputy will be aware, regarding the general issue of bank remuneration, I have asked the NTMA to request a review of remuneration policies and practices by each of the covered institutions. In that regard, the institutions have been asked to consider measures that could be taken to realign staff expectations with regard to remuneration and benefits in the current economic environment and financial circumstances of the banks. The review exercise is ongoing and the NTMA expects to receive the requested information shortly from all the institutions in order to allow a comprehensive evaluation to take place.

Banking Sector Remuneration

76. **Deputy Michael McGrath** asked the Minister for Finance if there have been any reductions in basic pay, either voluntarily or by imposition, with the exception of the CEO post as provided for or governed by the Covered Institutions Remuneration Oversight Committee, in senior management positions in Bank of Ireland in 2010 or to date in 2011 and, if so, if he will provide the relevant details. [19370/11]

Minister for Finance (Deputy Michael Noonan): The three members of the Group Executive Committee who were in situ in May 2009 have waived at least 10% of their basic salaries and this waiver is still in force. Details are published in the Bank's Annual Report for the year ended 31 December 2010. No reduction in basic salary has occurred for the remaining members of the Group Executive Committee and the Senior Executive Team in situ in 2010 and to date in 2011.

77. **Deputy Michael McGrath** asked the Minister for Finance if there have been any reductions in basic pay, either voluntarily or by imposition, with the exception of the CEO post as provided for or governed by the Covered Institutions Remuneration Oversight Committee, in senior management positions in AIB in 2010 or to date in 2011 and, if so, if he will provide the relevant details. [19371/11]

Minister for Finance (Deputy Michael Noonan): I am advised by AIB that members of the senior management team took the appropriate reductions in pay arising from the CIROC recommendations and the terms of the Subscription Agreement of May 2009. No reductions in basic pay occurred in 2010 and to date in 2011 in respect of the senior management team other than one reduction to a member of the team to ensure on-going compliance with the above.

AIB is being run on an arms length commercial basis and it is therefore a matter, in the first instance, for the Board of the bank to formulate and implement its remuneration policy subject to the overall framework and limits on remuneration as outlined by Government for the covered institutions. However, as the Deputy will be aware, regarding the general issue of bank remuneration, I have asked the NTMA to request a review of remuneration policies and practices by each of the covered institutions. In that regard, the institutions have been asked to consider measures that could be taken to realign staff expectations with regard to remuneration and benefits in the current economic environment and financial circumstances of the banks. The review exercise is ongoing and the NTMA expects to receive the requested information shortly from all the institutions in order to allow a comprehensive evaluation to take place.

Financial Institutions Recapitalisation

78. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the total amount, listed by financial institution, already paid into or committed by the State to financial institutions by way of recapitalisation since 2008. [19372/11]

Minister for Finance (Deputy Michael Noonan): This table sets out the amount of capital injected by the State into the Irish Banking System at year end 2010. No further capital injections have been completed since this time.

Recapitalisation of Credit Institutions

Credit Institution	Cost of Share Acquisition	Cost of Preference Shares	Capital contributions	Capital Provided to 31 December 2010	PCAR 2011 requirement	Contingent Capital	Mar 31st Total(1)
	€bn	€bn	€bn	€bn	€bn	€bn	€bn
Anglo Irish Bank	4	-	25.3	29.3	-	-	0
Allied Irish Banks	3.7	3.5	-	7.2	11.9	1.4	13.3
Bank of Ireland	1.7	1.8 (2)	-	3.5	4.2	1	5.2
Irish Nationwide Building Society	0.1	-	5.3	5.4	-	-	0
EBS Building Society	0.6	-	0.3	0.9	1.3	0.2	1.5
Irish Life and Permanent	-	-	-	-	3.6	0.4	4
Total	10.1	5.3	30.8	46.3	21	3	24

(1) Before banks potential capital raising actions (LME's/Asset Sales / Internally Generated Capital)

(2) Original investment of €3.5bn, of this €1.7bn converted to equity in May 2010

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Further capital injections will shortly be required to enable the merged AIB and EBS, Bank of Ireland and IL&P to raise €24 billion of capital in order to meet their regulatory capital requirements as mandated by the Central Bank of Ireland and announced as part of the PCAR results on the 31st March last. These requirements are also set out in the table. The State has committed to completing the recapitalisations to the extent possible by the 31st July as part of the IMF-EU Programme of Financial Support for Ireland.

While the Government is committed to ensuring that the banks meet the PCAR target, the Government is seeking direct contributions to the capital requirements of the banking system. As such the Government has already instigated processes which have and will reduce the cost to the State by looking for further significant contributions from subordinated debt holders, by the sale of assets to generate capital, and where possible, by seeking private sector investors. It is expected that the effect of these actions will be to reduce the amount of capital required by the State very significantly.

The recapitalisation plan for AIB and EBS was announced on Friday 1 July. Under the plan the NPRF will inject €5 billion in equity capital at a price of €0.01 per share bringing its shareholding to 99.8%. The State will also inject €1.6 billion in contingent capital. The remaining capital requirements of the combined entity, following the completion of burden sharing with subordinated debt holders, will be met by way of a capital contribution to the entity. An EGM to approve the capital raising has been scheduled for 26th July.

The recapitalisation plan for Irish Life and Permanent was announced on Monday 27 June. Under the plan the State will subscribe for up to €3.4 billion in equity capital and €0.4 billion in contingent capital with an additional €0.2 billion to be raised internally to meet a total of €4 billion. It has been agreed that the Capital Requirement will be subject to appropriate adjustment for any capital generated through asset disposals (including the possible disposal of the Irish Life Group) and the IL&P LME. As a result it is expected that €2.9 billion will be injected on or before the 31 July 2011, €2.7 billion of which will be provided by the State in the form of equity capital (€2.3 billion) and contingent capital (€0.4 billion) with the balance to follow should the LME and disposal of Irish Life not generate €1.1 billion of core tier 1 capital. An EGM to approve the capital raising has been scheduled for 20 July.

The recapitalisation plan for Bank of Ireland was announced on Monday 20 June. The €4.2 billion capital requirement will be underwritten by the NPRFC and reduced to the maximum amount possible through an ongoing LME (which is expected to reduce the underwriting requirement by €1.98 billion) and further burden sharing with any remaining subordinated bondholders. An Extraordinary General Court of the Bank to approve the transaction has been scheduled for 11 July.

State Agencies

79. **Deputy Michael McGrath** asked the Minister for Finance if he intends to implement any measures to ensure greater transparency in relation to the remuneration arrangements that apply at the National Treasury Management Agency. [19375/11]

Minister for Finance (Deputy Michael Noonan): Performance-related pay has been an integral part of the NTMA approach to remuneration, reflecting the approach to remuneration in the private sector organisations with which the NTMA competes for staff. At the same time, public sector organisations must operate having due regard to the wider public policy context, which includes general economic circumstances. Accordingly, it is my intention to examine the approach to remuneration in the NTMA in more detail in the coming months following consul-

tation with my colleague, the Minister for Public Expenditure and Reform. I will then see what changes, if any, might be appropriate in relation to the remuneration of all staff in the NTMA, having regard to the changing economic circumstances of the State and the need for transparency in public expenditure. The legislation which established the NTMA in 1990 deliberately positioned it outside of the wider public service structures with operational freedom to negotiate market-competitive salaries so that it would have, for example, the flexibility to recruit specialists in mid-career from the private sector. Under the NTMA business model, its remuneration structure is such that there are no general pay grades and no pay scales and all staff are on individually-negotiated contracts.

This business model has allowed the NTMA to staff itself with the necessary technical expertise to carry out the financial and risk management functions which have been assigned to it by Government since its initial establishment as a single-function agency managing the National Debt. These additional functions include the State Claims Agency, the National Pensions Reserve Fund, the National Development Finance Agency and the National Asset Management Agency.

The NTMA Advisory Committee, the members of which are appointed by the Minister for Finance, formally advises the NTMA on remuneration, including performance-related pay, on an ongoing basis. The remuneration of the Chief Executive, including any performance related payments, is determined by me after consultation with the Committee. The Advisory Committee makes recommendations to the Chief Executive on the specific remuneration of the other members of the senior management team and on general remuneration policy in the NTMA.

It should be noted that the members of NTMA's senior management team waived their performance-related payments due for 2010 in view of the serious economic situation facing the country.

Turning to the point the Deputy raises regarding transparency, detailed information on salaries by salary band was furnished by the NTMA to my Department and included in my response to a parliamentary question from the Deputy last week. Similar information was previously provided to the Committee of Public Accounts. In addition, in line with the requirements of the Code of Practice for the Governance of State Bodies, full details of the remuneration of the Chief Executives of the NTMA, NAMA and NDFA will be published on an annual basis in the respective agencies' Annual Reports.

Financial Institutions Regulation

80. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the identity and role of any outside consultants presently involved in the operation of individual financial institutions. [19378/11]

Minister for Finance (Deputy Michael Noonan): The information the Deputy has requested is not held by my Department. The financial institutions covered by the State Guarantee use consultants in respect of many aspects of their operations. The Department of Finance does not compile a list of these consultants. I do however expect the banks to continue to control and reduce their cost base and ensure that they achieve value for money when engaging consultants.

The Deputy may be aware that in a reply to Parliamentary Question 169 from Deputy Pearse Doherty this week, I informed the House of details of the amounts AIB, Bank of Ireland, EBS and Irish Life and Permanent are spending on advisors, including lawyers, investment advisors and underwriters as part of their efforts to raise the €24 billion following the latest stress tests, and I will provide a copy to the Deputy.

81. **Deputy Michael McGrath** asked the Minister for Finance if he will define the role of the directors of the covered institutions appointed by him as public interest directors; and if he will elaborate on the reporting relationship in place between them and him. [19379/11]

Minister for Finance (Deputy Michael Noonan): The legal position is that any director appointed to the board of the covered institutions whether under the Credit Institutions (Financial Support) Scheme 2008 or otherwise is subject to the requirements of company law in relation to the discharge of their responsibilities as a company director. As such, the director is legally bound to act in what he or she believes are the interests of the separate legal entity that is the institution itself. These are the director’s so called fiduciary responsibilities. To address the scope for actual and perceived conflicts between the fiduciary duties of the directors of financial institutions under company law and the wider public interest in circumstances that those institutions have received huge financial support from the State, legal clarity, not just to the role of the public interest director but to that of the entire boards of those institutions, was provided for under Section 48 of the Credit Institutions (Stabilisation) Act 2010. It provides that the overriding duty of directors of the covered institutions relates to the public interest as set out in the Act.

Accordingly, public interest directors do not have a formal reporting relationship to the Minister or to the Department of Finance. However, as Minister for Finance, I am strongly committed to ensuring that the boards of the covered institutions act at all times in a manner fully consistent with key public interest objectives for the banking sector.

Deferred Interest Scheme

82. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the roll-out of the deferred interest scheme as recommended by the Expert Group on Mortgage Arrears and Personal Debt. [19380/11]

Minister for Finance (Deputy Michael Noonan): The Central Bank has advised me that the following lenders have notified the Bank of their decision/intention to implement the recommendation of a Deferred Interest Scheme (DIS) or a variation of it, as set out in the final report of the Expert Group on Mortgage Arrears and Personal Debt with the following effective dates:

Mortgage Lender	Effective Date
Allied Irish Banks	Final quarter of 2011
AIB Mortgage Bank	Final quarter of 2011
Bank of Ireland	Implemented
ICS Building Society	Implemented
EBS	Implemented
Haven Mortgages	Implemented
Irish Nationwide Building Society	Third quarter of 2011
Permanent TSB	Will be implemented from 11 July 2011
Springboard Mortgages	Implemented
Start Mortgages	Final quarter of 2011

It is important to note that the DIS is a voluntary scheme, and as such all lenders do not have to sign up to it.

Exchequer Savings

83. **Deputy Michael McGrath** asked the Minister for Finance if, based on the end of June Exchequer returns, his views that the Budget for 2011 is on target in overall terms and, separately, with regard to income and with regard to expenditure. [19381/11]

Minister for Finance (Deputy Michael Noonan): The Exchequer deficit in the first six months of the year, at €10.8 billion, was in line with my Department's expectations. Tax receipts in the period to end-June, at €15.3 billion, were almost 6% above the same period in 2010. They were however slightly below expectations with a shortfall of 0.7% or €115 million compared to profile being recorded in the first six months of the year.

While this shortfall must be viewed in the context of a target of almost €15½ billion, it is the case that individual tax-heads showed a mixed performance in the period to end-June. Corporation tax and VAT were a little weaker than expected but on a more encouraging note, income tax was in line with target and excise duties recorded a surplus of €79 million.

Although certain tax-heads have shown some signs of weakness, the Budget day target for tax revenue in 2011 of €34.9 billion remains valid, especially given the expected boost to taxes this year from the pension levy introduced to fund the Jobs Initiative.

On the expenditure side, overall voted expenditure was managed within the limits set out in the first half of the year and was 1½% below profile. This reflects the ongoing tight control of public spending, which we must ensure is maintained over the coming months.

The anticipated end-year voted expenditure position remains in line with target although pressures emerging in some areas will have to be managed from within existing resources. The Department of Public Expenditure & Reform is working with Departments to ensure that this is the case.

The Stability Programme Update published at end-April projected an Exchequer deficit of €18.2 billion in 2011, notwithstanding the requirement for the Exchequer to part fund the recapitalisation of the banking sector. That estimate remains valid at this time.

Banks Recapitalisation

84. **Deputy Michael McGrath** asked the Minister for Finance his views on the matters regarding recapitalisation raised in correspondence (details supplied). [19407/11]

Minister for Finance (Deputy Michael Noonan): As the correspondence the Deputy refers to is of a legal nature, I do not think it is appropriate for me to respond in any depth at this stage other than to state that a reply to the said correspondence was issued on 28 June 2011 and that the capital requirement set by the Central Bank of Ireland (CBI) for each credit institution the subject of the 31 March stress tests, including Irish Life & Permanent, has been set by the CBI in accordance with its regulatory functions.

Tax Collection

85. **Deputy Bernard J. Durkan** asked the Minister for Finance the way it is expected that a person (details supplied) in County Kildare can discharge a debt to the Revenue Commissioners in view of the fact that their only income in the past two and half years derives from jobseeker's allowance and noting a proposed court appearance in this regard in the near future; and if he will make a statement on the matter. [19424/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that they have been recently in contact with the person concerned in relation to a tax debt.

[Deputy Michael Noonan.]

Arising from that contact written confirmation is awaited from the person concerned of his specific financial circumstances. I am advised by Revenue that there are no imminent legal proceedings in regard to this matter. Subject to the person concerned providing the confirmation required, matters should be capable of being resolved speedily.

86. **Deputy Bernard J. Durkan** asked the Minister for Finance if and when a P60 will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19425/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that they have written to the person concerned advising him that forms P60 are issued by employers to their employees and he should contact his employer in this regard. The taxpayer has also been advised that if he experiences difficulties in relation to this matter he should contact Ms. Julie Miller, Kildare Revenue District, telephone 059 8643251 to discuss the matter.

Pupil-Teacher Ratio

87. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will give a commitment to protect class sizes in this years budget following recent figures from his Department which indicate a greater than expected increase in student numbers between now and 2017. [19412/11]

Minister for Education and Skills (Deputy Ruairí Quinn): At this point I do not propose to give any specific commitment on the allocation of teachers to schools for the 2012/13 school year. The number of teaching posts that we can afford to fund in schools is a matter that I will have to consider with my colleagues in Cabinet in the context of the next budget and meeting our obligations under the EU/IMF Programme.

The National Recovery Plan 2011-2014 makes provision for a net increase of just over 2,000 posts across the education sector between the end of 2010 and the end of 2014. Clearly the latest information from the census will have to be factored into those deliberations.

As the Deputy will be aware the National Recovery Plan provided for consultation with the education partners in relation to how best to achieve a further reduction in teacher payroll costs from 2012. It envisaged the introduction of appropriate increases in the classroom teacher allocation schedules if the consultation process did not produce alternative feasible measures to deliver the required savings.

My Department has commenced this consultation process. The education partners at primary and post-primary level have been given the opportunity to contribute this month to the process of identifying a range of measures that the Government can consider in order to achieve a further reduction in teacher payroll costs from the school year 2012/13.

School Curriculum

88. **Deputy Andrew Doyle** asked the Minister for Education and Skills the rationale for the introduction of project maths as an additional subject in the secondary school education system in the context of the rollout of pilot project for this subject. [19238/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Project Maths is a major programme of reform in mathematics in second level schools, which is designed to encourage better understanding of mathematics, to reinforce its practical relevance to everyday life, and to

ensure better continuity between primary and second level, and junior and senior cycle. It began in 24 project schools in September 2008 and was introduced in all schools in September 2010. Project Maths provides for a professional development model under which change will be implemented in various areas of maths on a phased basis. The curriculum will be phased in over a number of years covering the following five strands of mathematics:

- Phase 1: Strand 1- statistics and probability; Strand 2- geometry and trigonometry
- Phase 2: Strand 3- number; Strand 4- algebra
- Phase 3: functions

Strands 1 and 2 began in all schools in September 2010 for first examination in 2012 at Leaving Certificate and 2013 at Junior Certificate. Strands 3 and 4 will begin in 2011, and strand 5 will start in 2012.

A comprehensive programme of professional development is being provided for teachers. Support will be provided on a rolling basis as each strand of the curriculum is implemented, and will continue until at least 2013.

89. **Deputy Andrew Doyle** asked the Minister for Education and Skills the process for the evaluation of the pilot project maths subject; and if this is to be provided prior to examination correction for the 2011 leaving certificate students. [19239/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Project Maths is a major programme of reform in mathematics in second level schools, which is designed to encourage better understanding of mathematics, to reinforce its practical relevance to everyday life, and to ensure better continuity between primary and second level, and junior and senior cycle. It began in 24 project schools in September 2008 and was introduced in all schools in September 2010. Project Maths provides for a professional development model under which change will be implemented in various areas of maths on a phased basis.

Project Maths has been widely welcomed by the partners in education and the Expert Group on Future Skills Needs. Implementation of the programme is monitored by a steering committee representing my Department, the National Council for Curriculum and Assessment and the State Examinations Commission. An external research and evaluation programme is also planned.

Special Educational Needs

90. **Deputy Seán Crowe** asked the Minister for Education and Skills if a school or a parent appeals the removal of a special needs assistant from a child, will the actual appeal process concentrate on that individual child or will the process open up and involve other children in that school who had been left with SNAs in the initial review. [19241/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The National Council for Special Education (NCSE) is responsible for allocating Special Needs Assistants (SNAs) to schools. 10,575 whole time equivalent posts are being provided for the coming school year. To manage this limited resource, 475 of these posts will be retained for allocation over the coming school year to address significant emergency cases; new entrants with special needs; or new assessments or injuries acquired during the school year.

The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism.

[Deputy Ruairí Quinn.]

It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

91. **Deputy Seán Crowe** asked the Minister for Education and Skills if his attention has been drawn to the growing concern and the apparent lack of consistency or use of assessment tools for diagnosis in relation to the assessment of a child or children with special needs or behavioural problems in the current review process. [19242/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE) has responsibility for processing resource applications for children with disabilities who have special educational needs through its regional Special Educational Needs Organisers (SENOs). The NCSE also has responsibility for planning and co-ordinating the provision of education and support services for students with special educational needs, in accordance with DES policy. The NCSE operates within my Department's criteria in allocating supports. The responsibility for deciding on the quantum of educational resources to be allocated to pupils with special educational needs resides with the NCSE through the SENO. The consideration of professional reports is an integral part of determining the extent of supports to be provided for pupils with special educational needs. The NCSE has outlined the processes involved in the consideration of applications for special needs supports in its Circular 01/05 which is available on *www.ncse.ie*. The co-operation and co-ordination of the education and health sectors is critical in the planning and delivery of services to children with special educational needs. The NCSE circular 03/08, which is also available on *www.ncse.ie*, clarifies the respective roles and functions of the NCSE and the HSE and their respective personnel in carrying out assessments of and sanctioning resources to support children with special educational needs. I wish to advise the Deputy that it is a matter of professional discretion what diagnostic tools are used in the assessment of individual children. If the Deputy has a concern in relation to an individual case I would ask him to forward the details directly to the NCSE.

92. **Deputy Seán Crowe** asked the Minister for Education and Skills if his attention has been drawn to the growing concern in relation to the withdrawal of special needs assistants and particularly around the way a special needs education organiser in the current review process can make a life changing decision by reading reports and observing a child possibly having a good day over a few minutes. [19243/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The National Council for Special Education (NCSE) is responsible for allocating Special Needs Assistants (SNAs) to schools. 10,575 whole time equivalent posts are being provided for the coming school year. To manage this limited resource, 475 of these posts will be retained for allocation over the coming school year to address significant emergency cases; new entrants with special needs; or new assessments or injuries acquired during the school year.

The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism.

It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

93. **Deputy Seán Crowe** asked the Minister for Education and Skills if his attention has been drawn to the growing concern in relation to the withdrawal of special needs assistants and particularly around the way a special needs education organiser can be deemed to be qualified to overrule the recommendations of eminently qualified psychiatrists, medical practitioners or a professional in relation to a child's special care needs. [19244/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that 10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming school year. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number.

It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

The Deputy will be aware that the Education for Persons with Special Educational Needs (EPSEN) and Disability Acts set out clearly the role and functions of the National Council for Special Education (NCSE) and the Health Service Executive (HSE) and their staff in carrying out assessments and with regard to the provision of services for children with special educational needs.

Responsibility for deciding on the quantum of educational supports and resources to be allocated to schools, or to individual pupils, rests with the NCSE in accordance with my Department's policy. Whereas health reports provide valuable assistance to education providers in identifying a diagnosis or identifying appropriate interventions, health staff are asked not to include references to the specific quantum of educational resources in their reports, but should state the outcome of tests carried out and the range of needs of the child as clearly as possible as the responsibility for allocating educational supports and resources to children or schools, rests with the NCSE.

School Staffing

94. **Deputy Seán Crowe** asked the Minister for Education and Skills if his attention has been drawn to the fact that a school (details supplied) in Dublin 8, having lost its special class, has been informed that it will not be sanctioned for a full-time resource teacher; his views that this will have a detrimental effect particularly for those children with special needs but also for all pupils in the school; if he will allow the school to appoint a full-time resource teacher thereby allowing the school, which has established a very positive reputation for integrating children with special needs, to maintain its current staffing levels. [19245/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has been in correspondence with the school referred to by the Deputy regarding the staffing requirements for 2011/12.

I understand that the concerns raised by the Board of Management and the principal have been addressed.

School Patronage

95. **Deputy Seán Crowe** asked the Minister for Education and Skills the position regarding the review into the school patronage system across the Twenty-six Counties; and if it will be based on giving parents a clearer and more comprehensive choice for their children's education. [19246/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In accordance with the Programme for Government, a Forum on Patronage and Pluralism in the Primary Sector was launched in mid April. An Advisory Group, chaired by Professor John Coolahan, is overseeing the work of the Forum. The key issues being addressed by the Forum are 1. How best to establish parental and community demand for diversity in our schools 2. The practicalities of how transfer/divesting of patronage might work 3. How to cater for diversity in an area where there is only one school or a small number of schools The Group is consulting with the key stakeholders and has sought written submissions not only from them but from all interested parties. Over 200 submissions have been received. The Group will present their advice to me in their final report by the end of the year.

Disadvantaged Status

96. **Deputy Seán Crowe** asked the Minister for Education and Skills the reason a school (details supplied) in Dublin 24 which, in spite of its catchment and pupil background, has not been granted disadvantaged status. [19247/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy is aware, DEIS (Delivering Equality of Opportunity in Schools) is my Department's action plan for educational inclusion, and provides for a standardised system for identifying levels of disadvantage and an integrated School Support Programme (SSP). The action plan has been rolled out over the period since 2006. The process of identifying schools for participation in DEIS, was managed by the Educational Research Centre (ERC) on behalf of my Department and supported by quality assurance work co-ordinated through the Department's regional offices and the Inspectorate. The ERC's overall approach was guided by the definition of educational disadvantage set out in the Education Act (1998), as: "...the impediments to education arising from social or economic disadvantage which prevent students from deriving appropriate benefit from education in schools".

The school to which the Deputy refers was among a number of schools that was judged by an independent identification process in 2005 not to have a sufficient level of disadvantage among their pupils to warrant their inclusion in DEIS. A review mechanism was put in place in 2006 to address the concerns of schools that did not qualify for inclusion in DEIS but regarded themselves as having a level of disadvantage which was of a scale sufficient to warrant their inclusion in the programme. The review process operated under the direction of an independent person, charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review. The review was concluded and the results were notified to schools who applied for the review in August 2006. There was no application for review received from the school in question.

An evaluation of DEIS has been undertaken by the Educational Research Centre on behalf of the Department and a report of this evaluation is being finalised and is expected to be made available in the autumn. It is expected that the evaluation will inform any future changes to the current programme. There will not be an opportunity to consider the inclusion of this school or any other school in DEIS until this process has been completed.

School Curriculum

97. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will ensure that any reform of the junior certificate cycle be accompanied by meaningful consultation with teachers' unions, teachers' representatives and education bodies, that a change in the curriculum will endeavour to reduce the pupil-teacher ratio; if he will further ensure that external monitoring of continuous assessment is implemented with adequate funding to deliver the

programme; and that adequate in-service training for teachers and additional payment for any extra work carried out by teachers. [19248/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Under Section 30 of the Education Act 1998, the curriculum in schools is subject to my approval, following any consultation considered appropriate with the partners in education and the advice of National Council for Curriculum and Assessment (NCCA).

The NCCA Council is a representative structure, the membership of which is determined and appointed by the Minister for Education and Skills. The 25 members come from organisations representing teachers, school managers, parents, employers, trade unions, early childhood education, Irish language interests and third-level education. Other members include representatives of the Department of Education and Skills, the State Examinations Commission and a nominee of the Minister. The membership of the NCCA Junior Cycle Committee includes representatives from unions, management bodies, the Post Primary Parents' Council and the State Examinations Commission.

The NCCA has been asked to review the junior certificate and advise on the scope for reform designed to strengthen literacy and numeracy, embed key skills, promote active learning and enhanced creativity and innovation, and ensure appropriate ways of generating evidence of learning. Concerns have also been raised about curriculum overload, and rote learning.

The Council has completed a public consultation process and is finalising its advice to me on the direction of reform, in consultation with the partners in education. I expect the Council's advice in the Autumn and I will not be in a position to comment on the detail of the Council's proposals until then.

Question No. 98 answered with Question No. 34.

Psychological Service

99. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a breakdown per county, the areas currently covered, the amount of psychologists available and the number of posts that are currently filled or remain unfilled by the National Educational Psychological Service. [19250/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can inform the Deputy that all primary and post-primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA whereby the school can have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly. NEPS currently directly employs some 174 psychologists stationed in 22 local and regional offices countrywide and assigned to schools in their respective catchment areas. An additional three personnel are due to commence services with NEPS at the commencement of the 2011/12 academic year. The SCPA panel mentioned above currently has 79 psychologists who make themselves available to schools regionally, upon request from school authorities. In regard to commitments within the Programme for Government to further expand NEPS staffing psychologist staffing levels I will be consulting with colleagues within Government in relation to this and other such commitments with a view to the timing of the implementation thereof at which stage I will make my Department's intentions in this regard public.

Special Educational Needs

100. **Deputy Seán Crowe** asked the Minister for Education and Skills if he will provide a comparative analysis of the ratio of pupils and special needs assistants servicing national schools compared to primary schools in the Six Counties. [19251/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that 10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming school year. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number.

It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

The NCSE asked schools to submit all applications for SNA support to them by 18 March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year.

My Department does not have details of the level of allocation of Special Needs Assistants, or comparative support grades, in Northern Ireland.

101. **Deputy Mary Mitchell O'Connor** asked the Minister for Education and Skills if he will reconsider the withdrawal of a special needs assistant in respect of a child (details supplied) in view of the exceptional circumstances of the case. [19271/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to clarify for the Deputy that Special Needs Assistant (SNA) allocations are not permanent, as the level of SNA support allocated to a school may be increased or decreased as pupils who qualify for SNA support enrol or leave a school. They are also decreased where a child's care needs may have diminished over time.

The recruitment and deployment of SNAs within schools are matters for the individual Principal/Board of Management. The Board is the SNA's employer and the terms of employment are subject to the conditions of the contract of employment.

School Services Staff

102. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the number of special needs assistants in County Meath who have had their contracts terminated since March 2011; and the number of SNAs who will not have their contracts renewed for September 2011. [19279/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that 10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming

school year. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number.

It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

The NCSE asked schools to submit all applications for SNA support to them by 18 March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year. As this process is ongoing, it is not possible to provide details of the level of allocation of SNAs in any given area.

School Enrolments

103. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if a person (details supplied) in County Kildare can obtain a place in the current year at a school in County Kildare; and if he will make a statement on the matter. [19290/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The selection and enrolment of pupils in schools is the responsibility of the authorities of the individual school. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Under section 15(2)(d) of the Education Act, 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the right of parents to send their children to a school of the parents choice are respected.

Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Education Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. My officials have discussed the case in question with the NEWB. The parents of the child in question may wish to contact the NEWB who have confirmed that they will offer advice on securing a school placement within the pupil's area. The contact details for the NEWB in the area in question is NEWB, Block 3, South Dublin County Council, Tallaght Dublin 24, Tel: 01 4635513.

Schools Services Staff

104. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the extent to which it is expected to meet the requirement in respect of special needs assistants at a school (details supplied) in County Kildare; if the full request is likely to be met in the coming year; and if he will make a statement on the matter. [19291/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

My Department's Circular 0042/2011 provides details of the staffing arrangements which will apply for special schools for the coming school year. This Circular outlines that, other than for special schools which have declining enrolments, the existing levels of Special Needs Assistant (SNA) support will be maintained in special schools for the coming school year, with a review to take place in the Autumn.

105. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the allocation of special needs assistant posts to schools for the 2011-12 school year; if there is any appeal process in place; the amount of an overall budget saving he is achieving through the reductions; and if he will make a statement on the matter. [19306/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that there will be more SNA posts this year than there were last year. There is therefore no estimated budget saving.

10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming school year. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

The NCSE asked schools to submit all applications for SNA support to them by 18 March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year. In order to manage this limited resource, 475 of these posts will be retained for allocation over the coming school year to address significant emergency cases; new entrants with special needs; or new assessments or injuries acquired during the school year.

The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with

my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism.

It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

School Staffing

106. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills further to Parliamentary Question No. 103 of 30 June 2011, the reason he has not given a full and complete response to same; if he will now supply the information requested; and if he will make a statement on the matter. [19310/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The allocation to date for New Kildare Town Community School is 46 teaching posts.

This includes a concession of 2.50 posts in relation to the amalgamation and 3 posts under projected enrolment for the 2011/12 school year. The 3 posts for projected enrolment are provisionally allocated and are subject to the school confirming enrolment numbers to the Department in early September.

There are two voluntary retirements notified, and all but one of the current teachers are transferring to New Kildare Town Community School in September 2011.

The advertising of new positions for the school is a matter for the school's Board of Management.

Special Educational Needs

107. **Deputy Simon Harris** asked the Minister for Education and Skills the number of special needs assistants which have been assigned to date to schools in County Wicklow; and if he will make a statement on the matter. [19325/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that 10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming school year. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number.

It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools. The NCSE asked schools to submit all applications for SNA support to them by 18th March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year. While this process is ongoing it is not possible to provide details of the level SNA allocation in any given area.

Schools Building Projects

108. **Deputy Peter Mathews** asked the Minister for Education and Skills further to his announcement of a new primary school in the Stepside area of Dublin South, if his attention has been drawn to the fact that a school (details supplied) in Leopardstown is in this catchment area, that it is in prefab accommodation with a capacity of 161 students; and that thousands of houses have been built in this catchment area in recent years; if he will allocate this funding to provide a permanent school building for this school; and if he will make a statement on the matter. [19356/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The building project to deliver a new 24 classroom building for the school referred to by the Deputy is currently at architectural planning stage. The Board of Management was informed last week that the project may proceed to stage 2b, to secure planning permission, fire certificate and disability access certificate.

When the relevant statutory approvals have been obtained and stage 2b completed, and assuming no issues arise, my Department will be in contact with the Board of Management with regard to progressing the project to the tender and construction stages.

Preschool Services

109. **Deputy David Stanton** asked the Minister for Education and Skills his roles and responsibilities or any body under his aegis in relation to the development and provision of early years and preschool education; and if he will make a statement on the matter. [19385/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy may be aware, the vast majority of support for childcare, including pre-school education, is not provided by my Department, but is provided by the Department of Children and Youth Affairs. The principle vehicle for delivery of pre-school education is the free Pre-School Year in Early Childhood Care and Education (ECCE) programme which was introduced in January 2010 and provides early learning in a formal setting to children in the year before they commence primary school.

My Department has funded two practice frameworks (Síolta and Aistear) to support the development of quality provision in pre-school services. Síolta, the National Quality Framework for Early Childhood Education is a comprehensive set of practice guidelines for all settings where children aged birth to six years are present. Síolta's Quality Assurance Programme is being implemented on a field-test basis by Voluntary Child Care Organisations (VCOs) working in partnership with my Department and the Department of Children and Youth Affairs.

Aistear, the Curriculum Framework for Early Years was developed by the National Council for Curriculum and Assessment (NCCA) who have a remit under the 1998 Education Act to provide advice on curriculum in early childhood. The primary curriculum is currently being reviewed by the NCCA in the context of the forthcoming National Literacy and Numeracy Strategy. The focus of the review will be on how best to enhance children's learning in these areas, provide a clearer delineation of the learning outcomes required, and integrate the learning experiences from Aistear into the infant cycle.

My Department continues to fund the Early Start intervention programme which is a targeted intervention for children at risk of educational disadvantage. The intervention involves an educational programme to enhance overall development, help prevent school failure and offset the effects of social disadvantage. It also funds the Rutland Street Project which was first established in 1969 and is a pre-school attached to the Rutland Street primary school in Dublin. For children under the age of 5, the National Council for Special Education, through its net-

work of Special Educational Needs Organisers (SENOs), liaises with Assessment Officers in the HSE in respect of the assessment of need process under the 2005 Disability Act, 2005. My Department's Circular 0020/2011, which is available on the website and issued to all primary schools earlier this year, clarifies the roles of the NCSE and the HSE in relation to the assessment of need process as well as the role of the school in this regard.

My Department will continue to work in partnership with other departments and agencies to complement and add value to existing Early Years programmes.

Vocational Education Committees

110. **Deputy Frank Feighan** asked the Minister for Education and Skills if he will review the allocation of teacher numbers to Roscommon Vocational Education Committee in view of the fact that current proposals will leave a shortfall of five teaching posts and possible closure of one school; if he will review the position urgently; and if he will make a statement on the matter. [19393/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Teacher allocations to VEC schemes are approved annually by my Department in accordance with established rules based on recognised pupil enrolment.

In accordance with existing arrangements, where a school management authority is unable to meet its curricular commitments within its approved allocation, my Department considers applications for additional short term support i.e. curricular concessions. An application for curricular concessions was received from Roscommon VEC and the VEC was allocated an additional 37 concessionary hours for the 2011/12 school year. This concession is available as a short term support to enable essential curricular provision to continue. Roscommon VEC was also provisionally allocated 11 hours in respect of increased enrolment for the 2011/12 school year. These hours will be available to the VEC in September on confirmation of the projected increase in enrolments.

The allocation processes also include an appeals mechanism under which VEC's can appeal against the allocation due to them under the staffing schedules. CEO's of the VEC can submit an appeal under certain criteria to an independent Appeal Board which was established specifically to adjudicate on appeals on staffing allocations in post-primary schools. The VEC in question availed of this appeals mechanism and the Appeals Board approved a further 15 concessionary hours for the 2011/12 school year. This Board operates independently of my Department and the decision of the Board is final. Discrete allocations are also made to VEC schools to cater for pupils with Special Educational Needs and those with Language difficulties for example.

In total Roscommon VEC has been allocated 2.86 whole time equivalent teaching posts on a concessionary basis for the 2011/12 academic year and this is a substantial increase in staffing at a time when my Department has to exercise additional control and reporting measures to ensure that the number of teachers employed in schools is consistent with the EU/IMF Programme of Support for Ireland.

All schools must now operate within its approved staffing allocation and each school management authority is required to organise its subject options within the limit of this approved teacher allocation. The deployment of teaching staff, the range of subjects offered and ultimately the quality of teaching and learning are in the first instance a matter for the school management authority.

School Accommodation

111. **Deputy Pat Deering** asked the Minister for Education and Skills the amount of money committed for 2011 under the additional accommodation scheme. [19400/11]

Minister for Education and Skills (Deputy Ruairí Quinn): €60 million has been allocated in 2011 to meet commitments arising from earlier years and to fund approvals in 2011 under my Department's Additional Accommodation Scheme.

School Services Staff

112. **Deputy Pat Deering** asked the Minister for Education and Skills if will extend the time line beyond the current 12 month period to allow special needs assistants, who have had their working hours changed, to apply for part redundancy. [19401/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The rules and regulations governing the submission of redundancy claims are set down by the Department of Jobs, Enterprise and Innovation. The Department of Education and Skills has no discretion to alter the terms of the scheme.

Schools Building Projects

113. **Deputy Anthony Lawlor** asked the Minister for Education and Skills if he will provide a detailed outline of plans to address the overcrowding situation in primary and secondary schools in Kildare North, taking into consideration that the school going age of children in County Kildare has experienced a significant increase in recent years, according to Census 2011; and if he will make a statement on the matter. [19402/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Forward Planning Section of my Department has examined all areas of the country to determine where additional provision will be required at both primary and post-primary level up to 2017. This detailed analysis is now being finalised and action plans are being drawn up for each priority location in order to identify how to meet the additional school accommodation.

It is within this context that I announced that up to 40 new schools are to be established within the next six years, comprising of twenty new primary schools and twenty new post-primary schools, including a new primary school in Kildare town and new second level schools in Naas, Maynooth and Celbridge. In addition it will be necessary to extend the capacity of many existing schools to meet the demand for increased pupil places.

Special Educational Needs

114. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will not cut the special needs assistant at a school (details supplied) in Dublin 3. [19413/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to inform the Deputy that 10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming school year. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number.

It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOS) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts. The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools. The NCSE asked schools to submit all applications for SNA support to them by 18th March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year.

FÁS Training Programmes

115. **Deputy John Lyons** asked the Minister for Education and Skills if he will provide details of the number of persons in FÁS training programmes by area, who have a qualification at a given level on the National Framework of Qualifications, who are now undertaking courses at the same level of the framework; and if he will make a statement on the matter. [19419/11]

116. **Deputy John Lyons** asked the Minister for Education and Skills if he will provide details of the number of persons in FÁS training programmes from Dublin north west, who have a qualification at a given level on the National Framework of Qualifications, who are now undertaking courses at the same level of the framework; and if he will make a statement on the matter. [19420/11]

117. **Deputy John Lyons** asked the Minister for Education and Skills if he will provide details of the number of persons in FÁS training programmes by area, who have a qualification at a given level of the National Framework of Qualifications, who are now undertaking courses at a higher level on the national framework; and if he will make a statement on the matter. [19421/11]

118. **Deputy John Lyons** asked the Minister for Education and Skills if he will provide details of the number of persons in FÁS training programmes from Dublin north west, who have a qualification at a given level of the National Framework of Qualifications, who are now undertaking courses at a higher level on the national framework; and if he will make a statement on the matter. [19422/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take Questions Nos. 115 to 118, inclusive, together.

FÁS does not routinely report certification statistics by individual in the form that the Deputy has requested. However, FÁS can provide indicative statistics in response to the Deputy's questions, but it may take FÁS a couple of weeks to compile the information. When the statistics are available they will be sent to the Deputy.

Question No. 119 answered with Question No. 51.

School Staffing

120. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the degree to which the full requirements in respect of speech and language teaching have been determined;

[Deputy Bernard J. Durkan.]

the extent to which these requirements are expected to be met now and in the future; and if he will make a statement on the matter. [19456/11]

Minister for Education and Skills (Deputy Ruairí Quinn): It would appear that the Deputy is referring to the arrangements that are applying for 2011/12 to Language Support Teachers in schools.

A phased reduction in the number of Language Support Teachers was one of a number of measures introduced in Budget 2011 in order to contain the cost of the public sector wage bill. However, due to increased pressure on teacher numbers, it has proved necessary to apply a reduction greater than planned. This measure is necessary to ensure that the terms of agreement with EU/IMF are adhered to. Schools that made application, where more than 25% of the enrolment would qualify for language support, have had their applications assessed on the basis of the same criteria as last year. However, for schools with less than 25% of the school population requiring language support, only those pupils requiring language support for their first or second year counted for the purpose of determining their allocation.

The criteria on the number of children outlined in Circular 15/2009 still applies, i.e. the first post is granted where there are 14 to 30 eligible children, the second post granted for between 31 and 90 children, the third post granted for between 91 and 120 eligible children, and the fourth post for between 91 and 120 eligible children. Applications for part-time language support posts will be considered in the autumn. Decisions on this issue are framed in the context of the Employment Control Framework under the EU/IMF agreement.

School Transport

121. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will review the school transport curtailments inherited from his predecessor with a view to the introduction of a fairer and more efficient system with an emphasis on reduction of hardship for parents and children; and if he will make a statement on the matter. [19457/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes relating to the School Transport Scheme derive from decisions of the previous Fianna Fáil-Green Party Government to implement recommendations in the School Transport Value for Money review and the need to obtain savings of €17 million under the four year national recovery plan. The school transport changes at primary and post primary level will, in fact, result in a simplified, fairer and more efficient system for a number of reasons:

- Eligible children who hold medical cards, currently 42% of all post primary children or some 27,000 children, will continue to be exempt from paying any charge. This exemption will also apply in respect of the new primary charge. This means that the parents and children most in need will continue to be supported.
- Children with special educational needs continue to travel free of charge
- The combined maximum family charge remains unchanged at €650, or a maximum outlay of €3.55 per day per family based on the primary standardised school year of 183 days. The payment of the school transport charge may also be spread over two instalments, payable in July and December.
- The distance criterion at primary level will now be applied equitably, nationally.
- School transport eligibility will be to the nearest school, having regard to ethos and language.

Schools Building Projects

122. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he expects to be in a position to fulfil, in full or in part, the school building programme in the course of the coming year, with particular reference to requests for additional or replacement facilities or buildings the need for which has been identified in the previous five years; and if he will make a statement on the matter. [19458/11]

124. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the new schools in County Kildare likely to be opened in the next 12 months; the extent to which this meets the requirement; and if he will make a statement on the matter. [19460/11]

125. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the number and location of school building projects in County Kildare; the number in respect of which construction work is in progress; the number still at planning stage; the degree to which it is intended to advance such works in the course of the next 12 months; and if he will make a statement on the matter. [19461/11]

127. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the number of schools at primary and secondary level throughout the country at present which are deemed to be urgently in need of refurbishment or replacement; and if he will make a statement on the matter. [19463/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 122, 124, 125 and 127 together.

Based on my Department's most recent statistics, it is expected that enrolments will increase nationally from a current enrolment at primary level of circa 509,652 pupils to circa 552,800 pupils by 2017 and at post-primary level from a current enrolment of circa 317,432 pupils to circa 342,300 pupils by 2017. My Department is currently examining all areas of the country to determine where additional provision will be required at both primary and post-primary level up to 2017. This analysis will inform the development of a multi-annual plan for capital investment in schools.

It is within this context that I recently announced that up to 40 new schools are to be established within the next six years, comprising of twenty new primary schools and twenty new post-primary schools. Of the 40 new schools, 17 will be in the Dublin area with a further twelve in the commuter belt of Wicklow, Kildare, Meath and Louth. Six new schools will be established in Cork, three in Galway and one each in Wexford and Cavan.

In addition, it will be necessary to extend the capacity of many existing schools to meet the demand for increased pupil places. Should the demand for increased pupil places emerge in County Kildare, it may be necessary to increase the capacity of schools in the area. Decisions in this regard will be taken in due course.

All large scale building projects, including proposed projects for Kildare, from initial design through to construction phase will be considered on an ongoing basis within the context of my Department's multi-annual School Building and Modernisation Programme and available financial resources.

Meanwhile, the current status of all projects on the school building programme, including those in County Kildare, may be viewed on my Department's website at www.education.ie and this will be updated regularly throughout the year. For the Deputy's convenience, however, I

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am including a spreadsheet setting out the proposed projects for schools in Kildare and their current status.

Projects in County Kildare

Projects on Site

Roll No	School	Project	Band Rating	Status
11976	Scoil Choca Naofa, Kilcock	Extension/Refurbishment	1.1	In Construction
17662R	Scoil Bhride, Kill	New School	1.1	In Construction
18654A	Caragh National School, Naas	Extension/Refurbishment	1.1	In Construction
06209J	Athy Model School, Athy	Extension/Refurbishment	1.1	In Construction
20192A	Scoil Atha I, Athy	Extension/Refurbishment	1.1	In Construction
16705E	Scoil Phadraig Naofa, Athy	New School	1.1	In Construction
61710C	Meanscoil Iognaid Rís, Naas	Extension/Refurbishment	1.1	In Construction
17674B	Sn Aine Naofa, Ardcloagh	New School	1.1	In Construction
20058T	Scoil Ui Fiach, Maynooth	New School	1.1	In Construction
20271T	Scoil na Naomh Uilig, Newbridge	Extension/Refurbishment	1.1	In Construction

Projects at Tender Stage

Roll No	School	Project	Band Rating	Status
20114D	Scoil Brid, Naas	Extension/Refurbishment	1.1	Tenders received
18018S	Scoil Bhride, Rathdangan	Extension/Refurbishment	1.1	Tenders received

Projects to Secure Planning Permission

Roll No	School	Project	Band Rating	Status
09414C	St Laurences NS Crookstown	New School	1.1	Completing Stage 2(a) Developed Design

Projects to Complete Tender Documents

Roll No	School	Project	Band Rating	Status
17064U	Scoil Phadraig Ballylinan	New School	2.2	Completing Stage 2(b) (Tender Documents)

Other Projects in Architectural Planning

Roll No	School	Project	Band Rating	Status
18988G	St Raphaels Special School Celbridge	New School / Refurbishment	1.2	At Early Architectural Planning
19277B	St Anne's Special School Newbridge	New School / Extention	1.2	At Early Architectural Planning
19796C	St Patrick's BNS Clane	Extension	1.1	At Early Architectural Planning
70700A	Maynooth Post Primary	Extension/Refurbishment	1.1	At Early Architectural Planning

Projects where Briefs will be formulated in 2011 and the process of appointing a Design Team will commence

Roll No	School	Project	Band Rating	Status
15040T	Mercy Convent NS, Naas	Extension/Refurb	Band 1	Brief Formulation. Design Team stage
19797E	Scoil Naisiunta Bhríde Prosperous Road,	Extension/Refurb	Band 1	Brief Formulation/Design Team stage.
20257C	Sc Naomh Padraig, Celbridge	New School	Band 1	Brief Formulation/Design Team stage.
19675N	St Brigids N S, Kilcullen	Special Needs	Band 1	Brief Formulation/Design Team stage
18288B	Scoil Mhíchil Naofa, Athy	Extension/Refurb	Band 2	Brief Formulation/Design Team stage
16706G	St Josephs BNS, Kilcock	Extension/Refurb	Band 2	Brief Formulation/Design Team stage
11893G	St Davids NS., Naas	New School	Band 2	Brief Formulation/Design Team stage
15957D	St Patrick's Boys NS, Rathangan	Extension/Refurb	Band 2	Design Team stage

Applications for Major Capital Projects

Roll No	School	Project	Band Rating	Status
01821V	S N Rath Mor, Naas	New School	Band 1	Application
13328I	Newbridge 2 N S	Extension/Refurbishment	Band 2	Application
13902O	Hewetsons N S, Clane	Extension/Refurb	Band 2	Application
15599D	St Brigids Primary School Kildare Town (Kildare)	Extension/Refurb	Band 3	Application
15769C	Monasterevan Convent, Monasterevan	Extension/Refurb	Band 3	Application
15870O	Scoil Chonnlá Phadraig,	Extension/Refurb	Band 2	Application

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Roll No	School	Project	Band Rating	Status
16302F	Newbridge St Brigids N S, Ballysax	Extension/Refurb	Band 2	Application
16707I	Scoil Naisiunta Naomh Pheadar, Monasterevan	New School	Band 2	Application
16817P	Brannoxtown N S, Brannockstown	New School	Band 2	Application
16845U	Rathcoffey N S, Rathcoffey	Extension/Refurb	Band 2	Application
17254C	St Corban's Primary School, Naas	Extension/Refurb	Band 1	Design Team to be appointed
17341U	Maynooth Boys' NS	Extension/Refurb	Band 1	Design Team to be appointed
17650K	Scoil Ide Naofa, Kilmead	Extension/Refurb	Band 2	Application
17872F	St Conleths And Marys N S, Newbridge	Extension/Refurb	Band 2	Application
17873H	S N Connlaodh Naofa N, Newbridge	Extension/Refurb	Band 2	Application
17931S	S N Brighde, Ticknevin	Extension/Refurb	Band 2	Application
17968S	Ursaille Naofa Teach, An Da Mhile	New School	Band 2	Application
18063A	S N Naomh Lorcaín, Levitstown	Extension/Refurb	Band 3	Application
18093J	S N Cloch Rinne Cloch Rinne (Kildare)	Extension/Refurb	Band 1	Application
18130M	St Patricks NS, Johnstownbridge	Extension/Refurb	Band 2	Application
18430B	S N Baile, Robertstown,	Extension/Refurbishment	Band 2	Application
18445O	S N Scoil Treasa, Kilshanroe	Extension/Refurb	Band 2	Application
18449W	St Conleths N S, Derrinturn	Extension/Refurb	Band 3	Application
18644U	Straffan N S, Straffan	Extension/Refurb	Band 1	Application
18650P	Newtown NS, Enfield	Extension/Refurb	Band 2	Application
18666H	Tiremohan National School, Donadea, Naas	Extension/Refurb	Band 1	Application
19794V	Scoil Mochua, Aghards, Celbridge	Extension/Refurb	Band 1	Application
61681V	Patrician Secondary School, Newbridge	Extension	Band 2	Application
61690W	Cross And Passion College Kilcullen (Kildare)	Extension/Refurb	Band 2	Application
70660O	Curragh Post-Primary School Mcswiney Road, Curragh	New School	Band 2	Application
70670R	Colaiste Lorcaín, Castledermot	Extension/Refurb	Band 2	Application
70680U	St. Conleths Vocational School, Newbridge	Extension/Refurb	Band 1	Design Team to be appointed
70710D	St Patrick'S Community College, Naas	New School	Band 2	Application
91371B	Leixlip Community School, Celbridge Road	Extension/Refurb	Band 1	Application
19455N	St. Marks Special School, Newbridge	Extension/Refurb	Band 1	Application
70720G	St. Farnan's Post Primary			
18096P	Coill Dubh NS, Naas	Extension/Refurb	Band 2	Application
		Extension/Refurb	Band 2	Application

Educational Policy

123. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills the steps he intends to take in general to alleviate the impact of curtailment of plans brought about by the economic situation he inherited, with particular reference to pupil-teacher ratios, overcrowded classrooms and inadequate school buildings; and if he will make a statement on the matter. [19459/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The process of allocating teaching resources to schools for 2011/2012 takes place in the context of the EU/IMF Programme of Support for Ireland and the Public Service Agreement 2010/2014. It is necessary for my Department to exercise additional control and reporting measures this year to ensure that the numbers of teachers employed in schools is consistent with the EU/IMF Programme of Support for Ireland.

At this point I do not propose to give any specific commitment on the allocation of teachers to schools for the 2012/13 school year. The number of teaching posts that we can afford to fund in schools is a matter that I will have to consider with my colleagues in Cabinet in the context of the next budget and meeting our obligations under the EU/IMF Programme.

The National Recovery Plan 2011-2014 makes provision for a net increase of just over 2,000 posts across the education sector between the end of 2010 and the end of 2014. Clearly the latest information from the census will have to be factored into those deliberations.

As the Deputy will be aware, the National Recovery Plan provided for consultation with the education partners in relation to how best to achieve a further reduction in teacher payroll costs from 2012. It envisaged the introduction of appropriate increases in the classroom teacher allocation schedules if the consultation process did not produce alternative feasible measures to deliver the required savings.

My Department has commenced this consultation process. The education partners at primary and post-primary level have been given the opportunity to contribute this month to the process of identifying a range of measures that the Government can consider in order to achieve a further reduction in teacher payroll costs from the school year 2012/13.

Based on my Department's most recent statistics, it is expected that enrolments will increase nationally from a current enrolment at primary level of circa 509,652 pupils to circa 552,800 pupils by 2017 and at post-primary level from a current enrolment of circa 317,432 pupils to circa 342,300 pupils by 2017. My Department is currently examining all areas of the country to determine where additional provision will be required at both primary and post-primary level up to 2017.

It is within this context that I recently announced that up to 40 new schools are to be established within the next six years, comprising of twenty new primary schools and twenty new post-primary schools. Of the 40 new schools, 17 will be in the Dublin area with a further twelve in the commuter belt of Wicklow, Kildare, Meath and Louth. Six new schools will be established in Cork, three in Galway and one each in Wexford and Cavan. In addition, it will be necessary to extend the capacity of many existing schools to meet the demand for increased pupil places.

The current status of all projects on my Department's school building programme may be viewed on my Department's website at www.education.ie and this will be updated regularly throughout the year.

Questions No. 124 and 125 answered with Question No. 122.

Question No. 126 answered with Question No. 34.

Question No. 127 answered with Question No. 122.

Question No. 128 answered with Question No. 26.

Schools Building Projects

129. **Deputy Frank Feighan** asked the Minister for Education and Skills the position regarding devolved funding for an extension to a special school (details supplied) in County Roscommon; and if he will expedite the matter in view of extra pressure on this facility due to the SNA situation. [19466/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school to which the Deputy refers has applied to my Department for funding to provide ancillary accommodation and for refurbishment works. Additional information was sought from the school authority in relation to the application. This information has now been received and the application is currently being assessed. A decision will be conveyed to the school authority when the assessment process has been completed.

School Inspections

130. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills the process by which he can address the failure of a board of management to implement changes recommended by a whole school evaluation inspector. [19468/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Responsibility for the implementation of recommendations arising from inspection reports rests primarily with the board of management and the principal and staff of the school.

Following the in-school evaluation phase of a whole-school evaluation, the evaluation team meets with the board of management, principal and staff of the school to discuss the findings and recommendations of the WSE. A representative of the patron and a nominee of the parents' association are also invited to a post-evaluation meeting. The inspectors from my Department draw the attention of staff and school management to issues that require improvement, including any issues of serious concern if such have been identified. The inspectors also provide practical advice on how improvements can be achieved.

A particularly important feature of the new Whole-School Evaluation — Management, Leadership and Learning (WSE-MLL) model of inspection for post-primary schools is the specific procedure built into that inspection process for following up on whether or not a school has implemented the recommendations of previous subject inspections or programme evaluations.

Prior to the publication of the WSE report on the website of my Department, the board of management of the school has an opportunity to respond to the findings of the evaluation. Many boards use this opportunity to record how the school will seek to improve its work. In the vast majority of cases, the post-evaluation meetings and the written evaluation report are sufficient to ensure that improvement takes place.

In a very small number of cases, the weaknesses identified through external evaluation of the school are so significant that intervention is required to assist the school improvement

agenda. In some instances the shortcomings may relate to failure to implement key recommendations arising from previous evaluations.

In response to the need for intervention in these serious cases, the Department established a School Improvement Group (SIG) in 2008 to ensure that improvement happens following inspection. The School Improvement Group comprises members of the Inspectorate and officials from the Department's Schools Division and other relevant divisions. This group coordinates the Department's actions in following up on the recommendations from the inspection.

The experience of the School Improvement Group has shown that where serious weaknesses are identified in schools, interventions and supports need to be tailored to the particular circumstances and context of each case. The starting point in any intervention by the Department is to ensure that the management of the school fully appreciates the need for improvement and change and can take the necessary steps to access any supports that may be needed to bring about improvement. This is normally progressed through an initial meeting with the management and/or patron/trustees and by follow-up contact and meetings where the management report on progress.

School Inspections

131. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills the process by which a complaint can be made to him that a board of management has failed to implement changes recommended by a whole school evaluation inspector. [19469/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In accordance with the provisions of the Education Act 1998, the Board of Management is the body charged with the direct governance of a school. The Education Act sets out the obligations of a recognised school including the requirement to make appropriate educational provision for its students and to ensure that the education provided meets curriculum requirements. The act also requires each school to establish and maintain systems whereby the efficiency and effectiveness of the school's operations can be assessed, including the quality and effectiveness of teaching in the school and the attainment levels and academic standards of students. Working under the direction of the board, the school principal and staff are responsible for the quality of education provided on a day-to-day basis.

Responsibility for the implementation of recommendations arising from inspection reports rests primarily with the board of management and the principal and staff of the school. Where there is concern that a recommendation for improvement has not been implemented, the concern or complaint should be referred to the board of management of the school in question.

Language Support Provision

132. **Deputy John McGuinness** asked the Minister for Education and Skills if the two teachers required by a school (details supplied) in County Carlow who will teach English as an additional language will be approved as a matter of urgency; and if he will make a statement on the matter. [19473/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Significant support is given to schools by way of language support provision. The level of extra teaching support provided in respect of language support to any school is determined by the numbers of eligible pupils enrolled and the associated assessed levels of those pupils' language proficiency. This is done through an annual application process in the Spring/Summer of each year. The school referred to by the Deputy lodged an appeal to the Primary Staffing Appeals Board for a review of its

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allocation for language support for the 2011/12 school year (Circular 15/2009). Having considered the case at its meeting on 30 June 2011, the Board refused the appeal and the school has been notified of the outcome. The Appeal Board operates independently of the Department and its decision is final.

Pension Provisions

133. **Deputy Ciara Conway** asked the Minister for Public Expenditure and Reform the position regarding pension payments for workers of a company (details supplied); and if he will make a statement on the matter. [19274/11]

134. **Deputy Ciara Conway** asked the Minister for Public Expenditure and Reform when a final decision will issue on the pensions insolvency payment scheme with respect to former workers of a company (details supplied); and if he will make a statement on the matter. [19277/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I propose to take Questions Nos. 133 and 134 together.

The Pensions Insolvency Payment Scheme (PIPS) offers annuities for sale to defined benefit DB schemes where the scheme is winding-up and where the parent company is insolvent. Waterford Crystal trustees now wish to finalise applications for two of the Waterford schemes to enter PIPS.

A proposal relating to a number of aspects of these applications was sent by the Waterford trustees to the Department of Finance in January last. That proposal requested that a particular approach be adopted to the pricing of Waterford's applications. This request raised a number of important and complex issues and an examination of these matters is being carried out by officials of my Department. That examination is now at an advanced stage and I hope, therefore, to be in a position to respond to the proposal in the very near future. I regret the time taking to deal with this matter which was in part due to the complex nature of the issues involved and the fact that the applications from Waterford are the first to be made to PIPS.

National Lottery Funding

135. **Deputy Michael McCarthy** asked the Minister for Public Expenditure and Reform if he will provide a breakdown in the allocation of funding for the National Lottery in respect of each of the years 2009, 2010 and 2011, to specify the amount of funding allocated to the fund each year; the amount of funding administered to individual recipient programmes per year in tabular form; and if he will make a statement on the matter. [19319/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): The surplus generated by the National Lottery is transferred annually to the Exchequer and is applied to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes. It is not, *a priori*, allocated by specific spending headings as such. The amount transferred to the Exchequer from the National Lottery surplus, together with details of the total Exchequer allocations to the relevant lottery supported subheads, are published each year in Appendix 1 of the annual Revised Estimates for Public Services which gives a breakdown of allocations by programme.

The following information, contained in Appendix 1 of the Revised Estimates for Public Services, shows the allocation of funding by Department for 2009 and 2010. Similar information

in relation to 2011 will be available in the Revised Estimates for Public Services for 2011, which will be published shortly.

Allocations to Government Departments for subheads that are part-funded by the National Lottery (€m)

Departments	2009	2010
Vote 6 Department of Finance	8.618	8.618
Vote 25 Department of Environment, Heritage and Local Government	90.459	91.590
Vote 26 Department of Education and Skills	1.148	1.060
Vote 27 Department of Community, Equality and Gaeltacht Affairs	97.289	88.716
Vote 35 Department of Tourism, Culture and Sport	183.765	168.263
Vote 36 Department of Defence	0.800	-
Vote 39 Department of Health and Children	3.985	3.786
Vote 40 Health Service Executive	9.983	10.052
Vote 41 Office of the Minister for Children and Youth Affairs	39.340	38.600
Total	435.387	410.685
Of which: transferred to the Exchequer from the surplus of the National Lottery	275.000	250.000

In short, the lottery surplus funds around 61% over the total spending under these headings.

State Properties

136. **Deputy Simon Harris** asked the Minister for Finance if he will outline the sites owned by the Office of Public Works at a location (details supplied) in County Wicklow; and if he will make a statement on the matter. [19331/11]

Minister of State at the Department of Finance (Deputy Brian Hayes): The information requested by the Deputy is currently being investigated by the Office of Public Works (OPW), who will revert directly to the Deputy once the relevant data has been compiled.

Flood Relief

137. **Deputy Michael McGrath** asked the Minister for Finance the position regarding a flood relief project (details supplied) in County Cork; and if he will confirm when this project was referred to the Office of Public Works by the local authority. [19344/11]

Minister of State at the Department of Finance (Deputy Brian Hayes): The Office of Public Works received a funding application from Cork County Council in February 2011, under the Minor Flood Mitigation Works Scheme, to undertake works at the location concerned. The OPW is continuing its assessment of the application, has undertaken a site inspection and is also in further consultation with the Council in the matter. A decision on providing funding for the application will be made on the conclusion of the assessment, in accordance with the criteria of the scheme and having regard to the overall availability of resources for flood risk management.

Departmental Expenditure

138. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform

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his plans to publish the consolidated comprehensive spending review following the presentation of the same to the Cabinet in September. [19409/11]

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): Ministers have been working with their Departments over the last number of weeks to complete reviews of all expenditure under their auspices, including in all public service bodies. These Reports are now being submitted to the Steering Committee for evaluation and finalised reports will be presented to the Governmental Economic Management Committee in September. The results of the Comprehensive Review process will then be brought before Government for consideration and decision in the annual Budget and Estimates process later this year. The question of publication of the outcome of the Comprehensive Review in respect of each Department will arise for consideration in that overall context.

Information and Communications Technology

139. **Deputy Eoghan Murphy** asked the Minister for Jobs, Enterprise and Innovation if his attention has been drawn to the fact that the managing director of a company (details supplied) has admitted that cloud data is not protected against the USA Patriot Act and his plans to raise this at EU level with the Commissioner. [19348/11]

Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock): My attention had not been drawn to the specific comments of the UK company MD to which the deputy refers. However, I am aware that the Irish equivalent company point out that cloud data is not in any different position than any other kind of data in terms of its exposure to government access, whether by the US or many other countries.

A recent report by ENISA, the EU body responsible for information security concluded that holding data in the cloud could represent both a risk and a protection in that the concentrations of data may be an attractive target but the economies of scale can allow defences to be more robust. The Irish Data Protection Commissioner has pointed out that robust EU and national data protection laws must be complied with and that the legislation is technology neutral and must be complied with equally when data is moved to the cloud.

Ireland is extremely well-placed to take advantage of the rapidly-growing international potential of cloud computing. A recent report commissioned by Microsoft has estimated that by 2014 the cloud computing industry in Ireland could be worth €9.5 billion and employ 8,600 people. Now more than ever we must do everything we can to seize opportunities like this. I do not believe that these jobs will be created automatically, and Government must act decisively and urgently if we are to position Ireland as a world leader in this high-growth sector. In May I announced the establishment of a €5 million applied research centre in cloud computing, which will bring industry and researchers in this sector together in order to turn good ideas into good jobs. I have also established a cross-Government implementation group on cloud computing, to support the implementation of the ambitious programme for Government commitment on cloud computing.

Job Losses

140. **Deputy Gerry Adams** asked the Minister for Jobs, Enterprise and Innovation the steps he has taken to promote job retention and to counteract the tendency of companies to off-shore jobs from Ireland to countries such as Egypt and India. [19354/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Many of the recent jobs losses which have occurred are as a result of the restructuring process which has been going on in industry in Ireland and around the world whereby on the one hand, overall job numbers in individual companies have been reduced at plants around the world in response to the recession in 2007/2008, and on the other hand, activities (and hence jobs) at the lower end of the value added scale are being phased out as these activities would become uneconomic in particular locations.

In Ireland, such job losses are now at a much lower level than in 2009 and in 2010 there was a net increase in jobs in IDA client companies. Reductions in costs across the economy including labour costs, energy, property and accommodation are having a positive impact and further reductions in costs will be a key contributor to further competitiveness gains. Productivity enhancement through research and innovation also gives Ireland a competitive advantage against lower cost economies.

In March 2010, IDA published “*Horizon 2020*”, its strategy for the forthcoming decade, *Horizon 2020* sets out IDA’s targets for the five-year period to 2014 as well as the agency’s view of how the environment in which we operate will change over the next decade and the opportunities for FDI created by global trends. The investment targets set out in this strategy include the creation of 105,000 new jobs in Ireland from the period 2010-2014.

IDA’s strategy includes winning as many new jobs as possible each year and giving equal priority to maintaining existing jobs. The agency recognises that jobs losses occur every year for a variety of reasons including changing competitiveness, competition from sister sites, product and technology lifecycles or global location rationalisation as a result of mergers and acquisitions.

To address the need to maintain jobs in Ireland, IDA is actively encouraging its existing clients to strongly engage in transformation initiatives, and is assisting them in programmes to:

- Improve company-wide competitiveness;
- Enhance use of new technologies;
- Grow the skills of the business;
- Engage in Research, Development and Innovation;
- Develop new business processes; and
- Make company operations more energy efficient.

There is a requirement to have a constant agenda to support clients to improve and invest to transform their Irish operations to ensure jobs can be maintained and losses minimised. I have every confidence that the combined influence of Ireland’s increased competitiveness in business costs, commitment to our 12.5% corporate tax rate, transformation of agency client operations and activities, national infrastructure development, the Government’s investment strategy for Science, Technology and Innovation and development of growth markets will continue to attract and increase the level of inward investment and industrial jobs in Ireland.

Departmental Agencies

141. **Deputy John Deasy** asked the Minister for Jobs, Enterprise and Innovation if he will detail the employees of Enterprise Ireland and the Industrial Development Agency who are physically based in Limerick city and county; and if he will identify their positions within those organisations. [19358/11]

142. **Deputy John Deasy** asked the Minister for Jobs, Enterprise and Innovation if he will detail the employees of Enterprise Ireland and the Industrial Development Agency who are physically based in Galway city and county; and if he will identify their positions within those organisations. [19359/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): I propose to take Questions Nos. 141 and 142 together.

The allocation of staff between the various offices of both IDA and Enterprise Ireland is a day-to-day operational matter for each agency. I have asked each agency to respond to you directly in the matter.

Pay Rates

143. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation his views on a matter (details supplied) regarding low paid workers; and if he will make a statement on the matter. [19405/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Earlier today, the High Court issued its ruling in a legal challenge, taken by John Grace Fried Chicken Ltd and others, to the Joint Labour Committee system and the 2008 Employment Regulation Order (ERO) covering the Catering Sector outside of Dublin. The High Court ruled that certain provisions of the Industrial Relations Acts of 1946 and 1990 governing the making of EROs are unconstitutional and that the 2008 ERO constituted an unlawful and disproportionate interference in the property rights of the plaintiffs. I am currently considering the implications of the judgment in consultation with the Attorney General.

The overall finding of the Report of the Review of Employment Regulations Orders and Registered Employment Agreement Wage Setting Mechanisms was that the basic framework of the current ERO/REA regulatory system requires radical overhaul so as to make it fairer and more responsive to changing economic circumstances and labour market conditions. The Report does not recommend, nor have I proposed, specific adjustments in wage rates and other conditions of employment for employees covered by EROs/REAs.

Workers are protected by contracts of employment and proposed reform of the wage setting mechanisms would not if implemented, change the terms of those individual contracts. What is proposed would have the effect of changing how pay and conditions are set in order to make the operation of the machinery more flexible and prevent businesses being left behind by changing economic circumstances. Existing employees would not have their current entitlement affected by future changes to EROs unless (a) it is already stipulated in their contract of employment that they be paid at the prevailing rate of pay and conditions set by the relevant ERO or (b) the application of alternative provisions to those specified in the ERO is agreed between the employer and the employee or the employee's representatives.

The Government is determined to proceed with urgency to a substantial reform of the current JLC / REA regulatory system in order to protect existing jobs in these vulnerable sectors of the economy and to increase the likelihood of employment in these sectors being increased. This will restore competitiveness in key sectors of the economy, including the hospitality sector which is crucial to our tourism product offering, and complement the restoration of the recent cut to the National Minimum Wage thereby providing an adequate floor for lower paid workers.

Together with the decision to restore the National Minimum Wage to €8.65 per hour, the decision to reform the Joint Labour Committee structure represents a significant commitment by the Government to the lowest paid and most vulnerable workers in the economy.

Departmental Funding

144. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the position regarding discussions between his Department and other relevant Departments on the programme for Government commitment to construct a €100 million microfinance start up fund that will provide start up loans and equity that draws funding from the NPRF and private institutional funds. [18604/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): As Minister for Jobs, Enterprise and Innovation, I recognise the importance of supporting business start-ups if we are to encourage entrepreneurship and create more jobs. I also acknowledge that micro enterprises can find it very difficult to access funding from traditional sources, particularly at start-up phase.

For this reason, the Minister for Finance and I confirmed on 10 May last, as part of the recent Jobs Initiative, that the Government is committed to setting up a dedicated Microfinance Start-Up Fund that will provide start-up and expansion loans to potentially viable businesses at the micro level. The Fund, including scheme design and appropriate delivery mechanisms, will be developed with a view to formalising proposals in the context of Budget 2012.

My Department is taking the lead on this initiative and has almost concluded detailed discussions with relevant stakeholders, including the Department of Finance, the Department of Public Expenditure and Reform and the European Investment Bank. Work is currently progressing on the development of a suitable model for delivery.

Credit Guarantee Scheme

145. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the position regarding the programme for Government commitment to provide a temporary partial credit guarantee scheme that will provide a level of insurance to banks against losses on qualifying loans to job creation firms to get banks lending again to industry and entrepreneurs; if he will provide an estimation of the level of insurance to be provided; and if he will further provide an explanation as to the reason the scheme will only be temporary. [18603/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): The Deputy will be aware that as part of the Jobs Initiative announced in this House on 10 May, both the Minister for Finance and I confirmed the commitment given under the Programme for Government to initiate a tendering process for the development of a temporary partial credit guarantee scheme. A call for competition for the design of a scheme was published on e-tenders on 15 June with a closing date of 7 July 2011.

The design of the scheme will draw from international experience to support new lending that would not otherwise have been extended by the banks. In this way, the scheme will be limited in its scope and will complement, rather than be a substitute for, existing lending activities by the main financial institutions. It will be a targeted scheme aimed at new companies or expanding companies trying to develop new products or markets that can demonstrate repayment capacity for the additional credit facilities but which cannot secure credit facilities, due to certain market failures that pre-date but have been exasperated by the financial crisis. The level of any guarantee to be provided will be an intrinsic element of the scheme design and is one of the key issues to be addressed by the current tendering process.

The Government's commitment will be for an initial period of one year. Specific performance criteria will be set down that allow for review and revision of the scheme at the end of that initial period before any commitment to a roll-over of the scheme for subsequent years. The

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temporary credit guarantee scheme will complement the Government actions to date plans on the restructuring and recapitalisation of the banking system.

It is envisaged that the introduction of a temporary scheme should provide lenders with a sufficient period within which to address the types of market failures identified above for coverage under the scheme. With a restructured and properly functioning banking sector the need for any partial credit guarantee scheme should reduce over time.

Social Welfare Payments

146. **Deputy Joan Collins** asked the Minister for Social Protection if she will examine the case of a person (details supplied) who was refused rent supplement on the basis that they had vacated local authority housing; and if she will make a statement on the matter. [19282/11]

Minister for Social Protection (Deputy Joan Burton): In order to qualify for a payment under the rent supplement scheme a person must first satisfy a number of qualifying conditions. The Health Service Executive (HSE) has advised that the persons concerned were refused rent supplement for a number of reasons: · they vacated accommodation provided by a housing authority without good cause for doing so, · they are not assessed by the housing authority as having a housing need, and · they were not residing in private rented accommodation, where at the commencement of the tenancy the person could have reasonably afforded the rent and has experienced a substantial change in his or her circumstances where they are now unable to pay the rent, for 183 days in the previous 12 months.

The persons concerned appealed the decision to the HSE Appeals Office and to the Social Welfare Appeals Office but the decision to refuse rent supplement was upheld on both occasions. The persons concerned should contact their local authority in relation to their housing needs.

FÁS Training Programmes

147. **Deputy Michael McGrath** asked the Minister for Social Protection her plans to change the terms of the FÁS work placement programme for participants in view of the fact that participants in the new national internship scheme receive an amount of €50 in addition to the retention of their welfare benefits. [19289/11]

Minister for Social Protection (Deputy Joan Burton): The FÁS Work Placement Programme and the new JobBridge National Internship Scheme are two separate schemes. The Work Placement Programme will continue to operate and will offer people another stream through which to obtain valuable work experience. I have no plans to change the terms of the Programme at this time.

148. **Deputy John Lyons** asked the Minister for Social Protection the number of meetings on average a person who signed on the live register would have with an adviser from FÁS within the first year of their claim; the length of time it takes on average, by area from the initial claim, for FÁS to contact these persons to arrange such meetings; and if she will make a statement on the matter. [19417/11]

162. **Deputy John Lyons** asked the Minister for Social Protection if in view of the increased numbers of persons who are now classified as long-term unemployed, if she will provide details by area, of the average length of time it takes for a person who signs on the live register to be entered into a mentoring programme which includes career, education and training advice from a skilled adviser; and if she will make a statement on the matter. [19418/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 148 and 162 together.

The National Employment Action Plan (NEAP) is the main activation measure for job-seekers and provides for a systematic engagement of the employment services with unemployed people. Under the plan, all eligible persons between the ages of 18 and 65 years who are approaching 3 months on the Live Register, are identified by the Department of Social Protection and referred to FÁS Employment Services' Officers (ESOs) for interview with the aim of assisting them to enter/re-enter the labour market. The number of interviews/meetings people referred through the NEAP will have with an ESO or a Local Employment Services (LES) Mediator will vary depending on each client's individual needs. Self-referred clients may also have a guidance interview with an ESO/LES Mediator with subsequent meetings depending on individual needs and circumstances. The NEAP process is a key element in addressing the progression needs of those on the Live Register. It provides a stimulus to job search and affords an opportunity to explore, under professional guidance, the full range of employment and training services offered by the Employment Services. In this context, FÁS, in its role as the national training service, will deliver at least 90,000 training places for the unemployed in 2011.

People remain on the live register while engaged with the Employment Service under the NEAP until they take up offers of employment or training. If they do not attend for interview with the Employment Service or, having engaged, decline offers of employment or training, their cases are referred back to the social welfare local office for review to determine if they continue to satisfy the conditions for receipt of jobseekers payments. There is a statutory obligation on recipients of jobseekers payments to be available for and genuinely seeking full time employment.

People, who, for valid reasons, are unable to avail of the opportunities for placement in employment, training or education provided, continue to receive payment. In such cases, the Department's facilitator service is available to assist them in identifying barriers to participation and exploring alternative progression routes. It may also be noted that the Programme for Government states that a new National Employment and Entitlements Service will be established under the management of the Department of Social Protection. The objective is to integrate the unemployment payments elements currently provided directly by the Department of Social Protection and the employment services currently provided by FÁS into a single service.

A key objective of the Government in relation to the new service is that it will offer users a high level of personalised employment support and prioritise the provision of more intensive support for those on the live register who are identified as being most at risk of long-term unemployment. This will be achieved through the use of proactive approaches such as profiling and adopting modern case management systems.

Social Welfare Appeals

149. **Deputy Jim Daly** asked the Minister for Social Protection the position regarding disability allowance in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [19256/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence, has allowed the appeal of the person concerned by way of summary decision. The person concerned has been notified of the decision. The Social Welfare Appeals Office functions independently of

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the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

150. **Deputy Ciara Conway** asked the Minister for Social Protection the reason social welfare payments cannot be automatically transferred to accounts in a Credit Union (details supplied); and if she will make a statement on the matter. [19259/11]

Minister for Social Protection (Deputy Joan Burton): The Department offers a range of payment options to customers including payment by electronic fund transfer to a bank, building society account or to certain credit unions that have been authorised by the banking and credit union regulators. The Department makes no distinction made between smaller and larger credit unions in facilitating electronic funds transfers.

In transmitting payments to independent credit union companies, different situations will pertain depending on the banking arrangements of the respective credit unions. The arrangements for money transmission span across a range whereby some credit unions are not reachable for electronic fund payments as the credit union do not have a national sort code to others which are reachable with straight through payments processing into customer accounts.

The credit union referred to in the Deputy's question is one of a number of credit unions that operates under the Bank of Ireland Credit Union Programme. Each of the credit unions participating in the Bank of Ireland Credit Union Programme has a unique sort code. However, the shareholders in these credit unions are not directly and individually addressable to receive funds on an automated basis. Therefore the accounts are not reachable to receive welfare payments transmitted by electronic fund transfers which can be lodged to individual accounts on an automated basis. For that reason funds are received by the credit union and in many cases have to be manually applied to customers' accounts. Under the programme, there is some capacity to facilitate the lodgement directly to the customers' credit union accounts. However, the programme does not enable direct transmission on all schemes which would be the optimal arrangement for customers, credit unions, their bankers and the Department.

The Department is willing to facilitate any customer to receive their welfare payments by electronic fund transfer. It offers a safe, efficient and economic form of money transmission. In this context, the Department has been discussing the credit union programme with Bank of Ireland and will be examining the progress possible to facilitate and expand the use of and range of electronic payments for welfare transfers payable into individual accounts. Every assistance will be given by the Department with the cooperation of the Bank of Ireland to develop the potential of this programme with a view to providing a high quality service to our customers.

National Internship Scheme

151. **Deputy Michael McGrath** asked the Minister for Social Protection the reason sole traders are excluded from hosting a person under the national internship scheme; and if she will make a statement on the matter. [19268/11]

Minister for Social Protection (Deputy Joan Burton): The National Internship Scheme has been set up with a view to giving job seekers the opportunity to take part in a quality internship with a host organisation. A host organisation participating in JobBridge must be in a position to provide a substantial commitment to their intern and to ensure that they are provided with a quality internship. It is considered that many sole traders will have insufficient capacity to

mentor and support properly the professional development of an intern over the course of the internship and thereby making their internship experience a positive one. It has therefore been decided that, initially, sole traders will not be eligible to participate in the national internship scheme. The Department will monitor the operation of JobBridge on an ongoing basis, including eligibility criteria, and will amend them if considered necessary.

Social Welfare Benefits

152. **Deputy Jack Wall** asked the Minister for Social Protection the reason a person (details supplied) in County Kildare did not receive the back to school allowance; and if she will make a statement on the matter. [19312/11]

Minister for Social Protection (Deputy Joan Burton): The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers.

As the person in question was not one of the customers who received an automated payment they are required to complete an application form which is available for download from www.welfare.ie or by texting “Form BTSCFA”, followed by their name and address to 51909. The completed application form should be returned to Department of Social Protection, PO Box 131, Letterkenny, Co Donegal where a decision will be made in relation to their entitlement.

PPS Numbers

153. **Deputy Seán Ó Fearghaíl** asked the Minister for Social Protection if she will consider correspondence regarding a PPS number in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19315/11]

Minister for Social Protection (Deputy Joan Burton): The details which the Deputy has supplied are not sufficient to identify the person concerned. I have made arrangements for officers in my Department to contact the Deputy to obtain the necessary details in order to look into the matter.

Social Welfare Appeals

154. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection when a disability allowance appeal in respect of a person (details supplied) in County Offaly will be processed; and if she will make a statement on the matter. [19318/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the disability allowance claim of the person concerned was disallowed following an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for the allowance. An appeal was registered on 11th May 2011 and in accordance with the statutory procedures the relevant department papers and the comments of the Social Welfare services on the matter raised in the appeal have been sought. In that context, an assessment by another Medical Assessor will be carried out. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

155. **Deputy Simon Harris** asked the Minister for Social Protection if she will consider grant-

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ing a *pro rata* respite payment to carer's whose role concludes before the completion of a 12 month period; and if she will make a statement on the matter. [19330/11]

Minister for Social Protection (Deputy Joan Burton): The respite care grant is an annual payment of €1,700 for carers who look after certain people in need of full-time care and attention. The payment is made regardless of the carer's means but is subject to certain conditions. One respite care grant per year is paid in respect of each person for whom the carer is providing full time care and attention.

In order to qualify a person must, in addition to other criteria, be caring for at least six months. The payment is made to those who are caring on the first Thursday in June. This date in June is in place to allow carers to avail of respite over the summer months, to facilitate the administration of the grant as a once-off payment and to ensure that the grant is targeted at those providing full-time care over a significant period of time.

There are no plans to amend the criteria for the grant to allow for a pro-rata payment.

156. **Deputy John McGuinness** asked the Minister for Social Protection if supplementary allowance will be approved in respect of a person (details supplied) in County Kilkenny. [19362/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has advised that the payment of rent supplement to the person in question has been restored and payment will issue shortly.

Social Welfare Code

157. **Deputy Michael McGrath** asked the Minister for Social Protection the estimated cost to the Exchequer, if any, of implementing the recommendations made by the Expert Group on Mortgage Arrears and Personal Debt concerning proposed changes to the mortgage interest supplement scheme. [19376/11]

158. **Deputy Michael McGrath** asked the Minister for Social Protection her plans to implement the proposals made by the Expert Group on Mortgage Arrears and Personal Debt concerning proposed changes to the mortgage interest supplement scheme. [19377/11]

160. **Deputy Michael McGrath** asked the Minister for Social Protection the amount of money allocated to the mortgage interest supplement scheme in 2011; and the number of persons currently in receipt of the support. [19403/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 157, 158 and 160 together.

There are currently 18,564 households benefiting from the mortgage interest supplement scheme for which €77.2m has been allocated in 2011.

To implement all of the recommendations of the Expert Group on Mortgage Arrears and Personal Debt would have cost implications for the Department. Any such changes can only be dealt with in a budgetary context where a full financial assessment will be carried out.

Social Welfare Benefits

159. **Deputy Jack Wall** asked the Minister for Social Protection the reason a person (details supplied) in County Kildare has had their rent subsidy cut; and if she will make a statement on the matter. [19396/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has advised that, as part of a routine control procedure, payment of rent supplement to the person concerned was suspended as his primary social welfare payment was suspended. The HSE further advised that payment of rent supplement has now been restored and payment will issue to the person concerned as normal at the end of July.

Question No. 160 answered with Question No. 157.

Social Welfare Appeals

161. **Deputy Timmy Dooley** asked the Minister for Social Protection when a decision on an invalidity pension appeal will issue in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [19416/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 19 March 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 162 answered with Question No. 148.

Employment Support Services

163. **Deputy John Lyons** asked the Minister for Social Protection if there is a timescale for the implementation of the new national employment service and the provision of a higher level of personalised employment counselling targeting those at risk of long-term unemployment; and if she will make a statement on the matter. [19423/11]

Minister for Social Protection (Deputy Joan Burton): The Department is establishing a new National Employment and Entitlements Service, as provided for in the Programme for Government, which will integrate employment and benefit payment services within the Department. The new integrated service will be based on a case management approach with the objective of providing a more customised and personal service to customers.

In line with international good practice, this new service will focus primarily on activation. The objective is to encourage and enable customers to embark on developmental pathways appropriate to their needs; pathways to employment and/or training and/or personal development. A key feature of the new service will be that customers will be expected to engage with these options in order to retain their entitlement to full benefit payments.

With regard to the timeline for the development of the National Employment and Entitlements Service the assignment and integration of functions and the full transformation to a case management approach focussed on activation, will be a multi-annual programme of work. However, significant progress has already been made and many aspects of the new service will be delivered within the coming twelve months.

As part of the process of developing and implementing the new business model for the National Employment and entitlements Service, the Department has commenced a major and comprehensive programme of change management entailing the integration of services pre-

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viously, or currently, provided by other agencies — including both the Employment Services and Community Employment Programmes of FÁS and the Community Welfare Services (CWS) of the HSE.

The administration of the supplementary welfare allowance scheme has already been transferred to the Department of Social Protection with the secondment of the Community Welfare Service from the Health Service Executive at the beginning of this year. The intention is to have the staff fully transferred into the Department by the end of September this year. This will enable the Department to integrate the payment of all benefits into one organisation simplifying customer processes.

Planning for the transfer and integration of the Employment Services and Community Employment Services of FÁS to the Department has already commenced and it is envisaged that the transfer of staff will commence later this year. Again this will enable us to simplify and integrate the delivery of employment support services to customers.

Even in advance of integration, FÁS and the Department are already working on a number of pilot projects in relation to the development of case management, the identification of those who are most at risk of falling into long-term unemployment, and the provision of appropriately tailored responses to their needs. These pilot projects will be completed and evaluated in the coming months after which approaches will be developed for their rollout nationwide as part of the National Employment and Entitlements Service. A key objective of the Government in relation to the new service is that it will offer users a high level of personalised employment support and prioritise the provision of more intensive support for those on the live register who are identified as being most at risk of long-term unemployment. This will be achieved through the use of proactive approaches and modern case management systems.

As part of such an approach, FÁS and the Department have collaborated on the development of the National Internship Scheme. This scheme which will provide 5,000 internships of up to nine months duration was successfully launched on 1st July 2011. Participants will retain their social welfare entitlements and will also receive a ‘top-up’ of €50 per week. The scheme, which is the first public manifestation of the National Employment and Entitlements Service, is already receiving strong support from the business community and potential participants.

Social Welfare Appeals

164. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when an appeal will be determined in respect of disability allowance or disability benefit in the case of a person (details supplied) in County Dublin; the current status of the case; and if she will make a statement on the matter. [19427/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that a disability allowance appeal, by the person concerned, was registered in that office on 05 April 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 01 June 2011 and the appeal will, in due course, be referred to an Appeals Officer who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

165. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when a PPS number will issue in the case of the children of a person (details supplied) in County Kildare whose spouse is a full-time employee of the Health Service Executive; and if she will make a statement on the matter. [19428/11]

Minister for Social Protection (Deputy Joan Burton): My Department has no record of any such application for a PPS Number.

In order to have a PPS Number allocated, it is necessary to attend at a PPS Number allocation centre with sufficient documentation to prove identity and address in Ireland. The PPS Number allocation centre in county Kildare is based at Eyre Street, Newbridge. The person should attend there with the required documentation in order to have PPS Numbers allocated in respect of her children.

166. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will set out the total receipts of unemployment benefit or jobseeker's allowance received by a person (details supplied) in County Kildare in the period 1 January 2007 to date in 2011; the number of weeks involved; and if she will make a statement on the matter. [19429/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned was paid jobseeker's allowance during the period 1 January 2007 to date as follows:

Year	Amount Paid €	Number of Weeks
2007	15,242.20	43
2008	164.83	1
2009	15,385.79	49
2010	20,056.40	52
To date 2011	9,682.40	26

167. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason rent support in respect of a single person has not been awarded in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19431/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has advised that payment of rent supplement is currently suspended as they are still awaiting information from the person concerned in relation to his accommodation needs.

168. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if an entitlement exists to a basic social welfare payment in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19432/11]

Minister for Social Protection (Deputy Joan Burton): From the information provided in your Parliamentary Question, the person concerned may have an entitlement to disability allowance. An application form and information booklet has been issued directly to the person concerned. He should complete and return this form in the freepost envelope provided. Upon receipt in this department of the duly completed application form, his entitlement to disability allowance will be examined and he will be advised directly of the outcome.

169. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when unemployment benefit payments will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19433/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned submitted an application for jobseeker's allowance with effect from 22 February 2011. His claim was closed on 28 March 2011 as he failed to submit the required identification documentation as requested in a letter to him on 2 March 2011.

170. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when disability allowance will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [19434/11]

Minister for Social Protection (Deputy Joan Burton): The person concerned applied for disability allowance on 8 September 2010. Her claim was disallowed by a deciding officer on the grounds that she was not medically suitable for disability allowance. She was notified of this decision and of her right to review or appeal within 21 days on 18 April 2011.

171. **Deputy Frank Feighan** asked the Minister for Social Protection when a back to school clothing and footwear grant will issue to a person (details supplied) in County Roscommon. [19467/11]

Minister for Social Protection (Deputy Joan Burton): The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers. According to the information available to the Department the person in question has already been paid their full entitlement under the 2011 scheme.

Social Welfare Appeals

172. **Deputy John McGuinness** asked the Minister for Social Protection if an appeal regarding an application for jobseeker's allowance will be approved in respect of a person (details supplied) in County Kilkenny. [19470/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that a jobseeker's allowance appeal, by the person concerned, was registered in that office on 16 May 2011 and will be referred to an Appeals Officer, in due course, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

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173. **Deputy John McGuinness** asked the Minister for Social Protection if an application for domiciliary care allowance will be expedited and approved in respect of a person (details supplied) in County Kilkenny. [19474/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received on 15th March 2011. This application was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for the allowance.

A letter issued to the person concerned on 24th May 2011 advising her of the decision to refuse the allowance.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office. The person concerned submitted further medical information and an appeal was registered by the Social Welfare Appeals Office on 13th June 2011. As part of the appeals process, this additional information is currently being reviewed by a Medical Assessor.

Údarás na Gaeltachta

174. **D'fhiafraigh Pearse Doherty** den Aire Ealaíon, Oidhreachta agus Gaeltachta an mbeidh buiséad caipitiúil de €12 mhilliún ar a laghad deimhnithe ag an Rialtas d'Údarás na Gaeltachta in 2012 chun go mbeidh siad in ann a gcuid oibre a chur i gcrích agus líon os cionn 1,000 post a chruthú an bhliain seo chugainn. [18431/11]

Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley): Déanfar cinneadh maidir le maoiniú Údarás na Gaeltachta do 2012 mar chuid de phróiseas na meastachán agus i gcomhthéacs an Athbheithnithe Chuimsithigh ar Chaiteachas Poiblí atá ar siúl i láthair na huaire.

Mar atá curtha in iúl don Teach cheana, thóg an Rialtas cinneadh ar 31 Bealtaine 2011 go mairfidh an *status quo* maidir le feidhmeanna reatha Údarás na Gaeltachta go ginearálta, a chuid feidhmeanna fiontraíochta san áireamh, faoi réir:

(a) foráil reachtúil a dhéanamh chun cumhacht a thabhairt don Aire Ealaíon, Oidhreachta agus Gaeltachta treoir a thabhairt don Údarás a chuid acmhainní teoranta a dhíriú i dtreo earnálacha fiontraíochta ar leith; agus

(b) meicníocht a fhorbairt chun go mbeidh an tÚdarás in ann comhoibriú le háisíneachtaí fiontraíochta eile, ach go háirithe i gcás tograí suntasacha Gaeltachta a bhfuil poitéinseal ard acu.

Ag eascairt as an gcinneadh sin, tá tús curtha ag oifigigh mo Roinne le comhráite lena gcuid comhghleacaithe sa Roinn Caiteachais Phoiblí agus Athchóirithe agus sa Roinn Fiontar, Post agus Nuálaíochta chun an mheicníocht seo a fhorbairt. Beidh ionchur ag na háisíneachtaí forbartha fiontraíochta sna comhráite seo chomh maith. Leis an meicníocht nua seo, táim ag súil go bhfaighfear an luach is fearr ar airgead agus an toradh is fearr maidir le cruthú fostaíochta sa Ghaeltacht ó na hacmhainní teoranta atá ar fáil ón Státchiste san aeráid eacnamaíoch reatha.

Proposed Legislation

175. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources when legislation to support the implementation of a postcode system will be introduced; and if he will make a statement on the matter. [19308/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Provisions relating to the introduction of postcodes have been included in the Communications Regulation (Postal Services) Bill, 2010 which is currently at Dáil Committee Stage.

Departmental Expenditure

176. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources if it is the case that the tender process to select an organisation to implement a

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national postcode has not met the published schedule; if some of the related budget has been allocated elsewhere; and his views on whether the process will be completed in 2011.
[19309/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The procurement process to select an organisation to implement a national postcode system is being managed by my Department on a ring-fenced basis. The extent to which the project will be drawing on capital funding in 2011 is a function of the progress of the procurement and the nature of the proposal made by the tender selected by my Department and approved by Government.

As I indicated in reply to Question No. 129 of 18th of May 2011, €2m of the Postcodes Programme allocation for 2011 has been reallocated to the National Energy Retrofitting Programme as part of the Jobs Initiative of the Minister for Finance. This reallocation will be reflected in my Department's 2011 estimate which will be presented to the Committee on Communications, Energy and Natural Resources next week.

Energy Conservation

177. **Deputy Eoghan Murphy** asked the Minister for Communications, Energy and Natural Resources the initiatives his Department has taken to monitor and reduce energy consumption in terms of electricity and gas use. [19347/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): My Department has been working with the OPW since 2008 on an energy efficiency programme in my Department's two main buildings at Adelaide Road and Tom Johnson House on Haddington Road. Among other things this has involved the installation of a new Building Management System which offers greater control over consumption of energy. As part of the project, energy awareness presentations were made to staff, an Energy Team/Working Group was established from among the staff to promote the energy awareness and conservation imperative.

My Department is very conscious of the use of energy and encourages the efficient use of electricity and power through its staff Energy Team and Energy Officer. Overall, notwithstanding the exceptional cold weather of January and December 2010, my Department's energy consumption cost was reduced by circa €170,000 from 2008 to 2010.

Proposed Legislation

178. **Deputy Eoghan Murphy** asked the Minister for the Environment, Community and Local Government his plans to introduce regulations or laws to allow gardaí enter a premises in which an alarm has been sounding continuously to deactivate said alarm. [19346/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government includes a commitment to address noise pollution through the introduction of fixed payment notices (also known as on the spot fines) and provision for mediation between neighbours. The development of new noise legislation by my Department will be considered in the context of this commitment. As indicated in the Government Legislation Programme published on 5 April 2011, it is not possible at this time to indicate when the legislation will be published.

The current position is that all external alarms installed on premises after 1 August 2006 must comply with the current Irish Standard — IS EN50131. This standard specifies a maximum duration of 15 minutes for the sounding of external alarms on buildings.

Water and Sewerage Schemes

179. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if funding will be made available under the small capitals scheme for pipe replacement in the Derrybeg and Srathnacorcra area of County Donegal; and if he will make a statement on the matter. [19253/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Responsibility for the administration of the Rural Water Programme, which includes small public water and sewerage schemes, has been devolved to local authorities since 1997. The selection and approval of individual group schemes for advancement and funding under the programme, within the overall priorities set by my Department and subject to the block grant allocation provided, is therefore a matter for the local authorities, and for Donegal County Council in this case.

Local Authority Expenditure

180. **Deputy Regina Doherty** asked the Minister for the Environment, Community and Local Government if he will provide a breakdown in the communication costs involved in running each of the 34 county and city councils under the headings postage costs, telephone costs, e-mail communications, website maintenance, traffic light controlling systems; and the administration costs associated with each of these five areas. [19260/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): It is a matter for each local authority to determine its own spending priorities in the context of the annual budgetary process having regard to both locally identified needs and available resources. The breakdown of the expenditure requested is a matter for the local authorities concerned and such information is not held by my Department.

Social and Affordable Housing

181. **Deputy Tony McLoughlin** asked the Minister for the Environment, Community and Local Government his plans for land purchased by him from an organisation (details supplied); if it is possible for Leitrim County Council to use this land to build social housing, in view of the fact that the council is not in ownership of any building land in this area and the need for such housing is in great demand. [19266/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The site in question was acquired by the Sue Ryder Housing Association for the purpose of developing 33 units of sheltered housing for older people under the terms of my Department's funding schemes for voluntary and co-operative housing. To date, some €468,711 has been paid by my Department in respect of site costs and planning and design fees. It was decided to defer the construction stage of this project due to the current budgetary situation and the existing high level of capital commitments under the voluntary housing funding schemes. While there are no proposals at this time to develop this site for standard social housing units, this may be an option at some time in the future.

Housing Aid for the Elderly

182. **Deputy Tony McLoughlin** asked the Minister for the Environment, Community and

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Local Government the position regarding a housing facility (details supplied) in County Leitrim; if there will be funding from the Health Service Executive to maintain 12 beds at this facility or will this project be social housing with no residents being funded by the HSE. [19267/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Capital funding is available through my Department's Capital Assistance Scheme to approved voluntary housing bodies for the provision of accommodation to meet the needs of persons with specific categories of housing need such as older people, the homeless or persons with a physical, intellectual or mental health disability. The scheme is not intended to fund nursing home or similar accommodation where residents would require high-level medical, nursing or institutional type care.

In the case of the sheltered housing scheme referred to in the question, my Department provided some €2.8 million towards the cost of the project. I understand that the Health Service Executive (HSE) provided an element of matching funding towards the cost of the communal facilities. The HSE is also providing a care and support package in respect of a number of tenants. The nature and scope of the care element is a matter for the HSE and the voluntary housing body to determine.

The voluntary housing body is responsible for the management and operation of the facility in accordance with the terms and conditions of the funding schemes. My Department's involvement with the scheme relates primarily to the provision of funds for individual projects. The administration of the scheme, and the certification that particular projects comply with the terms of the scheme, are the responsibility of the local authority.

Local Authority Financial Reserves

183. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the surplus or debit balance of each county and city council, as outlined in their respective annual financial statement for the financial year ended 31 December 2010 including the deficit or surplus for the year; the opening debit balance, if any, for the year; the closing debit balance, if any, for the year; and if he will make a statement on the matter. [19275/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I assume the question refers to the local authorities' revenue accounts. The figures in the following table are taken from the Income & Expenditure Statement of the relevant 2010 Annual Financial Statements (AFS). Closing balances, together with annual surpluses/(deficits), are shown inclusive of Transfers from/(to) Reserves. The figures are un-audited. It should be noted that the audit of the 2010 AFS data is not due for completion until 31 March 2012 and that un-audited data are always subject to post audit revision.

		Overall Surplus/ (Deficit) for Year	Opening Balance @ 01/01/2010	Closing Balance @ 31/12/2010
	<i>County Councils</i>	€	€	€
1	Carlow	9,992	(122,100)	(112,108)
2	Cavan	659	1,661,261	1,661,920
3	Clare	112,694	(1,856,538)	(1,743,844)
4	Cork	1,983,604	15,156,723	17,140,327
5	Donegal	188,535	(12,893,134)	(12,704,599)
6	Fingal	202,024	17,448,786	17,650,811

		Overall Surplus/ (Deficit) for Year	Opening Balance @ 01/01/2010	Closing Balance @ 31/12/2010
7	Dun Laoghaire Rathdown	115,548	8,993,933	9,109,481
8	Galway	(111,331)	(1,272,553)	(1,383,884)
9	Kerry	637,112	1,889,034	2,526,146
10	Kildare	972,489	(4,885,743)	(3,913,253)
11	Kilkenny	(17,303)	(35,334)	(52,637)
12	Laois	2,104	(521,604)	(519,500)
13	Leitrim	(34,857)	(88,264)	(123,121)
14	Limerick	195,061	81,220	276,281
15	Longford	246,507	(842,400)	(595,893)
16	Louth	34,955	1,670,221	1,705,176
17	Mayo	302,277	(3,049,924)	(2,747,647)
18	Meath	974,947	(9,304,736)	(8,329,789)
19	Monaghan	391,863	(1,064,263)	(672,400)
20	North Tipperary	84,911	25,026	109,937
21	Offaly	(906,527)	(484,668)	(1,391,195)
22	Roscommon	395,414	(322,505)	72,908
23	Sligo	(2,463,505)	(7,518,111)	(9,981,616)
24	South Dublin	12,932	12,070,176	12,083,108
25	South Tipperary	22,963	2,940,208	2,963,171
26	Waterford	16,900	(6,933,807)	(6,916,907)
27	Westmeath	269,176	(2,796,051)	(2,526,874)
28	Wexford	15,831	(6,381,642)	(6,365,811)
29	Wicklow	(94,440)	(1,997,736)	(2,092,176)
	<i>City Councils</i>			
30	Cork	83,555	317,022	400,577
31	Dublin	5,618,365	9,765,759	15,384,124
32	Galway	458,128	(525,870)	(67,742)
33	Limerick	57,634	260,191	317,825
34	Waterford	92,954	(447,887)	(354,932)

Local Government Management Services Board

184. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the funding or contribution, if any, each local authority has paid to the Local Government Management Services Board in each of the years 2007 to 2011, inclusive; if there is a legal obligation on a local authority to make a contribution to the board; and if he will make a statement on the matter. [19276/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Local Government Management Services Board (LGMSB) was established under the Local Government Corporate Bodies Act 1971. The LGMSB was subsequently placed on a primary legislative footing under the Local Government Services (Corporate Bodies) (Confirmation of Orders) Act 2008. Article 5 (20) of the Local Government Management Services Board (Establishment) Order, 1996 states that “the expenses of the Board in so far as not met from other sources shall, to such extent as shall be approved by the Minister, be recouped by the several councils of counties and corporations of county boroughs in such proportions as those authorities may agree upon, or, failing such agreement, in such proportions as may be determined by the Minister.”

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The following table outlines the levy paid by each local authority to the Local Government Management Service Board in the years 2007 — 2011.

Local Government Management Services Board

Local Authority	Type	2007	2008	2009	2010	2011
		€	€	€	€	€
Carlow County Council	Levy	47,501.99	49,162.14	50,131.89	46,121.76	43,815.67
Cavan County Council	Levy	56,103.38	58,064.14	59,209.48	54,473.22	51,749.56
Clare County Council	Levy	84,555.98	87,511.13	89,237.33	82,099.09	77,994.14
Cork City Council	Levy	165,005.64	170,772.44	174,141.02	160,211.19	152,200.63
Cork County Council	Levy	244,289.02	252,826.70	257,813.84	237,190.88	225,331.34
Donegal County Council	Levy	77,023.69	79,715.60	81,288.03	74,785.67	71,046.38
Dublin City Council	Levy	722,303.63	747,547.49	762,293.26	701,316.15	666,250.34
Dun Laoghaire/ Rathdown Co. Council	Levy	189,230.44	195,843.88	199,707.00	183,732.10	174,545.50
Fingal County Council	Levy	236,392.27	244,653.96	249,479.89	229,523.58	218,047.40
Galway City Council	Levy	66,794.36	69,128.76	70,492.37	64,853.56	61,610.89
Galway County Council	Levy	96,364.65	99,732.51	101,699.79	93,564.65	88,886.42
Kerry County Council	Levy	87,520.29	90,579.05	92,365.77	84,977.28	80,728.41
Kildare County Council	Levy	109,849.88	113,689.03	115,931.61	106,658.04	101,325.14
Kilkenny County Council	Levy	73,549.12	76,119.60	77,621.10	71,412.05	67,841.45
Laois County Council	Levy	40,577.15	41,995.28	42,823.66	39,398.13	37,428.22
Leitrim County Council	Levy	25,974.24	26,882.01	27,412.27	25,219.52	23,958.54
Limerick City Council	Levy	60,841.43	62,967.78	64,209.85	59,073.60	56,119.92
Limerick County Council	Levy	102,074.61	105,642.03	107,725.87	99,108.70	94,153.27
Longford County Council	Levy	28,404.00	29,396.70	29,976.56	27,578.69	26,199.75
Louth County Council	Levy	94,153.56	97,444.15	99,366.28	91,417.81	86,846.92
Mayo County Council	Levy	82,150.50	85,021.59	86,698.69	79,763.51	75,775.34
Meath County Council	Levy	80,182.39	82,984.69	84,621.61	77,852.59	73,959.96
Monaghan County Council	Levy	54,475.43	56,379.30	57,491.41	52,892.58	50,247.95
North Tipperary County Council	Levy	54,645.51	56,555.33	57,670.91	53,057.72	50,404.83
Offaly County Council	Levy	46,432.89	48,055.68	49,003.61	45,083.73	42,829.54
Roscommon County Council	Levy	45,072.22	46,647.46	47,567.60	43,762.59	41,574.46
Sligo County Council	Levy	44,537.67	46,094.23	47,003.46	43,243.57	41,081.39
South Dublin County Council	Levy	197,030.00	203,916.02	207,938.37	191,305.04	181,739.79
South Tipperary County Council	Levy	81,543.06	84,392.92	86,057.61	79,173.72	75,215.04
Waterford City Council	Levy	52,337.23	54,166.37	55,234.83	50,816.51	48,275.68
Waterford County Council	Levy	46,530.08	48,156.27	49,106.18	45,178.09	42,919.19
Westmeath County Council	Levy	54,062.37	55,951.80	57,055.48	52,491.52	49,866.94
Wexford County Council	Levy	86,961.45	90,000.67	91,775.98	84,434.67	80,212.94
Wicklow County Council	Levy	77,047.99	79,740.75	81,313.67	74,809.26	71,068.80
Grand Total		3,611,518.12	3,737,737.46	3,811,466.28	3,506,580.77	3,331,251.74

Local Authority Expenditure

185. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government if he monitors the level of travel and subsistence paid to senior officials in local authorities; the outcome of such monitoring; and if he will make a statement on the matter. [19278/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): It is a matter for each local authority to determine its own spending priorities in the context of the annual budgetary process having regard to both locally identified needs and available resources. Expenditure on travel and subsistence is a matter for each individual local authority.

Water and Sewerage Schemes

186. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and Local Government the reason he has decided that the best way forward for the future of water treatment in Cork city is not to have the local authority retaining operational control as was the recommendation following the procurement appraisal report; and if he will make a statement on the matter. [19297/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 245 of 24 May 2011 which sets out the position in this matter.

187. **Deputy Eoghan Murphy** asked the Minister for the Environment, Community and Local Government if progress has been made regarding the construction of a sewerage treatment plant in Arklow, County Wicklow. [19349/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Wicklow. Three contracts under the Arklow Sewerage Scheme are included in the Programme amongst the list of contracts in the county to start in the period 2010-2012.

The major contract relates to the proposed wastewater treatment plant. I understand that the unsuccessful applicant to the High Court for a judicial review of An Bord Pleanála's decision to grant approval for the wastewater treatment plant was given leave to appeal to the Supreme Court and has exercised that option. The hearing was held on 2 December 2009 and the Council is awaiting the Supreme Court's decision in the matter. Further progress on this element of the scheme together with the contract for the Northern and Southern Interceptor Network will be dependent on the decision of the Court. The planning of the proposed contract for the upgrade of South Green and Harbour Road Network is under consideration by the Council.

188. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government if it his intention to include sanitary services, specifically sewage treatment plants, currently under the remit of the local authorities in the proposed new national water body. [19360/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government proposes the establishment of a new State-owned water company to be called Irish Water. The Memorandum of Understanding between Ireland and the European Union and International Monetary Fund commits Ireland to undertaking an inde-

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pendent assessment of the establishment of a water utility. My Department is overseeing an independent assessment of the establishment of the new water company. The assessment is to be completed by end October 2011. No decision has yet been taken on the functions to be assigned to the new company. The matter will be considered by the Government on completion of the independent assessment.

189. **Deputy Patrick O'Donovan** asked the Minister for the Environment, Community and Local Government if it is his intention to further regulate the installation of septic tanks and proprietary treatment systems as part of the construction of one-off domestic houses in rural locations; and if persons operating in the installation of same will be required to provide mandatory service contracts. [19361/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Part H of the Building Regulations (Drainage and Waste Water Disposal) sets out the requirements for the design and installation of wastewater systems. The relevant Technical Guidance Document (TGD) H provides guidance on how to comply with the requirements of Part H.

The EPA's new Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses was published in October 2009 and refers to the suite of new European Standards for small wastewater treatment plans, EN 12566. The new Code of Practice updates previous guidance and sets out comprehensive requirements in relation to new on-site wastewater systems, including the methodology to be followed for the assessment of sites for single houses in unsewered areas, as well as procedures for the selection, installation and maintenance of wastewater treatment and disposal systems appropriate to conditions encountered on specific sites. The EPA Code of Practice has been called up into the Technical Guidance Document to Part H of the Building Regulations. A copy of the Code of Practice is available to view and download from www.epa.ie.

My Department issued a circular letter to planning authorities in January 2010 regarding implementation of the EPA's new Code of Practice, which inter alia requests planning authorities to continue their practice of requiring that details of on-going proprietary wastewater systems maintenance contracts with suppliers and/or expert contractors are provided as part of the planning application documentation, and that such contracts should be maintained by the applicants, developers and/or property owners as appropriate, as a condition of any planning permission or approval. A copy of the circular letter is available to view in the Oireachtas Library and also on the Department's website — www.environment.ie.

It is the responsibility of planning authorities to monitor the degree to which those carrying out approved developments meet their obligations to comply with the terms of planning permissions granted, and to enforce such terms where necessary.

As stated in the reply to Questions Nos. 350 and 351 of 28 June 2011, the Government recently approved the urgent drafting of a Bill to provide for the establishment of a new system for the inspection and monitoring of the performance of septic tanks and other on-site wastewater treatment systems in response to a European Court of Justice ruling that Ireland failed to adopt the necessary legislation to comply with Articles 4 and 8 of Council Directive 75/442/EEC regarding domestic wastewaters disposed of in the countryside through septic tanks and other individual wastewater treatment systems. The Bill will be published as soon as possible and my intention will be to pursue its early enactment thereafter.

Social and Affordable Housing

190. **Deputy Anthony Lawlor** asked the Minister for the Environment, Community and Local Government taking into account the 12.4% population increase in the Kildare north constituency, as outlined in census 2011, the measures being taken by Kildare County Council to increase the number of social affordable housing units to cater for increasing demand; and if he will make a statement on the matter. [19389/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Under the social housing investment programme, local authorities meet social housing needs from a variety of sources including the traditional construction and acquisition programmes, projects advanced by the voluntary and co-operative sector and through the leasing of accommodation from private landlords and property owners. In 2011, my Department allocated €5.7 million for Kildare authorities for capital social housing supply programmes. Funding has also been set aside for leasing and for the Rental Accommodation Scheme.

To ensure that the social housing investment programme is delivered in a coherent and coordinated manner, each local authority, in consultation with my Department, has formulated a programme of work for 2011, having regard to their notified funding allocations, and the prioritisation of commitments and new proposals. Under these plans, particular emphasis is placed on achieving best value for money having regard to the current economic situation while responding to local housing needs.

Water and Sewerage Schemes

191. **Deputy Anthony Lawlor** asked the Minister for the Environment, Community and Local Government if he will provide details of the plans to improve the water and sewerage treatment services in County Kildare taking into account the population increase of 12.7% in the county, according to Census 2011; and if he will make a statement on the matter. [19390/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Water services authorities, including Kildare County Council, were asked in July 2009 to submit an assessment of needs for water and sewerage services to my Department. In preparing their assessments, water services authorities were required to take into consideration key environmental and economic criteria in prioritising contracts and schemes to be progressed in their areas. The assessments of needs submitted by Kildare County Council and the other water services authorities were subsequently appraised in my Department in the context of the funds available and key criteria that complemented those used by the authorities.

These processes were a key input to the contracts and schemes included in my Department's Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library. The Programme includes contracts under construction and to commence to the value of over €172 million in County Kildare during the period of the Programme.

Progress under the Water Services Investment Programme 2010-2012, has recently been reviewed and through this process, consideration was given to any newly emerging priority contracts and schemes submitted by water services authorities for addition to the programme. Some 39 contracts have been added to the Programme as a result of the review, including two in County Kildare with a total value of €19.6 million.

Responsibility for the administration of the Rural Water Programme, which includes group water schemes, has been devolved to local authorities since 1997. Kildare County Council have been allocated a block grant of €1,351,000 for 2011 under the devolved Rural Water Prog-

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ramme. The selection and approval of individual schemes for advancement and funding under the programme, within the overall priorities set by my Department and subject to the block grant allocations provided, is therefore a matter for the local authorities.

Community and Recreational Facilities

192. **Deputy Anthony Lawlor** asked the Minister for the Environment, Community and Local Government the steps being taken to improve the community and recreational facilities in Kildare north to accommodate the 12.4% population increase, which comprises of a substantial number of young persons; and if he will make a statement on the matter. [19391/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): There are a number of supports administered by my Department that can assist community and recreational facilities and services in Co. Kildare.

The Local Agenda 21 Environmental Partnership Fund (LA21), supports small scale, non-profit projects and initiatives, such as community gardens, rainwater harvesting systems and environmental exhibitions, which increase environmental awareness and facilitate sustainable development at community level. Each local authority receives a standard minimum allocation annually plus an additional amount based on their population as provided in the most recent census figures.

Funding of €12,282,448 is available under the Rural Development Programme Ireland (RDP) 2007-2013 for allocation by Cill Dara ar Aghaidh Teoranta (Kildare LEADER Partnership) to qualifying projects up to the end of 2013. One of the objectives of the RDP is to identify and provide appropriate amenity and leisure facilities to local communities not otherwise available to them with a particular focus on young people. In this context it may be possible to obtain funding for a variety of projects to improve community and recreational facilities in County Kildare.

Cill Dara ar Aghaidh Teoranta is contracted, on my Department's behalf, to deliver the RDP throughout County Kildare and is the principal decision-maker in relation to the allocation of project funding.

Decisions are made in the context of the local development strategy of the company and in line with Departmental operating rules and EU regulations. Contact details for this group can be found on my Departments website at www.environ.ie.

Kildare Volunteer Centre were awarded funding of €93,220 in 2011 under the Funding Scheme to Support Volunteering. Kildare Volunteer Centre works closely in partnership with local groups, organisations and networks within the community and voluntary sector in the Kildare area.

My Department also delivers the Local and Community Development Programme. While it does not directly support the development of community and recreational facilities, it funds actions aimed at tackling poverty and social exclusion — among other things, it supports actions which facilitate increased access to formal and informal educational, recreational and cultural development activities and resources for children, young people and adults.

The Programme is delivered in Kildare by Cill Dara ar Aghaidh Teoranta and information on specific actions funded through the Programme can be obtained from the Group.

Housing Stock

193. **Deputy Anthony Lawlor** asked the Minister for the Environment, Community and Local

Government the plans in place to effectively deal with the vacant housing units throughout the country and in particular in County Kildare in which 8% of units are currently vacant; and if he will make a statement on the matter. [19392/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The overhang in housing stock is a cause for concern for all stakeholders in the construction and housing sector. From my own point of view as Minister for Housing and Planning it also presents some opportunities.

In recent years the social housing provision model has switched from predominance on build and acquisition to the rental accommodation scheme and leasing of units. These initiatives have delivered housing units in a more flexible and speedy manner than before, including through the use of suitable vacant private residential stock.

I signalled in my recent policy framework the need to maximise our housing provision by means of these tools. The allocation for the current year stands at €125 million for RAS and €23.5 million for leasing. Together, these two delivery modes are expected to yield half of the social housing capacity delivered in 2011.

My Department has been engaged in ongoing discussions with NAMA with a view to harnessing a social dividend in the form of the acquisition or leasing of stock subject to NAMA control. I hope to announce soon the first fruits of that work, with the acquisition of premium new accommodation for social housing purposes.

Additionally, I recently established the National Co-ordination Committee in respect of Unfinished Housing Developments, comprised of representatives from NAMA, the banking, construction and housing sectors as well as the local authorities and the Department. Its second meeting takes place next week. I expect this close collaboration of all interested parties to yield imaginative and constructive proposals for the further absorption of surplus housing stock.

Garda Vetting of Personnel

194. **Deputy Terence Flanagan** asked the Minister for Justice and Equality the position regarding a Garda clearance application in respect of a person (details supplied) in Dublin 13; and if he will make a statement on the matter. [19258/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that a vetting application in respect of the person to whom the Deputy refers was received by the Garda Central Vetting Unit on 23 June 2011. The application will be processed by the vetting unit and a response will issue to the registered organisation involved in due course.

Departmental Expenditure

195. **Deputy Regina Doherty** asked the Minister for Justice and Equality the cost of the Garda Síochána's presence at the Slane concert in County Meath this year with the cost broken down under the headings of preparation, overtime and number of gardaí present. [19261/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised by the Garda authorities that a breakdown of the relevant Garda expenses in the form sought by the Deputy is not readily available and could only be compiled by way of the use of a substantial amount of Garda resources. However, I have been informed that overtime costs of approximately €201,000 and travel/subsistence costs of approximately €18,500 were incurred.

The number of Garda members involved over the three day period was 531.

Suicide Statistics

196. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality if the Garda collects suicide statistics; the frequency with which they are updated; the statistics for the collection time periods in 2010; the statistics to date in 2011; and if he will make a statement on the matter. [19283/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that An Garda Síochána does not collect statistics in relation to suicides in Ireland.

I understand, however, that the Central Statistics Office, as the national statistical agency, compiles and publishes such statistics. I have requested the CSO to provide statistics directly to the Deputy.

Garda Vetting of Personnel

197. **Deputy Mary Mitchell O'Connor** asked the Minister for Justice and Equality if he will consider amending the Garda vetting process in order that it is conducted on the basis of PPS numbers to alleviate the potential problems caused by a person receiving Garda clearance and then changing their name in an attempt to avoid being tracked. [19285/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Central Vetting Unit (GCVU) provides employment vetting for a large number of organisations in Ireland registered with the Gardaí for this purpose and which employ/engage persons in a full-time, part-time, voluntary or training capacity to positions where they would have substantial, unsupervised access to children and/or vulnerable adults.

In the vetting process, in response to a written request from a registered organisation, the Garda authorities will release criminal history information in respect of the person who is the subject of the vetting application. A vetting application may only be made with the written consent of the subject of the vetting application who provides identifying information which is checked against Garda records and authorises the Garda authorities to furnish a statement that there are no convictions recorded against the subject in the State or elsewhere or a statement of any convictions recorded against the subject as the case may be or a statement of all prosecutions, successful or unsuccessful, pending or completed in the State or elsewhere as the case may be.

In accordance with the provisions of the Social Welfare (Consolidation) Act 2005, a person's PPS number cannot be used as an identifier in the Garda vetting process.

Crime Prevention

198. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will support action to prevent anti-social activity at a location (details supplied) in Dublin 3. [19320/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have requested a report from the Garda authorities in relation to the matter referred to by the Deputy. I will contact the Deputy again when the report is to hand.

Citizenship Applications

199. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate the current or expected status in respect of naturalisation in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19333/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in January, 2010. The application is at an advanced stage of processing and will be finalised as expeditiously as possible.

In that context, I can inform the Deputy that I recently announced a series of measures within my Department to provide for speedier processing of citizenship applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that came into force on Friday, 24th June 2011, and are currently available online with an associated online residence checker, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. These measures are targeted at clearing the backlog of applications awaiting a decision in excess of six months by spring of next year and from that time on the aim is, save in exceptional circumstances, that persons applying for citizenship will be given a decision on their application within six months.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

200. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will indicate the current or expected status in respect of naturalisation in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19334/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in January, 2010. The application is at an advanced stage of processing and will be finalised as expeditiously as possible.

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specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Proposed Legislation

201. **Deputy David Stanton** asked the Minister for Justice and Equality the plans, if any, he has to amend blasphemy legislation or hold a referendum to amend the constitutional requirement for such legislation; and if he will make a statement on the matter. [19382/11]

Minister for Justice and Equality (Deputy Alan Shatter): There is a commitment in the Programme for Government to consider the question of a Referendum on blasphemy. The Constitutional Convention that is proposed in the Programme will include blasphemy in its review.

Visa Applications

202. **Deputy Jack Wall** asked the Minister for Justice and Equality the reasons a person (details supplied) has been refused a visa; and if he will make a statement on the matter. [19388/11]

Minister for Justice and Equality (Deputy Alan Shatter): The visa application referred to by the Deputy was received in the Irish Consulate in Manila on 16 May 2011 and was forwarded to the Visa Office in Dublin for decision. It was refused by the Visa Officer on 29 June 2011 for the following reasons:

1. The evidence of finances shown was deemed insufficient.
2. It was the opinion of the Visa Officer that the applicant's obligations to return to her home country were not sufficient.

It is open to the applicant to appeal the decision within two months of the date of the refusal. In view of the applicant's visa history in the State, positive consideration will be given to granting the visa on receipt of the relevant documentary evidence to address the concerns of the Visa Officer.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made direct to INIS by email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Deployment

203. **Deputy Anthony Lawlor** asked the Minister for Justice and Equality in view of the population increase since 2006 in the Kildare North Constituency of 12.4%, according to Census 2011, if he will consider reallocating gardaí to the constituency to deal with this population increase and to bring the Garda numbers in County Kildare in line with the national average; and if he will make a statement on the matter. [19394/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that as of 31 December 2006, the personnel strength of all Garda stations in County Kildare was 267. At that time County Kildare formed part of the Carlow/Kildare Garda Division and on 29th June 2009, the Garda Division of Kildare was established. The personnel

strength of Kildare Garda Division on 31st May 2011 was 324. This represents an increase of 57 (21.34%) from 2006 to 2011.

The allocation of Garda resources, including personnel, is a matter for the Garda Commissioner and his senior management team. Resource levels are constantly monitored, in conjunction with crime trends and the situation is kept under continuing review to ensure optimum use is made of all resources and the best possible Garda service is provided to the public.

Proposed Legislation

204. **Deputy Michael McCarthy** asked the Minister for Justice and Equality further to Parliamentary Question No. 278 of 10 May 2011, if he intends to review the legislative position in relation to awarding members of An Garda Síochána a special status and protection in view of the recent incident whereby a male Garda based in Kilmainham Garda Station was attacked and burned whilst responding to a domestic incident; if he will take appropriate action in view of the seriousness of the incident; and if he will make a statement on the matter. [19395/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will appreciate that while I cannot comment on any particular case that may come before the courts, I want to make it clear that no attack on any member of An Garda Síochána or indeed another emergency service will be tolerated and that the full rigours of the law will be brought to bear on the perpetrators of any such attacks. It is very important for everyone to understand that the current legislation, as outlined in my reply on 10 May 2011, specifically protects Gardaí and other emergency workers from such attacks.

It is absolutely right that the criminal law should afford Gardaí and other emergency workers such specific protection and, if further measures are necessary in this regard, I will not hesitate to bring forward appropriate proposals.

Citizenship Applications

205. **Deputy Seán Conlan** asked the Minister for Justice and Equality when an application for naturalisation will be processed in respect of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [19408/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in November 2007.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

In that context, I can inform the Deputy that I recently announced a series of measures within my Department to provide for speedier processing of citizenship applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that came into force on Friday, 24th June 2011, and are currently available online with an associated online residence checker, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. These measures are targeted at clearing the backlog of applications awaiting a decision in excess of six months by spring of next year and from that time on the aim is, save in exceptional circumstances, that persons applying for citizenship will be given a decision on their application within six months.

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The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Crime Levels

206. **Deputy Michael McCarthy** asked the Minister for Justice and Equality if he will provide a breakdown in the number of Gardaí who have been assaulted in each of the years 2009, 2010 and to date in 2011 separately; in this context, the number of prosecutions that are currently under way under Section 19 of the Criminal Justice (Public Order) Act and Section 3 of Non-fatal Offences Against the Person Act; and if he will make a statement on the matter.

[19415/11]

Minister for Justice and Equality (Deputy Alan Shatter): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and responding to queries regarding recorded crime statistics.

I have requested the CSO to provide statistics directly to the Deputy.

Deportation Orders

207. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which a full appraisal of circumstances has been undertaken in the case of a person (details supplied) in County Monaghan; and if he will make a statement on the matter. [19436/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy is the subject of a Deportation Order, signed on 20 October 2010, following a comprehensive and thorough examination of his asylum claim and his application for subsidiary protection, and a detailed examination of the representations he submitted for consideration under Section 3 of the Immigration Act 1999 (as amended).

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State.

The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such

cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

208. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedures so far in the determination of entitlement to residency and naturalisation in the case of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [19437/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy has no application pending for residency or naturalisation. The person concerned is the subject of a Deportation Order, signed on 10 December 2004.

I am advised that the applications made by the person for asylum, for subsidiary protection, for temporary leave to remain and for revocation of his Deportation Order together with all refoulement issues, were all fully examined before the decision to deport him was taken.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State.

The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

209. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedures undertaken to date in the matter of determination of residency and naturalisation in the case of persons (details supplied) in Dublin 20; and if he will make a statement on the matter. [19438/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the first named person referred to by the Deputy has no application pending for residency or naturalisation. The person concerned is the subject of a Deportation Order, signed on 20 April 2010, following a comprehensive and thorough examination of his asylum claim and his application for subsidiary protection, and a detailed examination of the representations he submitted for consideration under Section 3 of the Immigration Act 1999 (as amended).

However, if new information or circumstances have come to light, which have a direct bearing on their case and which have arisen since the original Deportation Orders was made, there remains the option of applying to me for revocation of the Deportation Orders pursuant to the provisions of Section 3(11) of the Immigration Act, 1999, as amended. However, I wish to make clear that such an application would require substantial grounds to be successful.

The second person concerned was granted permission to remain in the State under the revised arrangements for non-EEA parents of children born in Ireland prior to 1 January, 2005, known as the IBC/05 Scheme. This permission to remain is currently valid until 5 May, 2012.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been

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specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

210. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the determination of residency in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19439/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted leave to remain in the State for a three year period to 26th June, 2011. This decision was conveyed in writing to the person concerned by letter dated 26th June, 2008.

An application for the renewal of this permission was received in my Department on 5th July, 2011. This application will be considered shortly. Once a decision has been made on this renewal application, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Citizenship Applications

211. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected position in regard to the determination of naturalisation status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19440/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in August 2010.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

In that context, I can inform the Deputy that I recently announced a series of measures within my Department to provide for speedier processing of citizenship applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that came into force on Friday, 24th June 2011, and are currently available online with an associated online residence checker, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. These measures are targeted at clearing the backlog of applications awaiting a decision in excess of six months by spring of next year and from that time on the aim is, save in exceptional circumstances, that persons applying for citizenship will be given a decision on their application within six months.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

212. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the determination of residency and citizenship status in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19441/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned has been granted Leave to Remain in the State for the period to 12th August, 2011. This decision was conveyed in writing to the person concerned by letter dated 12th August, 2008.

The person concerned is required to apply in writing for the renewal of this permission. As my Department's records show no evidence of such a renewal application having been made to date, it is recommended that the person concerned should do so in the near future.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Asylum Applications

213. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will review the residency status and procedures in the case of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [19442/11]

Minister for Justice and Equality (Deputy Alan Shatter): The persons concerned are a husband and his wife who entered the State on 10th September, 2004, and lodged separate asylum applications on 17th May, 2006. Their asylum applications were considered by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, both of whom concluded that the persons concerned did not meet the criteria for recognition as refugees.

Arising from the refusal of their respective asylum applications, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the persons concerned were separately notified, by letters dated 7th March, 2011, that the Minister proposed to make Deportation Orders in respect of them. They were each given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why Deportation Orders should not be made against them. In addition, they were notified of their respective entitlements to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The position in the State of the persons concerned now falls to be decided by reference to the provisions of Section 3 (6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the files are passed to me for decision. Once decisions have been made, these decisions and the consequences of the decisions will be conveyed in writing to the persons concerned.

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I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Citizenship Applications

214. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position in the matter of determination of naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19443/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised that an application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in December 2009 and my predecessor decided to refuse the application on 2 March, 2011. The person concerned was informed of this in a letter issued to him on 11 March, 2011.

It is open to the person concerned to lodge a new application for a certificate of naturalisation if and when he is in a position to meet the statutory requirements. However, in doing so he should bear in mind the reasons for refusal of his previous application.

My officials inform me that there is no record of an application for a certificate of naturalisation from the spouse of the person concerned.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Deportation Orders

215. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will review the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19444/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy is the subject of a Deportation Order, following a comprehensive and thorough examination of his asylum claim and of his application to remain temporarily in the State. He has been evading his deportation since 3 November 2009 and should he come to the notice of the Garda authorities, he would be liable to arrest and detention. He should, therefore, present himself to the Garda National Immigration Bureau without any further delay.

As a general matter of policy, it would be logistically inconsistent to reward persons who have failed a very fair and comprehensive asylum process, and who have thereafter proceeded to evade their deportation for several years, by granting such persons residency in the State.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

216. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the history of the case in the matter of determination of residency in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19445/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Immigration Division of my Department that the person concerned made an application for residency in the State on 27 March 2007 on the basis of his being the spouse of an EU national exercising their right to free movement. Following consideration of this application, under the provisions of the European Communities (Free Movement of Persons) Regulations, 2006, a decision was made to refuse the application. The person concerned was notified of this decision by registered letter dated 24 September, 2007 which was returned undelivered. A subsequent issuing of the letter, on 14 January, 2008, was not returned and presumed delivered.

Following the ruling of the Court of Justice of the European Union in the case of *Metock -v- Ireland* in July, 2008, this application, amongst others, was reviewed by EU Treaty Rights Section of my Department. The person concerned was notified in writing of the outcome of that review by letter dated 12 August, 2008. They were advised that, in order to obtain a residence card, they must report to the local immigration office and that the permission to remain would be backdated to 27 September, 2007. The person concerned was also advised that their passport would be endorsed with the appropriate permission to remain. No correspondence, in response to the letter of 12 August, 2008, was received from the applicant and he did not register with the local immigration office.

On 25 March, 2011, the person concerned wrote to EU Treaty Rights Section stating that, when the letter from EU Treaty Rights Section was received, they were intending to return temporarily to their home country. The person added that they presumed they could present to the local immigration office on their return to the State. Documentation was submitted to EU Treaty Rights Section with the letter of 25 March, 2011 which, it was stated, the applicant hoped was sufficient to get registered. On 5 April, 2011, the applicant was informed that, as they had failed to register with the local immigration office and had been absent from the State for a period exceeding one year it was not now possible to register based on the approval letter of August, 2008. The person concerned was informed that a fresh application should be made. To date, EU Treaty Rights Section has not received a reply from the applicant.

All of the above should, of course, be known to the applicant.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Deportation Orders

217. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a full review of the circumstances will be undertaken in the case of a person (details supplied) in County Waterford; and if he will make a statement on the matter. [19446/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am advised that the application for asylum made by the person concerned was fairly and comprehensively examined before a decision to refuse it was arrived at. I am further informed that the representations he submitted for consideration under Section 3 of the Immigration Act 1999 (as amended), together with all

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refoulement issues, were given the fullest consideration before his Deportation Order was made on 11th September 2003. The individual did not present to the Garda National Immigration Bureau in October 2003 and instead evaded his deportation for almost 6 years until June 2009.

The Deportation Order requires him to remove himself from the State and remain thereafter outside the State. By failing to remove himself from the State, he is in breach of the Deportation Order. The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

The individual made an application to have his Deportation Order revoked under Section 3(11) of the Immigration Act 1999 (as amended). Having considered the application fully, the Deportation Order was affirmed and this decision was conveyed to the applicant and copied to his legal representative on 29th June 2011.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

218. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if details of residency permission updates granted since 1998 will be furnished in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [19447/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted permission to remain in the State for an initial one year period. This decision was conveyed in writing to the person concerned by letter dated 20th April, 2006. This permission to remain was subsequently renewed and is currently valid to 29th May, 2013. Each period of permission to remain became operative once the person concerned had completed the registration process with the Garda National Immigration Bureau (GNIB).

If the person concerned requires a letter detailing his reckonable residency in the State, he should send a request in writing to the Garda National Immigration Bureau, 13-14 Burgh Quay, Dublin 2.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

219. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if a record of updated grants of permission to remain will be provided in the case of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [19448/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted permission to remain in the State for an initial three year period. This decision was conveyed in writing to the person concerned by letter dated 23rd November, 2004. This permission to remain was subsequently renewed and is currently valid to 2nd April, 2012. Each period of permission to remain became operative once the person concerned had completed the registration process with the Garda National Immigration Bureau (GNIB).

If the person concerned requires a letter detailing his reckonable residency in the State, he should send a request in writing to the Garda National Immigration Bureau, 13-14 Burgh Quay, Dublin 2.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Defence Forces Property

220. **Deputy Michael Creed** asked the Minister for Defence his proposals in respect of a property (details supplied) in County Cork; and if he will make a statement on the matter. [19323/11]

Minister for Defence (Deputy Alan Shatter): The Defence property portfolio is kept under review to ensure the most effective use of military resources having regard to the roles assigned by Government to the Defence Forces. The property referred to is surplus to military requirements and has been earmarked for disposal subject to favourable market conditions.

Food Safety Standards

221. **Deputy Mary Mitchell O'Connor** asked the Minister for Agriculture, Fisheries and Food his plans to ban unpasteurised milk; if he will consider the option of regulating the industry in place of an outright ban and if he will consider holding a public consultation on the matter. [19240/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The reason for maintaining a ban on the sale of raw milk for human consumption is to protect public health. This is based on strong advice from both food safety and public health professionals. There have been very serious health issues associated with the drinking of raw milk in Ireland and in a number of other countries.

The introduction of S.I. No. 910 of 2005 to implement the EU Food and Feed Hygiene Regulations in 2006 had the effect of removing the existing legal basis for the prohibition of the sale of raw cows milk for direct human consumption under S.I. No. 9 of 1996. Consideration was then given to extending the ban to cover goats and sheep milk. A consultation process was held during 2008 to determine public views on the proposal to extend the ban to include goats and sheep milk. Seventeen responses were received. Neither my Department nor the Food Safety Authority of Ireland were convinced that the submissions received provided any justification to oppose the expert advice that the extended ban should be supported in legislation.

While public health is the overriding consideration, it is also worth noting that legislation required to allow the sale of raw milk on a restricted basis would be much more complicated and would impose very significant extra cost on my Department in relation to oversight and enforcement. Failure to adequately oversee such high-risk business operations could result in serious national and international reputational risk, for instance in the event of an outbreak of TB being linked to the consumption of raw milk purchased from an establishment approved by the competent authority. It should be noted that the prevalence of TB in herds in Ireland puts us in a different position to most other Member States in the EU where the disease has been eradicated. It is inappropriate that Ireland should adopt the same approach to the consumption of raw milk as countries that do not have the same difficulty with TB and therefore have no associated risk.

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In all the circumstances I am satisfied that a ban on the sale of raw milk for human consumption is fully justified. I do not propose to ban the sale of cheese or other products manufactured from raw milk, as the same risk to public health does not arise.

Article 10 (8) of EU Regulation 853 of 2004 provides that a Member State may, of its own initiative and subject to the general provisions of the Treaty, maintain or establish national rules prohibiting or restricting the placing on the market within its territory of raw milk or raw cream intended for direct human consumption. Section 54 of the Health Act of 1947 (as amended by Section 25 of the Irish Medicines Board (Miscellaneous Provisions) Act 2006) has been identified as the appropriate primary legislation for this purpose and the Department of Health has agreed to promote a Statutory Instrument under that Act on behalf of my Department. The latest indicative timeframe for the introduction of the S.I. is end 2011, which includes allowance for a 3-month EU notification period.

Grant Payments

222. **Deputy Seán Conlan** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Monaghan will receive their REP scheme payment; and if he will make a statement on the matter. [19286/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 in May 2009 and has received full payment in respect of year 1.

A discrepancy relating to the LINNET and Orchard Supplementary measures under the REPS plan was discovered during a check between the applicant's Single Payment Scheme application and the REPS application. My officials are currently investigating this discrepancy and will in touch with the applicant directly.

223. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Fisheries and Food when a REP scheme payment will issue to a person (details supplied) in County Offaly; and if he will make a statement on the matter. [19317/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 in August 2009 and has received full payment in respect of year 1.

The advance payment of 75% totalling €4,076.58 issued on 20 June 2011. Payment of the final 25% cannot be made until all outstanding checks are finalised and compliance with the scheme conditions has been fully established. Payment will issue at the earliest possible date once all checks have been completed.

Official Engagements

224. **Deputy Eoghan Murphy** asked the Minister for Agriculture, Fisheries and Food if he intends to visit China this year following the visit by the Chinese Vice Minister for Agriculture Mr Niu Dun in May of this year. [19351/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Since taking office, I have focused on developing and deepening our trade links and levels of cooperation with China, which is the world's fourth largest food importer and the fifth largest exporter of agriculture produce. With a population of 1.3 billion and with increasing urbanisation and affluence, China offers the Irish agri-food and fisheries sector enormous potential in the future and is already a significant destination for exports of Irish agri-food and seafood products. Last year, Ireland exported over €107 million in food, seafood, beverages, forestry products and wool to

China, as well as a further €95 million worth to Hong Kong. China can play a key role in fulfilling the ambitions of the Food Harvest 2020 strategy in terms of increasing export value in the agri-food sector.

The recent visit in May this year of the Chinese Vice Minister, Mr Niu Dun was a very successful one, which culminated in the signing of an Action Plan between the Chinese Ministry of Agriculture and the Irish Department of Fisheries and Food on mutual co-operation between the two countries in the agri-food and fisheries sectors. The visit and the Action Plan, has led to the deepening of relationships between both countries, between Vice Minister Niu Dun and myself and Minister McEntee and between our respective officials. Ultimately, I would envisage that this would result in a greater understanding of, and confidence in, the integrity of our respective food safety and veterinary control systems, through the proposed sharing of expertise in areas of food safety, veterinary health, animal husbandry and the seafood sector. As part of the Action Plan, it is also proposed that there would be an exchange of specialist personnel between our respective administrations and that Chinese officials could also undertake specialist courses in Ireland in food safety, veterinary public health and animal husbandry.

During the visit of the Chinese Vice Minister for Agriculture, Mr Niu Dun to Ireland, he kindly extended an invitation to me to visit China. I would hope to be able to visit China before the end of the year but this will of course be contingent on agreeing a date that is mutually convenient and of course having regard to any national demands at that time.

Pension Provisions

225. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Fisheries and Food the basis on which it is proposed to reduce the pension entitlements arising from employment and early retirement on ill-health grounds as per letter dated 4 May 2011 in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19426/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named retired on ill-health grounds and is in receipt of a pension under the Pension Scheme for Non Established State Employees. At retirement his pension was integrated with (i.e. reduced to take account of) the appropriate rate of Illness Benefit payable by the Department of Social Protection.

Under the terms of the Pension Scheme, his occupational pension fell to be re-calculated to take account of his entitlement to the State Pension payable by the Department of Social Protection from the date of his 66th birthday. As the rate of the State Pension is higher than the rate of Illness Benefit, the amount of the occupational pension is consequently lower.

Afforestation Programme

226. **Deputy John McGuinness** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 311 of 14 December 2010, if he will investigate this case further; if he will request Coillte to resolve matters with the land owners; if Coillte intends to provide walks through this land; and if he will make a statement on the matter. [19483/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Coillte Teoranta was established as a private company under the Forestry Act, 1988 and day-to-day operational matters, such as planting for private landowners, is the responsibility of the company. Coillte has advised, however, that it will contact the persons concerned directly on this matter.

Youth Services

227. **Deputy Anthony Lawlor** asked the Minister for Children and Youth Affairs taking into account the 12.4% population increase in the Kildare North Constituency, as outlined in Census 2011, the plans in place to increase the resources and level of support for youth services in the area, bearing in mind that the population increase is mainly due to natural increase and therefore the constituency has a high population of young persons; and if she will make a statement on the matter. [19399/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The 2011 budget allocation for the Youth Affairs Unit of my Department is €60.154 million on current expenditure and €800,00 on capital expenditure. This funding supports the delivery of a range of youth work programmes and services for all young people, including those from disadvantaged communities, by the voluntary youth work sector. Some €656,000 has been allocated to youth projects and clubs in Co.Kildare. My Department is in the process of developing a Youth Policy Framework which will, inter alia, provide greater co-ordination and coherence in youth service provision and related services for young people. My Department has also recently established a Task Group under the auspices of the National Youth Work Advisory Committee to examine current funding mechanisms and to consider options for moving towards a more streamlined resource effective approach.

Missing Persons

228. **Deputy Finian McGrath** asked the Minister for Children and Youth Affairs the reason for the delay in implementing the 116000 number for missing children. [19288/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The purpose of the 116000 phone number is to provide a contact number to families if children go missing. My Department is involved in ongoing discussions with other Government Departments in relation to the development of a hotline. The issue of missing children is a matter for the Garda Síochána.

Preschool Services

229. **Deputy David Stanton** asked the Minister for Children and Youth Affairs her roles and responsibilities or those of any body under her aegis on the development and provision of early years and pre-school education; and if she will make a statement on the matter. [19383/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): The principle vehicle for my Department, in developing and providing early childhood care and education, is the free Pre-School Year in Early Childhood Care and Education (ECCE) programme. The pre-school year was introduced in January 2010 and provides early learning in a formal setting to children in the year before they commence primary school. In 2011, the ECCE programme is expected to cost €166 million.

As well as the ECCE programme, I have responsibility for two other major programmes in the area of early childhood care and education. These are the Community Childcare Subvention (CCS) programme, which provides funding to community child care services to enable them to charge reduced child care fees to disadvantaged and low income parents, and the Childcare Education and Training Support (CETS) programme, which supports parents availing of certain FAS and Vocational Education Committee (VEC) courses.

The ECCE programme has been extremely successful to date with almost every pre-school service in the State involved in its delivery and a participation rate of 63,000 children, or 94% of the eligible age cohort, from September 2010. Children are eligible for the free Pre-School Year where they are aged more than 3 years and 2 months and less than 4 years and 7 months in September of the relevant year. The fact that the ECCE programme is universally available free of charge to all pre-school children, is important in terms of ensuring equality of access and school readiness.

All Pre-School Leaders working in the free Pre-School Year are required to hold minimum qualifications in early education and a higher capitation rate is paid to services in which all Pre-School Leaders and Pre-School Assistants hold higher level qualifications. Participating services are required to adhere to the principles of Siolta, the National Framework for Early Learning, and are also encouraged to implement the Aistear Curriculum for children aged from birth to 6 years, when providing age appropriate pre-school activities.

Services are assisted in this by a national team of Siolta Co-ordinators, provided by a number of National Voluntary Childcare Organisations which are funded by my Department. In addition, the 33 City and County Childcare Committees (CCCs) which are funded by my Department, play an important support role in assisting ECCE services in implementing Siolta and Aistear and in providing access to training and other quality supports.

The Pre-School Year is an important development which I hope to improve and develop incrementally over the term of this Government. In doing this, I envisage that officials in my Department will work closely with their colleagues in the Department of Education and Skills to develop a more integrated approach to early education. An example of this will be a co-ordinated approach to tackling literacy and numeracy problems from an early age.

Health Services

230. **Deputy Catherine Murphy** asked the Minister for Children and Youth Affairs the reason a special care unit (details supplied) is being re-opened on 5 July, in view of the fact that none of the issues raised in the recent Health Information and Quality Authority report have been addressed and the Health Service Executive has accepted that the building is in need of remodelling; and if she will make a statement on the matter. [19386/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): As this is a service matter it has been referred to the HSE for direct reply.

Medical Cards

231. **Deputy Jim Daly** asked the Minister for Health the position regarding a medical card renewal in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [19262/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Pension Provisions

232. **Deputy Pearse Doherty** asked the Minister for Health if he will confirm that private employees of a company (details supplied) in Dublin 20 are being charged the public sector pension levy; the number of staff currently paying this levy; the period of time they have been

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charged this levy; the legal basis for the charging of this levy; the use to which the money charged is subsequently put; and if he will make a statement on the matter. [19273/11]

238. **Deputy Pearse Doherty** asked the Minister for Health the instructions given by the Health Service Executive to the management of a company (details supplied) in Dublin 20 regarding the application of the public service pension levy to salaries of employees of the company; and if he will make a statement on the matter. [19305/11]

Minister for Health (Deputy James Reilly): I propose to take Questions Nos. 232 and 238 together.

I understand that a Private Pension Scheme has been in operation in the company in question since 1973. The scheme is a non-contributory defined benefit scheme and is an exempt approved scheme (approved under Section 774 of the Taxes Consolidation Act 1997). It was established to provide retirement and life assurance benefits for its members. As of 30th June 2011, there were:

- 738 Active members;
- 195 deferred members;
- 49 members in receipt of a pension;
- Total scheme membership of 982.

When the Financial Emergency Measures in the Public Interest Act, 2009 came into force, the Department of Finance confirmed that the a Pension Related Deduction (PRD) applied to all employees of the company, as it is deemed to be a public sector employer under the legislation (Sections 1(i), 2(1)(b)(i) and 2(1)(b)(iii) refer). The deduction came into effect in March 2009.

I have also been informed that the Private Pension Scheme was closed to new entrants on 31st December 2006. Staff who joined the company on, or after, January 1st 2007 are members of the New Model Superannuation Scheme. There are 178 New Model Scheme members as of 31st December 2010, who also pay the PRD.

At present, monies deducted from salaries under the PRD are retained by the company. To offset this, I understand that the HSE has reduced the company's annual allocation by a similar amount. In 2011, their allocation has been reduced by approximately €2.05 million, to offset the PRD retained by them. In effect, the PRD is being used for day-to-day running expenses of the organisation.

Medical Cards

233. **Deputy Joan Collins** asked the Minister for Health if the Health Service Executive has received an application for a renewal of a medical card in respect of a person (details supplied). [19280/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

234. **Deputy Aengus Ó Snodaigh** asked the Minister for Health the reason for a delay in the allocation of a medical card number; in respect of applicants in the Dublin 12 area the steps he is taking to ensure that applicants can have a medical card number issued promptly thus reducing the financial stress on persons who have to wait months; and when he expects the back log to be cleared [19281/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Accommodation

235. **Deputy Michael Healy-Rae** asked the Minister for Health the amount of money the Health Service Executive has spent on security for the unopened Tralee Community Hospital, County Kerry, since it has been completed; when the new hospital will open; and if he will make a statement on the matter. [19296/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services

236. **Deputy Frank Feighan** asked the Minister for Health the position regarding the provision of funding to provide a health care centre in Keadue [19302/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Staff

237. **Deputy Kevin Humphreys** asked the Minister for Health the number of consultants that have received remuneration from the VHI of over €1 million; the number of consultants who receive between €900,000 and €200,000 in remuneration; and if he will make a statement on the matter. [19304/11]

Minister for Health (Deputy James Reilly): This Government is committed to reviewing costs generally across all sectors, including the private health insurance market, and scrutinising where savings can be made for the Exchequer and the consumer. I am not satisfied that any consultant should be paid €1 million in a single year. This level of remuneration is grossly out of step with most ordinary people's expectations. I am also dissatisfied that a number of other consultants earned enormous sums from the VHI and no doubt to a lesser extent from other insurers, in recent years.

Tables 1 and 2 below show a breakdown of consultant earnings from VHI during 2010. Table 1 shows the gross payments in 2010 by VHI to consultants who are engaged in both public and private practice. Table 2 shows the gross payments in 2010 by VHI to consultants who have private practice only. The professional fees paid by Vhi Healthcare to consultants are expected to cover the costs of the procedure or service rendered plus the doctor's rooms, professional indemnity insurance, practice nurse, secretary and sundry other practice expenses. As can be seen from Table 1, the majority of consultants who have both public and private practice (57.95%) were paid less than €50,000 by VHI in 2010. 11% of consultants with both public and private practice were paid in excess of €200,000 by VHI in 2010.

In relation to consultants who have both public and private practice, there are a number of different contracts under which consultants practise and are remunerated for their public practice. Table 3 below gives the public salary scales for consultants who engage in both public and private practice.

- *Type A:* Work exclusively for the public hospital with no private practice.

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- *Type B*: Work exclusively for the public hospital but may engage in limited private practice on the public hospital campus up to a maximum of 20% of total clinical throughput.
- *Type C*: To be created only in exceptional circumstances where there is a demonstrable benefit to the public health system. Such a consultant will be entitled to treat private patients outside the public hospital campus.
- In addition as a special transitional arrangement, a *Type B** contract was available to existing Category II Consultants and Category I Consultants in Emergency Medicine. This permits them to engage in private practice in facilities operated by the employer or in private hospitals on the public hospital campus. Consultants holding this type of contract may also engage in private practice in locations outside the public hospital campus subject to them signing up to all the other terms and conditions of the new contract.

Table 1

VHI Study of individual consultant earnings with Public and Private Hospital attachments; for all speciality groups
— Discharges 01-Jan-10 to 31-Dec-10

Earning Band	Consultants	% of Total Consultants
0-50,000	1,061	57.95%
50,001 — 100,000	295	16.11%
100,001 — 150,000	154	8.41%
150,001 — 200,000	118	6.44%
200,001 — 250,000	79	4.31%
250,001 — 300,000	43	2.35%
300,001 — 350,000	28	1.53%
350,000 — 400,000	12	0.66%
400,001 — 450,000	11	0.60%
450,001 — 500,000	7	0.38%
500,001 — 550,000	8	0.44%
550,001 — 600,000	5	0.27%
600,001 — 650,000	2	0.11%
650,001 — 700,000	3	0.16%
700,001 — 750,000	2	0.11%
750,001 — 800,000	3	0.16%
	1,831	100%

Table 2

VHI Study of individual consultant earnings with Private Hospital attachment only; for all speciality groups.
(Discharges 01-Jan-10 to 31-Dec-10)

Earning Band	Consultants	% of Total Consultants
0 — 50,000	160	33.97%
50,001 — 100,000	74	15.71%
100,001 — 150,000	56	11.89%
150,001 — 200,000	56	11.89%
200,001 — 250,000	34	7.22%

Earning Band	Consultants	% of Total Consultants
250,001 — 300,000	30	6.37%
300,001 — 350,000	17	3.61%
350,001 — 400,000	15	3.18%
400,001 — 450,000	8	1.70%
450,001 — 500,000	7	1.49%
500,001 — 550,000	1	0.21%
550,001 — 600,000	5	1.06%
600,001 — 650,000	2	0.42%
650,001 — 700,000	2	0.42%
700,001 — 750,000	1	0.21%
800,001 — 850,000	2	0.42%
850,001 — 1,000,000	0	0.42%
1,000,001	1	0.21%

Table 3

Consultant Contract 2008 — Salary Scales 2010

	Salary ranges w.e.f. 1 Jan 2010
Type A	€176k — €192k
Type B	€173k — €184k
Type B*	€159k — €167k
<i>Academic Consultants</i>	
Type A	€194k — €242k
Type B	€185k — €237k
+Type B*	€176k — €219

Table 4

Consultants who remain on the 1997 contract

	Salary ranges w.e.f. 1 Jan 2010
Category I	€159k — €176k
Category II	€149k — €158k
<i>Academic Consultants</i>	
Category I	€183k — €220k
Category II	€165k — €211k

Table 5

New entrants

Contract Type	Scale Points	1	2	3	4
Type A	01/01/2011	€166,010	€168,420	€170,831	€173,243
Type B	01/01/2011	€156,258	€158,338	€158,400	€158,400

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Table 6

Allowances		Total
Clinical Directors		€46,000
Continuing Medical Education		€3,000
Masters of Maternity Hospitals		€53,009
On-call/Call-out payments	€3,857 to €10,460	
Emergency call-out payments	78.59 to 104.84 per call out — annual limit	€22,303

I met with the Chairman and CEO of the VHI very shortly after my appointment in March 2011. At that meeting, I expressed my concerns about the VHI's significant claims costs. Because of its size and position in the market the VHI has a crucial impact on costs and I made clear my firm belief that this issue needed to be addressed vigorously. Many of the concerns about the company's approach to costs were outlined in a report commissioned by my Department and conducted by the Department's actuarial advisers, Milliman.

I also raised the important issue of the base cost of procedures with the company. They responded to me with an outline of how their payments to consultants were calculated. I am not satisfied that these costs represent best value for the consumer. For this reason I met with the Health Insurance Authority on 10 June 2011, as the regulator of the private health insurance market, and requested them to examine the issue of provider costs in the market. The Authority undertook to revert to me within one month on how this matter might be addressed.

In April I welcomed the VHI's announcement of its financial outturn for 2010, which shows a significant improvement over the 2009 outturn. I acknowledged that, over the last two years, the company has taken steps to contain the rising costs of meeting customers' health care needs, including a 15% reduction in consultants fees per procedure, a 6% reduction in private hospital fees per procedure and an annualised reduction in internal administration costs of €14 million. These actions have generated annualised savings of €100 million. VHI pays professional fee benefits to medical practitioners for services rendered on a fixed fee per service basis. In 2011 VHI anticipates that the total remuneration paid to hospital consultants will be over €50 million less than the total remuneration paid in 2009.

Question No. 238 answered with Question No. 232.

Medical Cards

239. **Deputy Ciarán Lynch** asked the Minister for Health when a decision will be made regarding an application for full medical cards by persons (details supplied) in County Cork; and if he will make a statement on the matter. [19316/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

General Medical Services Scheme

240. **Deputy Michael Creed** asked the Minister for Health if he will outline the criteria used to determine eligibility by a GP for a GMS contract; if he will clarify his intentions regarding the recommendations of the Competition Authority in this area which suggest that all GPs should have access to a GMS contract; and if he will make a statement on the matter. [19322/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): The General Medical Services (GMS) Capitation Contract between individual GPs and the HSE is based on an Agreement concluded between the Minister for Health and the Irish Medical Organisation in 1989. The entry terms to the scheme form part of the Agreement. There are three routes for entry for fully qualified and trained GPs: where a vacancy arises due to the retirement, resignation or death of an existing GMS doctor; where a new GMS panel is created in response to an identified need for an additional doctor in an area; or where a GMS doctor obtains approval from the HSE for the creation of an Assistant with a View to Partnership within his or her practice.

The HSE is required, before filling a vacant GMS panel or creating a new panel, to take account of the potential viability of the panel under a range of headings, including: the number of GMS patients on the panel and their age/gender profile; the number and age profile of the GMS doctors in the area, and their panel sizes; the private practice profile of the area, including the ratio of private to public patients; the population size in the area and surrounding areas; and the particular public health needs of the area in question.

The EU/IMF Programme of Financial Support provides for the introduction of legislation to remove restrictions on GPs wishing to treat public patients under the GMS Scheme. e Competition Authority report — *Competition in Professional Services — General Medical Practitioners (2010)* also included a recommendation regarding the elimination of such restrictions.

The Government recently agreed to the preparation of Heads of a Bill which will eliminate current restrictions on fully qualified and trained GPs wishing to obtain contracts to treat public patients under the GMS contract and empowered the Minister for Health to set entry terms based on public health and public interest considerations.

This proposed legislation will result in medical card and GP visit card patients having a greater choice of GPs under the GMS Scheme. It will also help to ensure that private patients of new GP contract holders, who qualify for a medical card or GP visit card, will not have to change their GP. I hope to be in a position to make an announcement in the near future as to how this will be implemented.

Dental Treatment Scheme

241. **Deputy Michael Creed** asked the Minister for Health if the findings of a survey by the Irish Dental Association has been brought to his attention; if he has quantified the economic costs to his Department in view of the critical findings in this report including increased incidents of gum disease, extractions, broken dentures and loose teeth arising from cuts to the dental treatment services scheme; and if he will make a statement on the matter. [19324/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): My colleague, the Minister for Health, met the Irish Dental Association on 26th May last to discuss a range of issues, including their concerns about changes to the Dental Treatment Services Scheme (DTSS) and the findings of their survey. In view of the current position of the public finances it is not possible to increase spending on the DTSS, which is currently being maintained at the 2008 level of approximately €63 million. Last year the Health Service Executive (HSE) introduced measures to ensure that patients with special needs, high risk patients and those who have greater clinical needs receive priority for treatment. The HSE will continue to monitor the operation of the DTSS to ensure the most beneficial, effective and efficient use of available resources.

Primary Care Strategy

242. **Deputy Simon Harris** asked the Minister for Health if he will outline his plans for the

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primary health centre at a location (details supplied) in County Wicklow; the size of the centre; the process by which the location was decided; the services which will be provided at this centre; and if he will make a statement on the matter. [19326/11]

243. **Deputy Simon Harris** asked the Minister for Health if any contractual agreement has been entered into by the Health Service Executive to provide services at a primary health centre (details supplied) in County Wicklow. [19327/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I propose to take Questions Nos. 242 and 243 together.

As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

244. **Deputy Simon Harris** asked the Minister for Health if he will outline the primary care plans in place in respect of a location (details supplied) in County Wicklow; and if he will make a statement on the matter. [19328/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

245. **Deputy Simon Harris** asked the Minister for Health if he will outline the primary care centres that exist in County Wicklow; if he will further outline the specific services and facilities in these centres; and if he will make a statement on the matter. [19329/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards

246. **Deputy Bernard J. Durkan** asked the Minister for Health if he will indicate if and when a medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19332/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Community Care

247. **Deputy Billy Kelleher** asked the Minister for Health if he will review the homecare package in respect of a person (details supplied) in County Cork. [19343/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Ambulance Service

248. **Deputy Frank Feighan** asked the Minister for Health if, in relation to the failure of systems to have a liver transplant patient (details supplied) delivered to London in time, he will investigate the way and the reason this occurred; if State agencies, Health Service Executive and Department of Transport are culpable; the measures he will put in place to ensure it does not recur; and if he will make a statement on the matter. [19387/11]

Minister for Health (Deputy James Reilly): An air ambulance service is currently provided by the Air Corps through a service level agreement between the Department of Health and

the Department of Defence. The Air Corps service provides for: inter-hospital transfer of patients with spinal or other serious injury or illness; neonates requiring immediate medical intervention in Ireland; patients requiring specialised emergency treatment in the UK; organ retrieval teams within Ireland; and paediatric patients requiring immediate medical intervention in Ireland.

I have asked the Health Information and Quality Authority (HIQA), to co-ordinate an inquiry into the events and circumstances surrounding the incident referred to by the Deputy. HIQA will work with all of the relevant agencies involved. Its inquiry will clarify the facts that led to this situation and will report to me with recommendations on how best to operate transport arrangements to ensure such a problem does not occur in future.

Once again I would like to express my deep concern and sympathy to the family over the traumatic events that have led to this lost opportunity. It would not be appropriate to go into any further detail on this matter until HIQA has published its findings.

Hospital Services

249. **Deputy Anthony Lawlor** asked the Minister for Health the position regarding the upgrading of phase 3 at Naas General Hospital, County Kildare, which, based on the 12.7% population increase in County Kildare according to the 2011 Census, is now urgently required; and if he will make a statement on the matter. [19397/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Departmental Bodies

250. **Deputy Bernard J. Durkan** asked the Minister for Health the policy making structures that exist within the Health Service Executive; the extent to which policy changes require his or his Department's approval; the number of personnel within the policy making sector of the HSE; the extent to which forward planning is the responsibility of this or other sectors within the service; if he will indicate with whom responsibility rests for planning for future in all areas of the HSE; the degree to which such persons are expected to identify shortages in personnel or other inadequacies within the services; the degree to which they have done so; the action taken or required; and if he will make a statement on the matter. [19449/11]

Minister for Health (Deputy James Reilly): The Department of Health has primary responsibility for health policy development and review. The HSE National Service Plan is the primary vehicle through which my Department monitors and evaluates the performance of the HSE to ensure that health services are delivered in accordance with Government policy. The National Service Plan 2011 outlines how the HSE plans to deliver health and personal social services within its current budget and is based on service activity levels for 2011 which are broadly in line with 2010 levels. My Department is working collaboratively with the HSE to develop next year's Service Plan in the context of the comprehensive expenditure review of the health sector. By reducing costs and reforming the way services are provided, the Government is confident that the HSE will maintain appropriate access to services and continue to improve health outcomes for the population.

I recently established a new Interim HSE Board, comprised of senior representatives from both my Department and the HSE. The Board is focussing on operational excellence and it reviews monthly performance reports on all aspects of progression of the HSE National Plan including financial, human resource and service activity. I have asked the Board as one of its priority tasks to examine how it will streamline reporting relationships to ensure that decisions are implemented quickly and as a result, better services are delivered for patients.

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I want to develop strong and coherent governance arrangements for the entire health care system which will continue to operate after the abolition of the existing legal governance structure. This will facilitate the Government's plans to reform the health system and make the health services more directly accountable to me as Minister for Health. In the short term, we plan to establish a Special Delivery Unit to tackle waiting lists. Over the longer term, our goal is to eliminate the two-tier health service and move to a system of Universal Health Insurance.

Medical Cards

251. **Deputy Bernard J. Durkan** asked the Minister for Health if and when a medical card will issue in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [19450/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Social Welfare Benefits

252. **Deputy Bernard J. Durkan** asked the Minister for Health if an evaluation has been done into the family circumstances and health and welfare in the case of persons (details supplied) in County Kildare; if the matter will be investigated with a view to resolution as a matter of urgency; and if he will make a statement on the matter. [19451/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards

253. **Deputy Bernard J. Durkan** asked the Minister for Health if and when an EU medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19453/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

254. **Deputy Bernard J. Durkan** asked the Minister for Health if a medical card will issue in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [19454/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medicinal Products

255. **Deputy Bernard J. Durkan** asked the Minister for Health if a difficulty exists in obtaining supplies of a product (details supplied) or its generic equivalent in view of the fact that a number of patients have had such difficulty; and if he will make a statement on the matter. [19505/11]

Minister of State at the Department of Health (Deputy Róisín Shortall): I have been advised by the Irish Medicines Board that it is not aware of any shortage in the supply of the medicinal product referred to by the Deputy. In addition, it has checked with the pharmaceutical company concerned which has advised that there is no problem with its supply.

Semi-State Bodies

256. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the Exchequer funds given to CIE in 2010 excluding funds given to its subsidiaries; the administrative cost of CIE excluding Dublin Bus, Bus Éireann and Irish Rail; his views on the role of CIE in view of the fact that each subsidiary has its own chief executive; and if he will make a statement on the matter. [19252/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The company's Annual Report & Financial Statements for year ended 31st December 2010 have recently been published and are available on the CIÉ website at www.cie.ie and copies have also been placed in the Dáil Library. Exchequer funds for subvention and infrastructure paid to CIÉ in 2010 relate entirely to the subsidiaries and are outlined in note 9 to the 2010 Accounts.

Total expenditure incurred by the CIÉ holding company (including CIÉ Tours) amounted to €45.113m in 2010 (see note 1 to the Accounts dealing with the breakdown of activities in CIE and its subsidiaries).

I recently announced the appointment of new Chairpersons to CIE and Dublin Bus, Bus Éireann and Iarnród Éireann. As part of the new governance model for the CIE Group the chairpersons of Dublin Bus, Bus Éireann and Iarnród Éireann have also been appointed to the CIE Board. In the interest of the future development of the CIE Group, I envisage CIÉ overseeing good corporate governance and the strategic direction of the CIE Group whilst encouraging commercial autonomy and efficiency within the subsidiaries.

Taxi Regulations

257. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport if he will provide details of the review of the taxi industry; and if he will include the operation of the inspection regime around the country. [19287/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): In my announcements of the 8th and 24th June respectively I clarified the terms of reference and the membership of the Taxi Regulation Review Group, in line with the commitment in the Programme for Government. The review will enable the necessary further reforms of the sector to allow consumers to have confidence in the taxi system while also ensuring that legitimate and competent operators and drivers can be rewarded fairly by operating under a regulatory framework that is adequately enforced. It will address a wide range of issues relating to the taxi sector including the current regulatory policy and practices, licensing systems, enforcement and future dialogue with the taxi sector.

The strengthening of the existing inspection and enforcement arrangements will therefore be a key focus of the review

Public Transport

258. **Deputy Ciarán Lynch** asked the Minister for Transport, Tourism and Sport when it is intended that Bus Éireann will introduce real-time bus timetable information in Cork city; and if he will make a statement on the matter. [19321/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Following the establishment of the National Transport Authority (NTA) in December 2009 responsibility for the delivery of an integrated transport system, including Real Time Passenger Information (RTPI) in the Greater Dublin Area (GDA) is a matter for the National Transport Authority. Subsequently on 31st March 2010 an Order was signed by the then Minister extending the functions of the Authority in relation to RTPI to the cities of Cork, Galway, Limerick and Waterford with

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effect from 1st April 2010 — see S.I. No. 139/2010 {National Transport Authority (Extension of Remit) Order 2010}

The NTA has recently informed my Department that the roll-out of RTPI signage should commence in Cork City by the end of this year, with advance testing likely to commence in late Autumn.

Departmental Bodies

259. **Deputy Eoghan Murphy** asked the Minister for Transport, Tourism and Sport if he will be reappointing the board of the Dublin Airport Authority after it expires in 2011. [19350/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I appoint directors to the board of the Dublin Airport Authority (DAA) in accordance with the provisions of Section 13 of the State Airports Act 2004 and Section 22 of the Air Navigation and Transport (Amendment) Act 1998, as amended by paragraph 9 of the Schedule to the Act of 2004, as the need arises.

There are thirteen director positions on the board of the DAA, four of whom are Worker Directors. Currently the position of Chairperson is vacant and six director posts fall due to be filled before the end of the year. I will be appointing a new Chairperson in the near future and will make the other appointments as the vacancies arise.

Taxi Regulations

260. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport the reason that no plans were granted to the full-time taxi drivers in the review body. [19414/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): In my announcements of the 8th and 24th June respectively I have clarified the terms of reference and the membership of the Taxi Regulation Review Group, in line with the commitment in the Programme for Government. The review will enable the necessary further reforms of the sector to allow consumers to have confidence in the taxi system while also ensuring that legitimate and competent operators and drivers can be rewarded fairly by operating under a regulatory framework that is adequately enforced. It will address a wide range of issues relating to the taxi sector including the current regulatory policy and practices, licensing systems, enforcement and future dialogue with the taxi sector.

I would just point out that there is a full-time taxi-driver on the Review Steering Group.

In my view, the wide ranging membership of the Review Steering Group will allow an appropriate contribution from stakeholders, including dispatch operators, drivers, consumers as well as the regulatory and enforcement agencies. I should add that the consultation on the review extends to all interested parties and stakeholders through an invitation for written submissions to be made before the end of July.

Questions Nos. 261 and 262 withdrawn.