

## Written Answers.

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

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*Questions Nos. 1 to 13, inclusive, answered orally.*

### Teachers' Remuneration

14. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills to review the pay of teachers and ensure that new entrants are paid the same as those who were previously employed; and if he will make a statement on the matter. [10767/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education. The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted. Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants. My Department continues to seek to engage with teacher unions on issues of mutual concern and has recently reached agreement with INTO and TUI in respect of discussions to improve the position of teachers on fixed-term and part-time teaching; a robust review of in-school management structures; an increase in the quantum of the extra Croke Park hours which do not have to be worked on a "whole school" basis. The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

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*Questions - Written Answers*

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22	55,744	55,744	50,170	50,170	52,472	52,472	53,423	53,423	53,423
23	55,744	55,744	50,170	53,423	55,744	55,744		53,423	53,423
24	55,744	55,744	50,170	54,339	55,744	55,744		58,765	58,765

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### Schools Health and Safety

15. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills if educational programmes relating to drugs and alcohol addiction awareness in primary and secondary level schools are effective in addressing these issues; and if he will make a statement on the matter. [10758/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Schools have a role to play in supporting their students to develop the key skills and knowledge to enable them to make informed choices when faced with a range of difficult issues, including drugs and alcohol. This is mainly done through the Social Personal and Health Education (SPHE) programme, which has a specific module on the use and misuse of a range of substances. Addiction prevention is paramount.

SPHE is currently mandatory in all primary schools and in junior cycle. It will also form part of the new mandatory ‘Wellbeing’ area of learning for the new junior cycle. New guidelines for Wellbeing are currently being prepared by NCCA for use by schools from September 2017. In fact these guidelines are out for consultation presently and the NCCA would welcome the views of all stakeholders.

Schools are also encouraged to deliver the SPHE programme in senior cycle.

In recent years, my Department Inspectorate published two composite reports which provide insights into the effectiveness of the teaching of SPHE at primary and post-primary level.

At primary level, the report published in 2009 drew from forty inspections of the teaching of SPHE. At post-primary level, the report published in 2013, drew from sixty-three inspections at post-primary level which focused on Junior Cycle SPHE and Senior Cycle Relationships and Sexuality Education (RSE). Within these reports, inspectors describe the overall quality of subject provision and whole-school support for SPHE as very good or good in most schools. In response to questionnaires in these schools, 84% of students strongly agreed that SPHE helped them to understand the reasons for substance misuse, and 90% of students strongly agreed that SPHE helped them to understand the effects of abuse on individuals.

Schools have access to a number of resources that support the delivery of the substance use module of SPHE. Examples include the “Walk Tall” Programme for primary pupils and a post-primary resource called “On My Own Two Feet”. The Walk Tall programme materials have been updated and will be available to schools, through national professional development seminars in September 2016.

There is also the Health Promotion Initiative which involves the HSE Health Promotion Officers working with the Department's Professional Development Service for Teachers Well-being Team to support schools across a range of health issues including addiction prevention.

Data to date suggests that only 40% of schools are participating in this initiative. In September 2015 and in February 2016, circulars promoting Healthy Lifestyles in post-primary schools and primary schools respectively were issued. Through the circular schools were "strongly encouraged to participate in the HPS initiative".

The latest data, taken from my Department's Lifeskills survey (2012), indicate that more than 90% of primary and post primary schools provide their students with information on alcohol and drug abuse, through SPHE and other means. These results were almost identical to the position reported by schools through the 2009 Lifeskills survey.

The 2015 Lifeskills survey is currently being analysed and the results will be available shortly. This will allow for the measurement of schools' progress in this area, since 2009 and 2012. It will also include an update on schools participating in the Health Promoting Schools Initiative.

All of the proactive work done in schools complements the Government's Framework for Improved Health and Wellbeing 2013 - 2025 - Healthy Ireland. Schools can do so much but it is through working together, across Government departments, through families and communities that we can create an environment for our people who have the knowledge, skills and resilience to choose to lead a healthy life.

### **DEIS Scheme**

**16. Deputy Catherine Connolly** asked the Minister for Education and Skills to immediately include a school (details supplied) under the delivering equality of opportunity in schools scheme and in whatever interim arrangements are in place pending a decision on the scheme; and if he will make a statement on the matter. [10832/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I understand that the school to which the Deputy refers was established on 1 September 2010 and has been the subject of a series of representations to my Department seeking its inclusion in DEIS.

These representations were unsuccessful as no school has been admitted to the DEIS programme since 2009. The decision not to admit further schools to the programme was taken in light of the prevailing economic climate and consequential budgetary constraints. It is important to note that no schools have been included in the programme since that date, irrespective of the individual circumstances at issue.

The Deputy may be aware that a process to review the DEIS Programme is currently underway. The overall scope of the review is to assess the existing DEIS Programme in the context of evaluations to date and any relevant policy and other developments in order to inform future policy to tackle educational disadvantage.

All aspects of the DEIS programme are being considered including the identification of schools. A Technical Advisory Group is examining available data sources in order to develop an improved identification process for the allocation of resources in the future. I envisage that a new identification process, when available, will enable all schools to be considered for inclusion in a future framework for the allocation of additional resources to address educational disadvantage.

The majority of the review work programme is scheduled for completion by the end of the current school year. In the meantime my focus, and that of my Department, is on maintaining current DEIS supports while the review process is underway.

Accordingly, pending the outcome of the review process I do not propose to make any changes to the current programme, including the addition of further schools or any other 'interim' arrangements.

### **Parent and Student Charter**

17. **Deputy Jim Daly** asked the Minister for Education and Skills if he will clarify the position in relation to the proposed parent and student charter; and if he will make a statement on the matter. [10713/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy will be aware the Programme for a Partnership Government provides that the Government will introduce a stronger complaints procedure and charter for parents, and commence the Fitness to Teach provisions of the Teaching Council Act.

The Programme also provides that the role and power of an Ombudsman for Education, to whom a parent could complain and appeal on foot of a decision by a board of management, will be examined by the relevant Oireachtas Committee to ensure its consistency with the need to ensure better local decision making and accountability to parents.

Both of these commitments are part of a continuum because having a dedicated ombudsman with a power to deal with parental complaints would be a residual, but potentially important function where local resolution has failed.

I think that the relevant Oireachtas Committee will need to consider both programme commitments together. Work already under way in my Department envisages legislative change to Section 28 of the Education Act 1998, and creating an ombudsman with powers to externally review school actions would require new legislation that could be progressed in tandem.

### **Teachers' Remuneration**

18. **Deputy Thomas Pringle** asked the Minister for Education and Skills how he will address pay inequality in the teaching profession for post 2011 new entrant teachers in view of increasing economic stability; and if he will make a statement on the matter. [10715/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education.

The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted.

Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is pro-

portionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants.

My Department continues to seek to engage with teacher unions on issues of mutual concern and has recently reached agreement with INTO and TUI in respect of discussions to improve the position of teachers on fixed-term and part-time teaching; a robust review of in-school management structures; an increase in the quantum of the extra Croke Park hours which do not have to be worked on a “whole school” basis.

The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

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### Legislative Programme

19. **Deputy Jan O’Sullivan** asked the Minister for Education and Skills his intentions on progressing the Technological Universities Bill; if he will change the requirement for the merger of institutions in order to achieve technological university status; and if he will make a statement on the matter. [10838/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy will be aware, the new Programme for Government outlines that this new Government will continue to support the creation of Technological Universities.

This is in line with the National Strategy for Higher Education to 2030 which provides a framework for the development of the higher education sector to 2030. With regard to the institute of technology sector, the Strategy recommended significant reforms to position the sector to meet national strategic objectives. In particular, the Strategy recommended consolidation within the sector and a pathway of evolution for those consolidated institutes of technology, to allow them to demonstrate significant progress against robust performance criteria and to apply to become technological universities.

The intention has always been that a Technological University would be distinctly different from traditional universities and institutes of technology by virtue of their mission relating to graduate formation, applied research and scholarship, dissemination of knowledge to meet the needs of society and enterprise with a very strong regional focus.

In relation to the position of the Technological Universities Bill, this Bill was at Report Stage at the time of dissolution of the previous Dáil in February 2016. I recognise that there

were a significant number of matters raised in respect of the Bill at both Committee and Report Stage. It is my intention to now consult with all of the relevant stakeholders in relation to both the matters raised during the legislative process and the commitments contained in the Programme for Government.

Following the finalisation of this consultation process I will then advance the legislation having determined a position in relation to any matters raised as part of this consultation process.

### **Educational Reform**

20. **Deputy Charlie McConalogue** asked the Minister for Education and Skills his proposals to reform the junior certificate; if students in schools that have not implemented the new junior cycle English curriculum will automatically lose 10% in their English examinations in 2017 if their teachers do not agree to engage with the new assessment; and if he will make a statement on the matter. [10837/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The new Framework for Junior Cycle (2015) offers a significant opportunity to improve the experience for learners, to broaden the range of competences which they acquire, and to facilitate more flexible teaching catering to the different needs of students with ongoing feedback.

The Department has set out a schedule for the roll out of this new approach across all subjects over a 5 year period. Before the introduction of any subject, there is a process of development of detailed subject specifications by the NCCA. There is also a dedicated programme of professional development for teachers which includes guidance on teaching and learning methods, supports for the new methods and the assessment approach.

As the Deputy knows English was the first subject, and the 3 year cycle started in September 2014. The first students emerging from this cycle will receive their new Junior Cycle Profile of Achievement in Autumn 2017. The Profile of Achievement will record outcomes from a broader range of learning experiences across the three year programme. It will include the outcome of the two Classroom-Based Assessments as well as the separate final state-certified (SEC) written examination. The final written examination result will incorporate the result of an Assessment Task based on the student's own written evaluation of his/her learning experience on their second classroom-based assessment task (worth 10% of marks). It is intended that the Profile of Achievement will also include other learning achievements including learning on short courses, other experiences and events and achievement in the area of Wellbeing.

Students currently in second year who have not completed their first Classroom-Based Assessment (CBA) will, as agreed with the teacher unions, have the opportunity to complete this early in the first term of the coming school year.

It is a matter of deep regret that ASTI has failed to deliver on the 2015 agreement with their leadership. Their continuing refusal to cooperate with the new framework is impacting on current junior cycle students of English.

I have received a letter from the General Secretary of the ASTI dated 9th May, indicating that the ASTI looks forward to engaging with me on a number of named issues, including junior cycle reform.

I welcome the indications of the ASTI in this regard. If the ASTI requires further clarifications on any aspects of the published framework, I am happy to facilitate their request. My



Department has already clearly signalled that it is willing to support the ASTI in re-visiting this issue with their members. I intend to make contact with the ASTI to arrange for an appropriate engagement in follow-up to the letter of 9 May.

### Teachers' Remuneration

21. **Deputy Richard Boyd Barrett** asked the Minister for Education and Skills to reverse the changes that see new-entrant teachers being paid at a different rate to previously employed teachers; and if he will make a statement on the matter. [10766/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education.

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## Teachers' Remuneration

22. **Deputy Gino Kenny** asked the Minister for Education and Skills to end the pay discrimination in relation to teachers who took up posts from 2011 onwards and to end unequal pay for new entrants; and if he will make a statement on the matter. [10830/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education.

The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted.

Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants.

My Department continues to seek to engage with teacher unions on issues of mutual concern and has recently reached agreement with INTO and TUI in respect of discussions to improve the position of teachers on fixed-term and part-time teaching; a robust review of in-school management structures; an increase in the quantum of the extra Croke Park hours which do not have to be worked on a "whole school" basis.

The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

	PRE-2011 EN-TRANT SCALE 1/1/10 TO 31/12/15	PRE-2011 EN-TRANT SCALE	2011 EN-TRANT SCALE 1/1/11 TO 31/6/13	2011 EN-TRANT SCALE 1/7/13 TO 31/10/13	2011 EN-TRANT SCALE 1/11/13 TO 31/12/15	2011 EN-TRANT SCALE	2012 EN-TRANT SCALE 1/2/12 TO 31/6/2013	2012 EN-TRANT SCALE 1/7/13 TO 31/12/15	2012 EN-TRANT SCALE
1	30,904	31,213	27,814	27,814	27,814	28,092	30,702	30,702	31,009
2	31,972	31,972	28,775	28,775	29,256	29,549	32,198	33,168	33,168
3	33,041	33,041	29,737	30,702	30,904	31,213	33,168	33,950	33,950
4	34,113	34,113	30,702	31,924	31,972	31,972	34,136	36,576	36,576
5	35,775	35,775	32,198	33,168	33,041	33,041	36,576	37,795	37,795
6	36,853	36,853	33,168	34,136	34,113	34,113	37,795	39,251	39,251
7	37,929	37,929	34,136	36,576	35,775	35,775	39,251	40,700	40,700

Questions - Written Answers

8	40,640	40,640	36,576	37,795	36,853	36,853	40,700	42,160	42,160
9	41,994	41,994	37,795	39,251	37,929	37,929	42,160	43,380	43,380
10	43,612	43,612	39,251	40,700	40,640	40,640	43,380	44,996	44,996
11	45,222	45,222	40,700	42,160	41,994	41,994	44,996	44,996	44,996
12	46,844	46,844	42,160	43,380	43,612	43,612	44,996	44,996	44,996
13	48,200	48,200	43,380	44,996	45,222	45,222	44,996	47,225	47,225
14	49,996	49,996	44,996	44,996	46,844	46,844	47,225	47,225	47,225
15	49,996	49,996	44,996	44,996	48,200	48,200	47,225	47,225	47,225
16	49,996	49,996	44,996	47,225	49,996	49,996	47,225	47,225	47,225
17	52,472	52,472	47,225	47,225	49,996	49,996	47,225	50,170	50,170
18	52,472	52,472	47,225	47,225	49,996	49,996	50,170	50,170	50,170
19	52,472	52,472	47,225	47,225	52,472	52,472	50,170	50,170	50,170
20	52,472	52,472	47,225	50,170	52,472	52,472	50,170	50,170	50,170
21	55,744	55,744	50,170	50,170	52,472	52,472	50,170	53,423	53,423
22	55,744	55,744	50,170	50,170	52,472	52,472	53,423	53,423	53,423
23	55,744	55,744	50,170	53,423	55,744	55,744		53,423	53,423
24	55,744	55,744	50,170	54,339	55,744	55,744		58,765	58,765
25	59,359	59,359	53,423	55,514	55,744	55,744		59,940	59,940
26					55,744	55,744			
27					59,359	59,359			

**Educational Reform**

23. **Deputy Carol Nolan** asked the Minister for Education and Skills his progress in reforming the junior cycle and the details of negotiations he has held with the teacher trade unions in the past four weeks. [10764/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I would like to thank the Deputy for her question. As you are aware I received my seal of office on the evening of 6th May, just less than two weeks ago.

The formal negotiations with the two second level teacher unions and my Department were completed last summer. In fact, my predecessor and the leaders of the two unions, on 22nd May 2015, signed a joint statement on the “Principles and Implementation for the Junior Cycle” in

which it was agreed that it was a “reasonable basis upon which reform should proceed”. Further agreement on resources for implementation was provided in a July 2015 document. Based on those the Framework for Junior Cycle 2015 was published last August.

The TUI members voted in favour of the reform but the ASTI members rejected the reform at ballot by a margin of 55:45, with only 38% of their members voting. Further clarification was sought by the ASTI on aspects of the reform and this was provided last December.

It is a matter of deep regret that the ASTI failed to deliver on the 2015 agreement. Their continuing refusal to cooperate with the new Framework is impacting on current junior cycle students of English.

I have noted the content of an ASTI announcement in March of this year and the remarks of their General Secretary to their Easter Convention in relation to a decision of the ASTI Standing Committee to call a series of one-day strikes from September 2016. In his remarks, the General Secretary stated that their intention is to “allow for constructive use of the window of opportunity that exists in the interim period of time. That opportunity is there for the next Minister for Education and Skills, if they so choose to avail of it.

I have also received a letter from the General Secretary of the ASTI dated 9th May, indicating that the ASTI looks forward to engaging with me on a number of named issues, including junior cycle reform. I welcome the indications of the ASTI in this regard. If the ASTI requires further clarifications on any aspects of the published framework, I am happy to facilitate their request. My Department has already clearly signalled that it is willing to support the ASTI in re-visiting this issue with their members.

I hope that the ASTI can re-consider their current stance. This is in the interests of their own members who are currently teaching a new programme for which they have not received the available professional training. It is also in the paramount interest of the students who are disadvantaged by the current situation.

I intend to make contact with the ASTI to arrange for an appropriate engagement in follow-up to the letter of 9 May.

### **National Educational Psychological Service**

24. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills if he has ensured additional counselling and other resources for those students seriously affected by recent gangland crime and murder in the North Inner City of Dublin. [10759/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department’s National Educational Psychological Service (NEPS) provides guidelines and resource materials for schools to enable them to deal with certain traumatic events which can adversely affect pupils and teachers. The guidelines refer to preventative approaches that schools can adopt in creating a safe and supportive environment.

The publication provides step-by-step guidelines for teachers and principals on how to respond when a tragedy occurs. It offers support to schools at a potentially overwhelming time. NEPS has also provided schools with additional guidance material in relation to social media use and critical incidents. The guidelines focus on alerting schools to planning processes, structures and actions which will better allow them to cope with traumatic incidents such as suicide, murder, accidental death including road traffic accidents and drowning, and death through illness of members of the school community. In relation to suicide, advice is also given on pre-

vention and positive mental health approaches.

NEPS psychologists will also, at the specific invitation of school authorities, provide advice and attend at the schools immediately following such incidents to offer direct assistance to school staff and/or pupils.

In relation to the instances raised by the Deputy, I can confirm that staff from the psychological services have been in contact with, and attended at, schools in the North Inner City. In line with the Critical Incident Guidelines, schools have been advised to ensure maintenance of a safe secure and calm school environment. Advice and support have been provided to staff in these schools in relation to how to deal with the traumatic effects on the pupils in their care at an age appropriate level, to be vigilant as to how effects of the trauma might manifest and to identify pupils at risk for referral to the appropriate clinical support service. Schools have also been advised as to how to communicate similar advice to parents in de-stressing and rationalising the situation for their children.

At a community level, NEPS has been involved in a consultation with the local Children's/Young People's Services Committee to support a cross-agency co-ordinated response in Dublin's North-Inner City. This involves Tusla, the HSE and other voluntary agencies.

The Deputy will understand that it would not necessarily be prudent or appropriate to identify the particular schools involved but I can assure her that ongoing support is available to any school which requires support.

### **DEIS Scheme**

**25. Deputy Catherine Connolly** asked the Minister for Education and Skills the status of the delivering equality of opportunity in schools scheme; if he has decided to reinstate or replace it; the details of his decision given that almost seven years have passed since the scheme was temporarily suspended; and if he will make a statement on the matter. [10833/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy may be aware, a process to review DEIS, the Action Plan for Social Inclusion, is ongoing. The majority of the review work programme is scheduled for completion by the end of the current school year.

The overall scope of the review is to assess the existing DEIS Programme in the context of evaluations to date and any relevant policy and other developments, in order to inform future policy on educational disadvantage.

The review project involves a number of strands:- Stakeholder consultation is a key component of the process and, at the outset, the education partners were invited for their views on both the current and future operation of the programme. Comprehensive submissions were received and are being considered as part of the review. Further stakeholder engagement will take place over the coming weeks including an Education Partners Forum which is to take place on 23 May 2016.

- An internal DEIS Advisory Group within my Department is considering the make-up of the current DEIS School Support Programme in the context of the learning from the implementation of the programme to date and the input of education stakeholders.- An Interdepartmental Group is considering current and potential future supports to tackle educational disadvantage provided by other Government Departments and agencies in order to ensure greater cohesion and cross-sectoral cooperation for future service delivery.- A Technical Advisory Group is ex-

amining available data sources in order to develop an improved identification process for the inclusion of schools in any future resource allocation framework to tackle educational disadvantage.

During this process, all aspects of the DEIS programme are being considered including the identification of schools. Pending the outcome of the review process I do not propose to make any changes to the current programme.

### **Apprenticeship Programmes**

26. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he has made provision to ensure an adequate supply of apprentices to meet the requirements of all trades; the projected annual number of apprenticeships over the next five years; and if he will make a statement on the matter. [10756/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Following a number of years of decline, registrations in the 27 existing apprenticeship trades are rising as the employment and economic situation improves. At the end of 2014, registrations were up 40% on 2013.

In 2015 there were 3,153 registrations in the existing trades which represents a further 17% increase in registrations on 2014. SOLAS have informed me that registrations are forecast to increase to 3390 in 2016, 4219 in 2017 and 5089 in 2018. SOLAS do not yet have forecasts beyond 2018 but will continue to update their forecasts based on their formal economic model. Off the job provision in the 27 existing trades is planned and funded by SOLAS and the Higher Education Authority in the light of forecast registrations.

### **Legislative Measures**

27. **Deputy Pearse Doherty** asked the Tánaiste and Minister for Justice and Equality if she plans to amend the existing rules governing entitlement to Irish citizenship by descent in order to include those born overseas who have extended Irish ancestry such as a great grandparent having been born in Ireland; and if she will make a statement on the matter. [10951/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I wish to inform the Deputy that I have no plans to amend the Citizenship laws in this regard.

### **Garda Deployment**

28. **Deputy Eoin Ó Broin** asked the Tánaiste and Minister for Justice and Equality in view of recent burglaries in south Lucan, including Moyglass, the number of members of An Garda Síochána in the Garda stations in Lucan village and in Ronanstown in County Dublin; and if she will increase the numbers in these stations in the coming years. [10955/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The Deputy will appreciate that decisions on the deployment of Garda personnel are a matter for the Garda Commissioner in the first instance. The Deputy will also be aware that under the new Programme for Government we are pressing forward with an accelerated programme of Garda recruitment with a view to achieving a Force of 15,000 members. This is a central element of the Government's anti-crime strategy and it builds on the recruitment of 1,150 new Gardaí since we reopened the Garda College in Templemore in September 2014. I can assure the Deputy

that I will be engaging with my colleague the Minister for Public Expenditure and Reform with a view to achieving our recruitment targets as soon as possible. The ongoing recruitment process will undoubtedly support enhanced policing in all areas of the country, including those referred to by the Deputy.

I am advised by the Garda authorities that the stations referred to at Lucan and Ronanstown form part of the Dublin Metropolitan Region (DMR) West Division and that as of the 31 March 2016, the latest date for which figures are readily available, there were 686 members, 46 Reserves and 46 (Full Time Equivalents) civilians assigned to the Division. The detailed breakdown of these resources is set out in the following table.

I am very much aware of the impact of burglary crime on householders and communities in all areas of the country, and I have brought the Deputy's concerns in relation to the area in question to the attention of the Garda authorities. While I would not seek to minimise the serious effects of these crimes, it is worth noting that since the launch of Operation Thor by the Commissioner in November 2015 we have seen very positive trends in the level of burglary crime nationally. In fact, the most recent CSO Recorded Crime Statistics show that during the last three months of 2015 the overall number of burglaries reduced by 26.2% compared to the same period in 2014.

Operation Thor was developed after I initiated a broad review of our approach to burglary crime in the early part of last year. Operation Thor is now providing a concerted drive against those involved in burglary crime, including the highly mobile criminal gangs who have targeted communities in many areas of the country and caused so much damage and distress in the process. The concentrated Garda activity under Operation Thor has so far produced more than 19,000 anti-crime patrols and in the order of 23,000 targeted checkpoints nationwide. There have also been in the region of 1,300 arrests covering a range of offences which, in addition to burglary, have included handling stolen property, possession of firearms and drugs offences.

I have also made it a particular priority to strengthen our legislative provisions through the enactment of the Criminal Justice (Burglary of Dwellings) Act 2015 which is targeted at repeat burglars who have previous convictions and who are charged with multiple offences of residential burglary. I am very pleased that this new legislation is now available to support the work which is being carried out by An Garda Síochána under Operation Thor.

Operation Thor delivers on increased investment in policing by this Government and marks a significant step-up in the Garda response to burglaries and related crime. In excess of €5 million is being specifically committed to support Operation Thor and includes funding for Garda overtime which is supporting a combination of additional patrols, checkpoints, rapid armed response and public awareness measures. Furthermore, investment in a modern, effective and fit-for-purpose Garda fleet will continue under the Government's Capital Plan 2016-2021 which provides €46 million for new Garda vehicles, ensuring that Gardaí can be mobile, visible and responsive, on the roads and in the community. The Government is also investing in Garda airborne surveillance and enhanced technology and ICT systems. In fact, the Capital Plan 2016-2021 provides an additional €205 million for Garda ICT over the lifetime of the Plan, underlining the ongoing commitment in the Programme for Government to resource and equip An Garda Síochána to provide enhanced policing and to support communities in all areas of the country.

DMR WEST 31 March 2016	-	-	-	-
DISTRICT	STATION	Garda	Reserve	Civilians
	BLANCHARDSTOWN	154	15	17



DMR WEST 31 March 2016	-	-	-	-
	CABRA	67	0	1
	FINGLAS	106	6	4
BLANCHARDSTOWN	TOTAL	327	21	22
	BALLYFERMOT	86	4	2
	CLONDALKIN	86	4	9
	RATHCOOLE	20	0	1
CLONDALKIN	TOTAL	192	8	12
	LUCAN	74	13	10
	RONANSTOWN	93	4	2
LUCAN	TOTAL	167	17	12
	TOTAL	686	46	46

### Courts Service Data

29. **Deputy Éamon Ó Cuív** asked the Tánaiste and Minister for Justice and Equality the number of prisoners awaiting trial in the Special Criminal Court who have been on remand for up to one year; 1 to 1.5 years; 1.5 to 2 years; 2 to 3 years, and for more than 3 years and in each case of more than 3 years the total time on remand to date; the steps she is taking to deal with this issue and ensure speedy trials and the success to date of these measures; and if she will make a statement on the matter. [10966/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** Under the provisions of the Courts Service Act 1998, management of the courts is the responsibility of the Courts Service which is independent in exercising its functions, which includes the provision of information on the courts system.

However, in order to be of assistance to the Deputy, I have had enquiries made and the Courts Service has informed me that the number of prisoners awaiting trial in the Special Criminal Court who have been on remand for the time periods specified by the Deputy is as follows:

On Remand for:	Number of Persons awaiting Trial
up to 1 year	26
1 to 1.5 years	8
1.5 to 2 years	4
2 to 3 years	3
more than 3 years	6

In the cases where persons are on remand for more than 3 years, the remand period varies, with periods commencing from mid 2010 to mid 2012, and the accused are not remanded in custody in respect of the charges in these cases.

Given the considerable length of time it takes for cases to come to hearing in the Special Criminal Court, together with the particular types of offences with which the Special Criminal Court is concerned, last year I sought the necessary Government approval to appoint judges to the second Special Criminal Court, thereby bringing it into existence. The second Special Criminal Court became operational on 25 April 2016 and sat for the first time on 6 May 2016. Prior to the first sitting of this court, the waiting time for the hearing of cases, indicated to be ready for trial, was 24 months. This has now been reduced to 18 months and, as the two Special

Criminal Courts continue to sit, the waiting times will continue to reduce.

As the Deputy may be aware, the scheduling of court cases and the allocation of court business is, of course, a matter for the Presidents of the courts and the presiding judge who are, under the Constitution, independent in the exercise of their judicial functions. Shortly after his appointment last year, the President of the High Court made arrangements for Special Criminal Court No. 1 to sit five days per week rather than the four days that had been the case. This was possible because of the new arrangements made to deal with bail applications in the High Court. Both the Special Criminal Court No. 1 and the Special Criminal Court No. 2 now sit five days per week which will also assist in reducing the waiting times for cases to come to hearing.

### **Leave to Remain**

30. **Deputy Darragh O'Brien** asked the Tánaiste and Minister for Justice and Equality the status of an application by a person (details supplied) for permission to remain in the State on the basis of being the spouse of an Irish national; to process this application without further delay; and if she will make a statement on the matter. [10980/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person mentioned by the Deputy arrived in the State on 12/07/2007 and that their most recent permission to remain in the State, on the basis of marriage to an Irish National, expired on 25/07/2015. I understand that the person in question only received 6 months' permission on the last occasion it was renewed because their passport only had that period of validity remaining on it. It would appear that, when they renewed their passport, they forgot to go back to have a stamp placed in it and thus their immigration permission expired.

I understand that the person concerned made an application to INIS, in March 2016, for permission to remain in the State, as the spouse of an Irish National, and that this application is currently being processed. All applications are dealt with in strict chronological order; the processing time is currently 6-9 months.

I should also point out that it is also open to the person concerned to consider applying for Irish Citizenship in their own right when they have sufficient reckonable residence. Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of Parliamentary Question process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Magdalen Laundries**

31. **Deputy Mary Lou McDonald** asked the Tánaiste and Minister for Justice and Equality if she will hold a public inquiry into a recent press report (details supplied) that claims that a corporation in the United States of America was able to use cheap labour, in the form of women incarcerated in some Magdalen laundries and other institutions, over many years to make profits for that company that are not taxable in Ireland; if she will request the religious orders to pay into the survivors' redress scheme, given this new information; and if she will make a statement on the matter. [10997/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy is aware the Magdalene Laundries were private institutions run by the Religious Orders. While labour affairs are a matter for the Department of Jobs, Enterprise and Innovation and taxation affairs are a matter for the Revenue Commissioners, I am not aware of any special arrangements for the Religious Orders. If the Deputy has any evidence of wrongdoing in this regard she can submit it to my office for further consideration.

The Deputy will be aware that following several requests to the relevant Religious Orders to make a financial contribution to the Magdalene Laundries Restorative Justice Ex Gratia Scheme they have declined to do so.

### **Magdalen Laundries**

32. **Deputy Mary Lou McDonald** asked the Tánaiste and Minister for Justice and Equality further to a recent press report, (details supplied) why religious orders were given such a high level of autonomy to collude with global multi-national companies in providing cheap labour, in women incarcerated in Magdalene Laundries and other institutions, to make profits which they did not have to pay taxes on; why these companies were not obliged to pay adequate wages to their workforce; and if she will make a statement on the matter. [10998/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy is aware the Magdalene Laundries were private institutions run by the Religious Orders.

While labour affairs are a matter for the Department of Jobs, Enterprise and Innovation and taxation affairs are a matter for the Revenue Commissioners, I am not aware of any special arrangements for the Religious Orders. If the Deputy has any evidence of wrongdoing in this regard she can submit it to my office for further consideration.

### **Prisoner Transfers**

33. **Deputy Thomas Pringle** asked the Tánaiste and Minister for Justice and Equality if an application by a prisoner in the United Kingdom to complete a sentence in Ireland in order to be close to extended family requires that the person have a valid personal public service number in the State; and if she will make a statement on the matter. [11030/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I wish to advise the Deputy that there is no obligation on an applicant to produce a valid personal public service number when applying under the Transfer of Sentenced Persons Acts 1995 & 1997 to serve their sentence here.

### **Garda Reports**

34. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Justice and Equality the reason for the delay in publishing the O'Higgins report; her views that the report was obviously leaked in advance of publication; the actions she proposes to take to establish how this important report was leaked; and if she will make a statement on the matter. [11059/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** As the Deputy is aware, I published the report of the O'Higgins Commission of Investigation into certain matters relevant to the Cavan/Monaghan Division of the Garda Síochána on the 11th

of May. The report deserves the most careful consideration so that we can all do everything possible to avoid a repeat of the issues which gave rise to it in the first place. In this regard, I have asked the Garda Commissioner to examine the report and to indicate to me what further measures might be taken to try to prevent the type of difficulties outlined in it in relation to An Garda Síochána arising again. I am also seeking her proposals concerning the recommendations which it contains in relation to the Garda service. And I have forwarded a copy of the report to the Policing Authority in the context of its statutory role in relation to oversight of An Garda Síochána.

The Commission submitted the report to me on 25 April 2016. On receipt of the report I immediately referred it to the Attorney General and was advised, in line with the provisions of Section 38 of the Commission of Investigation Act 2004, to undertake a process to establish whether there was anything in the report which might prejudice criminal proceedings pending or in progress. This involved consultation with the Director of Public Prosecutions, the Garda Síochána Ombudsman Commission and An Garda Síochána. It was only possible to conclude that process on 10 May, and having established that the issue of prejudice does not arise, the next day I presented the report to Government and published it. So it is not correct to say that there was a delay in publishing the report.

While I regret that elements of the report were leaked to the media in advance of publication, I do not believe that an inquiry into the leaking of the O'Higgins report or parts of the report prior to its publication would be likely to identify the sources of any leaks. Leaving aside the clear legal constraints arising in relation to the work of any Commission of Investigation, I believe the partial leaking of the report carries with it a real danger of undermining the work of the Commission.

I very much appreciate that the events outlined in the report have been traumatic for many people who have been affected by them. It would be an injustice to those who brought events to light in the public interest and those who have lived under the shadow of these events for a long time, if we do not take on board the lessons from these events. Equally, as the report makes clear, victims were badly served in a number of these cases and their rights must be more central in the way that the Gardaí handle investigations. I hope they can take some reassurance from the fact that the examination of those events in this report will help serve to consolidate a programme of reform which will ensure we continue to have a Garda Síochána in which its members and the community it serves can take great pride.

I hope there can be general agreement too that what is important now is that the report is considered carefully in its totality and that we learn whatever lessons we can from it, particularly in the context of maintaining the high level of confidence which the community have in An Garda Síochána. I am committed to overseeing further reforms which are necessary to avoid a recurrence of the type of incidents highlighted in the report and I await proposals from the Garda Commissioner and the Policing Authority in this regard.

This House will shortly have a chance to debate the findings of the report and I believe we would all do well to reflect fully on its contents with the objective of making sure everything possible is done to avoid in future the type of difficulties outlined in the report.

### **Naturalisation Applications**

35. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status a person (details supplied) with regard to eligibility for naturalisation; if there are any outstanding documentation and procedures; and if she will make a statement on the matter.

[11084/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the processing of the application for a certificate of naturalisation from the person referred to by the Deputy is ongoing with a view to establishing whether the conditions for naturalisation, such as good character and lawful residence are satisfied.

A letter issued to the person concerned on 17 May 2016 requesting certain information. Upon receipt of the requested information the case will be further processed and will be submitted to me for decision as expeditiously as possible.

As the Deputy will appreciate, 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.

It is recognised that all applicants for citizenship would wish to have a decision on their application without delay. While most cases are now generally processed within six months, the nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Naturalisation Eligibility**

36. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status a person (details supplied) with regard to eligibility for naturalisation; and if she will make a statement on the matter. [11086/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned made an application in March of this year for a certificate of naturalisation. The processing of the application is ongoing with a view to establishing whether the conditions for naturalisation, such as good character and lawful residence are satisfied and will be submitted to me for decision as expeditiously as possible.

As the Deputy will appreciate, 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.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the

response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Deportation Orders**

37. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality how she can facilitate the regularisation of the residency status of a person (details supplied); if any particular procedures are required; and if she will make a statement on the matter. [11089/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is the subject of a Deportation Order signed on 7 February 2005.

This Order placed a legal obligation on the person concerned to leave the State or failing that, to 'present' at the Offices of the Garda National Immigration Bureau (GNIB), on 10 March 2005. The person concerned failed to leave or to present and is classified as an evader. Should they come to the notice of the Gardaí, they would be liable to arrest and detention. They should, therefore, present to the GNIB without any further delay.

Representations were received from the person's legal representative, to request the Minister to use her discretion, pursuant to Section 3 (11) of the Immigration Act 1999 (as amended), to revoke the Deportation Order. The Deputy might wish to note that any such decision will be to 'affirm' or to 'revoke' the existing Deportation Order. In the mean-time, the Deportation Order remains valid and in place.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Immigration Status**

38. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of the application for residency status of a person (details supplied); if she can resolve the situation at an early date; and if she will make a statement on the matter. [11090/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is currently the holder of immigration permission until 24 June, 2016. It is open to the person concerned to contact their local Garda National Immigration Bureau registration office for a further renewal period, two weeks in advance of this date.

Queries in relation to general immigration matters may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for his purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

19 May 2016

## Asylum Applications

39. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the eligibility of a person (details supplied) for asylum and refugee status; and if she will make a statement on the matter. [11091/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** The person concerned lodged an application for asylum at the Office of the Refugee Applications Commissioner on 19th November 2014. Following investigation by that office, it was established that the person concerned had been in possession of a valid visa issued by the United Kingdom authorities at the time of their asylum application in this State.

Arising from their previous visa history in the United Kingdom, and in accordance with the provisions of the Dublin III Regulations, a determination was made that the person concerned should be transferred to the United Kingdom for the purposes of having their asylum application examined there.

This determination placed a legal obligation on the person concerned to 'present' at the Offices of the Garda National Immigration Bureau (GNIB), on 7 July 2015, to make arrangements for their formal transfer to the United Kingdom. The person concerned failed to present and is classified as evading their transfer. Should they come to the notice of the Gardaí, they would be liable to arrest and detention. They should, therefore, present to the GNIB without any further delay.

Queries in relation to the status of individual immigration cases may be made directly to the Irish Naturalisation and Immigration Service (INIS) by email using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

## Residency Permits

40. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality to consider an upgrade from Stamp 2 to Stamp 4 for a person (details supplied); and if she will make a statement on the matter. [11092/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I have been informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned was registered in the State as a student between 22nd October 2009 and 14th May 2016. As such, they are subject to the student pathway. In this regard, I wish to draw your attention to the document 'Guidelines for non-EEA national students registered in Ireland before 1st January 2011' which is available on the INIS website at [www.inis.gov.ie](http://www.inis.gov.ie). The person concerned has now completed the maximum time permitted for student conditions in the State and has come to the end of that immigration permission. If they intend to work in the State, then they are required to obtain a work permit.

It is noted that the person concerned has not made contact with the Residence Division of INIS in respect of their position in the State, and there are no applications pending within INIS.

Queries in relation to general immigration matters may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for his purpose. This

service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Naturalisation Applications**

41. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status a person (details supplied) with regard to eligibility for naturalisation; and if she will make a statement on the matter. [11094/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended. Detailed information on Irish citizenship and naturalisation is available on the INIS website at [www.inis.gov.ie](http://www.inis.gov.ie). The website also contains an on-line naturalisation residency calculator which individuals may find of assistance in establishing if the residency requirements are met.

The person concerned was granted Leave to Remain in the State for a 3 year period to 21 December 2015. She 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 without further delay.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Immigration Policy**

42. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the procedure a person (details supplied) must follow to update Stamp 4; and if she will make a statement on the matter. [11098/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I refer the Deputy to my reply to parliamentary Question No. 351 of 14 April, 2016 which is set out below:

I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned currently holds an immigration permission which expires on 21 July, 2016. It is open to the person concerned to contact their local Garda registration office for a further renewal period, two weeks in advance of this date.

Queries in relation to the status of individual immigration cases may be made directly to the INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up-to-date information on such cases to be obtained without



the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Citizenship Applications**

43. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of the eligibility of a person (details supplied) for residency status, for Stamp 4 and for naturalisation status; and if she will make a statement on the matter. [11099/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that, as the person in question was registered in the State as a student from 07/01/2009 to 31/03/2015, they are subject to the student pathway. In this regard I wish to draw your attention to the document 'Guidelines for non-EEA national students registered in Ireland before 1 January, 2011' which is available on the INIS website at [www.inis.gov.ie](http://www.inis.gov.ie).

I am informed by INIS, that as the person concerned has now completed the maximum time permitted for student conditions in the State they have come to the end of their immigration permission. I am further informed by INIS, that having carefully considered this person's application it would appear that they do not hold any entitlement to a Stamp 4 immigration status and a letter to this effect will issue to the person concerned in the coming days. The Deputy may wish to note that residency as a student (Stamp 2) is not reckonable towards naturalisation.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of Parliamentary Question process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Residency Permits**

44. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the residency status and entitlement to naturalisation status of a person (details supplied). [11104/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned has made an application for subsidiary protection in the State. The Deputy will be aware that it is not the practice to comment on such applications until they have fully completed the protection process.

### **Naturalisation Applications**

45. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality to review the application of a person (details supplied) for long-term residency and Stamp 4; and if she will make a statement on the matter. [11105/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am in-

formed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to arrived in the State on 13 April 2010 and made a claim for asylum, which claim ultimately was refused. The person referred to was then given the opportunity to submit an application for Subsidiary Protection, and submit representations pursuant to Section 3 of the Immigration Act 1999. No application for Subsidiary Protection was submitted by the person referred to at that time. The person referred to is the subject of a Deportation Order made on 17 September 2013 and therefore has no entitlement to residency in the State.

Since the making of the Deportation Order, the person referred to has attempted to submit an application for Subsidiary Protection, and was informed in writing by INIS that this application could not be considered, as it was made substantially out of time. Judicial Review proceedings were issued on 18 November 2013 challenging the aforementioned refusal to consider the application for Subsidiary Protection and accordingly, as the matter is *sub judice* I do not propose to comment further.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### Asylum Applications

46. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality to further evaluate an application for residency status, which was previously refused, by a person (details supplied); and if she will make a statement on the matter. [11106/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person referred to is the subject of a Deportation Order signed on 4th May 2011 and therefore has no entitlement to residency in the State. The person had previously applied for asylum and Subsidiary protection, both of which have been refused. Representations were received from the person concerned pursuant to Section 3 (11) of the Immigration Act 1999 (as amended), on 10th February 2016 requesting that the Deportation Order be revoked. A decision has not been made to date on this request. The Deputy might wish to note that any such decision will be to 'affirm' or to 'revoke' the existing Deportation Order. In the mean-time, the Deportation Order remains valid and in place.

The person concerned instituted High Court proceedings challenging the refusal to grant Subsidiary Protection in their case. The High Court upheld the decision and the person concerned appealed that decision to the Supreme Court on 2nd July 2014 and accordingly, as the matter is *sub judice*, I do not propose to comment further.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

## **Deportation Orders Re-examination**

47. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality to revoke an order to deport on a person (details supplied); and if she will make a statement on the matter. [11107/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is the subject of a Deportation Order made on 9 December 2010.

Representations were received from the person's legal representative, to request the Minister to use her discretion, pursuant to Section 3 (11) of the Immigration Act 1999 (as amended), to revoke the Deportation Order. The Deputy might wish to note that any such decision will be to 'affirm' or to 'revoke' the existing Deportation Order. In the mean-time, the Deportation Order remains valid and in place.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

## **Residency Permits**

48. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of an application for residency status eligibility and for naturalisation status of a person (details supplied); and if she will make a statement on the matter. [11108/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that the person concerned is the subject of a Deportation Order made on 8 April, 2013.

Representations were received from the person concerned pursuant to Section 3 (11) of the Immigration Act 1999 (as amended), to revoke the Deportation order. I am also advised that the person concerned applied for a right of residency in the State, accompanied by the right to work, based on his parentage of an Irish citizen child, which was received in the Department in July, 2015. Both of these matters are under consideration at present.

Queries in relation to general immigration matters may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for his purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

## **Naturalisation Applications**

49. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Justice and Equality the status of an application for naturalisation status by a person (details supplied); and if she will make a statement on the matter. [11114/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the records indicate that the person referred to by the Deputy was presented with a Certificate of Naturalisation at a citizenship ceremony held at the Convention Centre, Dublin on 27 August 2013.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Spent Convictions**

50. **Deputy John McGuinness** asked the Tánaiste and Minister for Justice and Equality the process for persons applying under the spent convictions Act; the timeframe for dealing with such applications and the criteria involved. [11159/16]

**Tánaiste and Minister for Justice and Equality (Deputy Frances Fitzgerald):** There is no application process required for a conviction to be deemed spent. The Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 provides that convictions that are eligible to be spent no longer have to be declared and that the convicted person will not be penalised in law for failing to disclose a spent conviction.

In accordance with the provisions of the Act the following convictions which are more than 7 years old are now regarded as spent:

All convictions in the District Court for motoring offences, with the proviso that spent convictions for dangerous driving are limited to a single conviction.

All convictions in the District Court for minor public order offences.

In addition, where a person has one, and only one, conviction (other than a motoring or public order offence) which resulted in a term of imprisonment of less than 12 months (or a fine) that conviction is also spent after 7 years. This can be a District Court or Circuit Court conviction.

The Act was commenced in full on the 29th of April 2016.

### **Social Insurance Payments**

51. **Deputy Éamon Ó Cuív** asked the Minister for Finance if he will refund pay-related social insurance contributions made in error by a person (details supplied) while in receipt of farm assist prior to the rule change in about 2007; and if he will make a statement on the matter. [10968/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised that Revenue collects Pay Related Social Insurance from self-employed persons.

In line with the requirements of the Taxes Consolidation Act 1997, a claim for repayment must be made to Revenue within 4 years of the end of the tax year to which the claim relates. I

understand from Revenue that no claim for a refund of Pay Related Social Insurance has been received from the person concerned. It is not now possible for such a claim to be made by the person concerned for 2007 or prior years due to that statutory time limit.

### VAT Exemptions

52. **Deputy James Browne** asked the Minister for Finance if value-added tax should be removed from automated external defibrillator machines; how he intends to remove it; and if he will make a statement on the matter. [10981/16]

**Minister for Finance (Deputy Michael Noonan):** The VAT rating of goods and services is constrained by the requirements of EU VAT law with which Irish VAT law must comply. Defibrillators, other than implantable defibrillators, are liable to VAT at the standard rate, currently 23%. Parts or accessories and training are also liable to VAT at the standard rate.

There is no provision in VAT law that would make it possible to apply a reduced rate or zero rate to the supply of such products. Under the EU VAT Directive, Member States may retain the zero rate on goods and services which were in place on 1 January 1991, but cannot extend the zero rate to new goods and services. In addition, Member States may only apply a reduced VAT rate to those goods and services which are listed under Annex III of the VAT Directive. While Annex III does include the supply of medical equipment for the exclusive personal use of a disabled person, it does not include defibrillators for general use. In this regard, a reduced rate cannot be applied to the supply of defibrillators. Therefore the only rate that can apply to the supply of defibrillators and their accessories is the standard VAT rate of 23%.

The Programme for Partnership Government commits to raising the issue of VAT rates applying to certain products such as defibrillators at EU level. The European Commission's Action Plan on VAT was adopted on 7th April 2016 and contains a proposal to look at VAT rate policy across the EU in 2017. The rates proposal may offer Member States more flexibility in the future in determining VAT rates applicable to goods and services, and this forum will provide an opportunity to discuss VAT applicable to defibrillators. However, the Deputy will be aware that any proposed changes to the current EU VAT Directive would require unanimous agreement from all Member States.

### Tax Code

53. **Deputy Pearse Doherty** asked the Minister for Finance his Department's recent dealings with the European Commission relating to the ongoing investigation into tax arrangements of a company (details supplied) in Ireland and if he has an expected date for the verdict of the investigation. [10995/16]

**Minister for Finance (Deputy Michael Noonan):** In June 2014, the Competition Directorate of the European Commission announced its intention to open formal state aid investigations into tax rulings provided to a number of companies in various Member States of the European Union.

This announcement is part of a much wider review of tax ruling practice that is currently being undertaken by the European Commission covering all 28 Member States.

Since October 2015, investigations in three other Member States have concluded. In each of these cases the Commission found that the Member States granted an illegal State Aid to the

companies in question.

I would like to emphasise that, while the Commission has opened a formal investigation in relation to one particular case involving Ireland, it has not made a final determination in the matter. There is no formal timeline for when the final decision will be made in our case.

This a priority matter and Ireland has co-operated fully with the process to date and will continue to do so. Detailed and comprehensive responses have been provided to the Commission demonstrating that the appropriate amount of Irish tax was charged in accordance with the relevant legislation, that no selective advantage was given and that there was no State Aid.

I remain of the view that there was no breach of State Aid rules in this case and that the legislative provisions were correctly applied. In the event that the Commission forms the view that there was state aid, Ireland is entitled to challenge this decision in the European Courts. As the Government have already indicated, we will take that course of action, if necessary, to continue to vigorously defend the Irish position.

As I have said previously, there is simply no question that the Irish authorities sought to give the company in question any kind of special tax deal.

### **Charitable and Voluntary Organisations**

54. **Deputy Mary Lou McDonald** asked the Minister for Finance why religious organisations are not subject to the same level of financial scrutiny as secular organisations; and if he will make a statement on the matter. [10999/16]

**Minister for Finance (Deputy Michael Noonan):** In replying to the Deputy's Question I am assuming that she is referring to organisations with a charitable status and who have the charitable tax exemption.

The Deputy will be aware that the regulatory control of charities is a matter for the Charities Regulatory Authority which was established on 16 October 2014 in accordance with the 2009 Charities Act. Revenue's role is confined to administering the charitable tax exemption as provided for by Section 207 of the Taxes Consolidation Act. This role includes processing and vetting applications from bodies claiming the tax exemption and once granted, undertaking appropriate compliance checks, having regard to risk, to ensure continued compliance with the relevant terms and conditions.

Revenue has assured me that bodies that have charitable tax exemption are subject to an appropriate level of compliance monitoring, having regard to its overall risk focused compliance intervention programmes. Compliance interventions are not determined by whether the body concerned is religious or secular.

I am also informed by Revenue that religious organisations who have employees are obliged to operate PAYE/PRSI in respect of their employees and are subject to the same degree of risk based interventions as any other organisation.

### **Tax Clearance Certificates**

55. **Deputy Michael Healy-Rae** asked the Minister for Finance the status of an application by a person (details supplied) for a tax clearance certificate; and if he will make a statement on the matter. [11016/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that the matter to which the Deputy refers has been addressed through direct contact with the persons concerned and tax clearance has been granted.

### **Tax Code**

56. **Deputy Peter Fitzpatrick** asked the Minister for Finance if he will confirm an increase from €500 to €650 for the small business exemption in respect of the shop local gift voucher scheme; and if he will make a statement on the matter. [11060/16]

**Minister for Finance (Deputy Michael Noonan):** As set out in “A Programme for a Partnership Government” it is our intention, working with the Oireachtas, to increase the Small Benefits Exemption (voucher) from €500 to €650. The Deputy will be aware that taxation changes of this nature are normally progressed via the annual Budget and Finance Bill cycle.

### **National Treasury Management Agency Reports**

57. **Deputy Thomas Pringle** asked the Minister for Finance when the 2015 annual report of the National Treasury Management Agency will be available; the process for the formal review of the strategy of the Ireland Strategic Investment Fund, scheduled to take place in 2016 in consultation with the Department of Public Expenditure and Reform; the opportunities for Oireachtas Members and other stakeholders to feed into this process; and if he will make a statement on the matter. [11078/16]

**Minister for Finance (Deputy Michael Noonan):** I can advise the Deputy that I have been informed by the National Treasury Management Agency that the Annual Report and Audited Accounts of the Agency will be provided to me by end-June and it is intended that these would be published in July.

Subsequent to the Annual Report and Audited Accounts being provided to me, I will bring these reports to Government and, consequent to Government approval, they will then be laid before the Houses of the Oireachtas. This is in accordance with sections 12 and 13 of the National Treasury Management Agency Act 1990, as amended, which prescribe the reporting relationship between the NTMA and the Minister for Finance, the Government and the Houses of the Oireachtas.

As mentioned by the Deputy, a review of the strategy of the Ireland Strategic Investment Fund (ISIF) will take place in the second half of 2016. This is scheduled to take place after the first 18 months of the Fund’s operations have elapsed. The Fund was established under the NTMA (Amendment) Act 2014, which was enacted in December of that year. A decision to conduct a review of the Fund’s strategy after 18 months was based on its unique mandate as a sovereign development fund. This unique mandate refers to its double bottom line which comprises of investing: (i) on a commercial basis; and (ii) in a manner designed to support economic activity and employment in Ireland.

At this point the Fund has been established for just under 18 months with its first investment strategy having been published in July 2015. It is timely that a review of the Fund’s investment strategy be conducted during the second half of 2016 as this ensures that a sufficient period of time has elapsed in order consider the operations and impact of the Fund.

The NTMA (Amendment) Act 2014 provides that ownership of the Fund vests with the

Minister for Finance. It also provides that the Fund shall, in reviewing its investment strategy, consult the Minister for Finance and the Minister for Public Expenditure and Reform. The review of the ISIF will be conducted in accordance with these provisions. In addition, the legislation provides that the Minister for Finance may consult with other Government Ministers as appropriate. As the review will not be conducted for some time yet, the exact details of the process and timelines of the review have yet to be considered fully. It is envisaged that the review will involve close consultation between ISIF and my Department, as well as the Department of Public Expenditure & Reform, and any other Department as considered appropriate. However, the exact details of the review in terms of the stakeholders to be consulted have yet to be considered and decisions on these issues will be taken in the lead up to the review's commencement in the second half of 2016.

### **Ireland Strategic Investment Fund Investments**

58. **Deputy Thomas Pringle** asked the Minister for Finance the legislative and other measures necessary to divest all remaining Ireland Strategic Investment Fund investments in the fossil fuel industry; the prohibition of any future investments in the fossil fuel industry in Ireland or internationally and the adoption of a 100% renewable energy investment policy for the fund; and if he will make a statement on the matter. [11079/16]

**Minister for Finance (Deputy Michael Noonan):** The Ireland Strategic Investment Fund's (ISIF) investment holdings in fossil fuel companies are among the legacy global investments inherited from its predecessor fund, the National Pensions Reserve Fund (NPRF). In keeping with the ISIF's mandate to hold or invest its assets (other than directed investments) on a commercial basis in a manner designed to support economic activity and employment in Ireland, these legacy investments are being sold by ISIF over time to fund Irish investment commitments as they arise.

I am informed that the Fund has reduced its overall equity exposure from approximately 25% at end 2014 to approximately 11% at end 2015. Furthermore, this allocation is expected to be continuously reduced as the Fund deploys its capital. The Fund's divestment approach is phased with a view to protecting the taxpayer from unnecessary losses. This is in alignment with the Fund's double bottom line mandate of investment (i) on a commercial basis and (ii) in a manner designed to support economic activity and employment in Ireland.

The first investment strategy of the Ireland Strategic Investment Fund, which was published in July 2015, is publicly available. It sets out the long-term strategic direction for the Fund, and outlines that the "Energy (allocation) will include a significant element of renewable energy investments". Importantly, the Fund commits to operating to the highest global standards, investing in line with both the Principles for Responsible Investment (PRI), of which it is a signatory, incorporating environmental, social and governance factors into its investment decision making, and the Santiago Principles, which are the globally accepted best practice principles for sovereign funds. To date, any exclusions from the Fund (e.g. on the basis of ethical investment criteria) are those mandated by legislation, such as the Cluster Munitions and Anti-Personnel Mines Act 2008 (as amended).

The ISIF has a close working relationship with what is now the Department of Communications, Climate Change & Natural Resources and is committed to investing in the energy sector in a manner that is consistent with the Government's commitment to make the transition to a low carbon, climate resilient and sustainable economy, as reflected in the Climate Change and Low Carbon Development Act 2015 and in the Paris Agreement, signed recently by Minister for the Environment, Community and Local Government on Ireland's behalf.



The Fund's investment policy is set out in the National Treasury Management Agency (Amendment) Act 2014, and its strategy is determined, monitored and kept under review in accordance with that Act.

### **Tax Collection**

59. **Deputy Bernard J. Durkan** asked the Minister for Finance the extent to which the Revenue Commissioners can enter into a long-term arrangement in respect of outstanding taxes in the case of a person (details supplied); and if he will make a statement on the matter. [11103/16]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that there have been discussions with the person concerned since November 2014 but no proposal to address the tax debt in question was made to Revenue. As a result Revenue was left with no alternative but to advise the person earlier this month that enforcement proceedings to collect the debt would be taken.

As a final opportunity to deal with this matter before enforcement proceedings start, Revenue is happy to discuss a mutually agreeable phased payment arrangement for the debt in question. The person concerned should immediately contact Mr Michael Coleman of the Collector-General's office at 069 24821 to progress matters.

### **Disabled Drivers and Passengers Scheme**

60. **Deputy John McGuinness** asked the Minister for Finance to expedite a review of an application by a person (details supplied) under the disabled drivers regulations 1994. [11160/16]

**Minister for Finance (Deputy Michael Noonan):** The Disabled Drivers and Disabled Passengers (Tax Concessions) Scheme provides relief from VAT and Vehicle Registration Tax (up to a certain limit) on the purchase of an adapted car for transport of a person with specific severe and permanent physical disabilities, and exemption from motor tax in respect of that vehicle, and support with fuel costs. To qualify for the scheme, an applicant must hold a Primary Medical Certificate.

To receive a Primary Medical Certificate, an applicant must be permanently and severely disabled within the terms of these Regulations and satisfy one of the following conditions:

1. be wholly or almost wholly without the use of both legs;
2. be wholly without the use of one leg and almost wholly without the use of the other leg such that the applicant is severely restricted as to movement of the lower limbs;
3. be without both hands or without both arms;
4. be without one or both legs;
5. be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
6. have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

The Senior Medical Officer for the relevant local Health Service Executive administrative area makes a professional clinical determination as to whether an individual applicant satisfies

the medical criteria. A successful applicant is provided with a Primary Medical Certificate, which is required to claim the reliefs provided for in the Regulations. An unsuccessful applicant can appeal the decision of the Senior Medical Officer to the Disabled Drivers Medical Board of Appeal, which makes a new clinical determination in respect of the individual.

I would point out that Regulation 6(1)(e) of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations, 1994 (S.I. 353 of 1994) provides that the Medical Board of Appeal is independent in the exercise of its functions.

### **Institutes of Technology Expenditure**

61. **Deputy David Cullinane** asked the Minister for Education and Skills the institutes of technology which are running a deficit, in tabular form. [10956/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The draft financial statements of the following Institutes of Technology are showing a deficit for 2014/15 academic year: Athlone Institute of Technology; Cork Institute of Technology; Dundalk Institute of Technology; Galway-Mayo Institute of Technology; Letterkenny Institute of Technology; Institute of Technology Tralee; Waterford Institute of Technology.

It should be noted that a number of these institutes have accumulated reserves which can be used to meet their deficit. The Higher Education Authority are closely monitoring the financial position of the institutes listed and are working with them to put appropriate mechanisms in place to eliminate the deficits.

### **Institutes of Technology Expenditure**

62. **Deputy David Cullinane** asked the Minister for Education and Skills what percentage of the budget of the Waterford Institute of Technology goes on salaries. [10957/16]

63. **Deputy David Cullinane** asked the Minister for Education and Skills the impact of the Lansdowne Road agreement on the budget of Waterford Institute of Technology. [10958/16]

64. **Deputy David Cullinane** asked the Minister for Education and Skills the cost of the Lansdowne Road agreement to Waterford Institute of Technology and if he will meet this cost through an increased budget. [10959/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 62 to 64, inclusive, together.

The Higher Education Authority has provided the following details to my Department with regard to the split between pay and non-pay in respect of the 2016 operating budget of Waterford Institute of Technology (WIT). Pay is 85% and non pay is 15% (excluding certain activities such as research etc) of the budget. In addition, the details provided show that the impact of the Lansdowne Road Agreement on WIT's budget is estimated to be €5.075m over the period of 2017/18 to 2019/2020.

Any monies due to staff of WIT under the terms of the Lansdowne Road Agreement will be provided for in Vote 26: Education & Skills as part of the 2017 Estimates Allocation.

## Foirne Scoile

65. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Oideachais agus Scileanna cén uair a íocfar riaráistí pá le múinteoir (sonraí tugtha) ar coinníodh pá uaidh mar nach raibh uimhir aige ón gComhairle Mhúinteoireachta ag an am; agus an ndéanfaidh sé ráiteas ina thaobh. [10965/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Ní raibh an duine dá dtagraíonn an Teachta cláraithe ar feadh na tréimhse 1ú go dtí 15ú Meán Fómhair 2015. Is é an chaoi a bhfuil an scéal, de réir mar atá sé leagtha amach in Alt 6 de Chiorclán 52/2013 arna eisiúint ag mo Roinnse, i gcás duine neamhchláraithe atá fostaithe mar mhúinteoir i scoil aitheanta agus atá incháilithe lena c(h)lárú leis an gComhairle Mhúinteoireachta, ná nach féidir an duine sin a íoc ó chistí an Oireachtais as an tréimhse ama a raibh sé nó sí neamhchláraithe ar a feadh. Dá réir sin, ní féidir an duine dá dtagraíonn an Teachta a íoc as an tréimhse ama 1ú go dtí 15ú Meán Fómhair 2015

### Student Grant Scheme Eligibility

66. **Deputy John Brassil** asked the Minister for Education and Skills to review the payments provided to student physiotherapists who receive no financial support while carrying out practice education; and if he will make a statement on the matter. [10974/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Under my Department's student grant scheme, eligible candidates may receive funding provided they are attending an approved course at an approved institution as defined in the scheme. Under Article 15.3 of the Student Grant Scheme 2016, grant holders who are required to participate in off-campus placement as an integral part of their course may have their grant entitlement paid in the normal manner.

### School Transport Review

67. **Deputy Pearse Doherty** asked the Minister for Education and Skills when he will formally complete the review of the school transport scheme; the consultation process he will employ to engage with the various stakeholders, including the parents and guardians of school-goers availing of school transport; and if he will make a statement on the matter. [10979/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department is currently considering how best to progress the review of the School Transport Scheme as outlined in the Programme for Government.

### Schools Building Projects Status

68. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of funding for a school (details supplied); and if he will make a statement on the matter. [10993/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department's Planning and Building Unit have no record of any agreement to pay additional grant aid to the school in question. In 2004 the school authority were allocated a devolved grant of €100,000 to enable them provide a one classroom special needs unit at the school. This grant was subsequently increased to €281,000 to enable a second classroom be provided and to cover extra costs as-

sociated with the delivery of the project. The final payment in respect of this grant was made in October 2005.

### **Student Grant Scheme Eligibility**

69. **Deputy Brendan Griffin** asked the Minister for Education and Skills the financial supports available to a mature student returning to college (details provided); and if he will make a statement on the matter. [10994/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Under the student grant scheme, eligible candidates, including mature and second chance students may receive funding, provided they are attending an approved course at an approved institution and meet the prescribed conditions of funding, including those which relate to nationality, residency, previous academic attainment and means. My Department allocates significant resources to ensure that students can participate fully in their academic courses and are not disadvantaged by reason of a disability. The Fund for Students with Disabilities (FSD) is managed by the HEA on behalf of my department and provides funding to both further and higher education institutions for the provision of services and supports for full-time students with disabilities. The institutions are responsible for the management and allocation of the Fund at local level throughout the year.

### **Teachers' Remuneration**

70. **Deputy Josepha Madigan** asked the Minister for Education and Skills if and when he will examine pay equalisation for teachers; and if he will make a statement on the matter. [11008/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education.

The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted.

Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants.

My Department continues to seek to engage with teacher unions on issues of mutual concern and has recently reached agreement with INTO and TUI in respect of:

- discussions to improve the position of teachers on fixed-term and part-time teaching
- a robust review of in-school management structures
- an increase in the quantum of the extra Croke Park hours which do not have to be worked on a "whole school" basis.

The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

### **Teachers' Remuneration**

71. **Deputy John Brassil** asked the Minister for Education and Skills the timeframe to end pay inequality for teachers, considering that it has been in place for five years; the timeframe for the proposed public service pay commission to act on this issue; and if he will make a statement on the matter. [11025/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education.

The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted.

Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants.

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The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

### **Teachers' Remuneration**

72. **Deputy John Brassil** asked the Minister for Education and Skills why he has not moved to end the policy of pay inequality imposed on teachers, some of whom who have lost out to the tune of €20,000 or more for up to five years; and if he will make a statement on the matter. [11027/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers.

The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education.

The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted.

Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants.

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- a robust review of in-school management structures
- an increase in the quantum of the extra Croke Park hours which do not have to be worked on a “whole school” basis

The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

### **School Transport Data**

73. **Deputy Carol Nolan** asked the Minister for Education and Skills the amount of money saved by his Department as a result of the changes to the primary and post primary school transport schemes; the number of children who have been determined to be ineligible for school transport since the changes were introduced; the number who have been deemed ineligible but avail of concessionary transport; the number with medical cards who are availing of concessionary school transport to a school that is not their nearest school, in tabular form; and if he will make a statement on the matter. [11033/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Between 2010 and 2014 the changes recommended in the Value for Money Review of the Scheme contributed to a reduction of some €9m in the overall cost of school transport provision.

Currently there are some 114,000 children availing of school transport services on a daily basis.

Bus Éireann has advised that it is not possible to determine the number of children who have been deemed ineligible for school transport since the introduction of the changes. However, there are currently over 22,000 children availing of mainstream school transport on a concessionary basis. Children who are eligible for school transport and who hold valid Medical Cards (GMS Scheme) are exempt from paying the annual charge.

Children who are not eligible for school transport and who are availing of school transport on a concessionary basis must pay the annual charge. For this reason the number of medical card holders availing of concessionary transport is not available.

## Mental Health Services Funding

74. **Deputy Carol Nolan** asked the Minister for Education and Skills the funding allocated for mental health initiatives in schools in the programme for Government; and if he will make a statement on the matter. [11034/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Programme for Government includes a range of initiatives on mental health including the establishment of a National Taskforce on Youth Mental Health to consider how best to introduce and teach resilience, coping mechanisms, greater awareness to children and young people, and how to access support services voluntarily at a young age. Responsibility for mental health initiatives for young people is shared across a number of Government Departments and agencies including the Department of Health, Department of Children and Youth Affairs, Health Service Executive and Tusla.

My own Department is committed to work in this area. Under the Framework for Junior Cycle 2015, a new area of learning entitled “Wellbeing” will be a mandatory part of Junior Cycle with effect 2017. This is currently being developed by the NCCA. Support for teachers in promoting wellbeing, including the positive mental health of young people in schools is an important part of the work of the Department’s Professional Development Service for Teachers (PDST). Funding for the initiatives has yet to be finalised. In recent years the Government has put in place a range of initiatives on mental health in education.

In 2014, over €260000 was provided towards various anti-bullying initiatives, including training courses for parents and teachers.

An audit of expenditure related to mental health for the school sector for 2015 provided the following data:

€0.07m was used to carry out a collaborative research project by the Inspectorate on “Schools’ Provision for Students’ Wellbeing” in 20 primary and post-primary schools.

The National Education Psychological Service (NEPS) in my Department estimates an expenditure of €0.72m for staff time used to support teachers in implementing the wellbeing guidelines and other initiatives that would indirectly enhance positive mental health approaches. The total NEPS budget for 2016 was €18.25m.

In the area of teacher education including the PDST, €1.5m has been spent on a variety of provision at primary and post-primary level to support teachers in the area of wellbeing.

In addition, €3 million has been provided for guidance, counselling and psychological services in Youthreach and Community Training Centres.

## School Accommodation

75. **Deputy Carol Nolan** asked the Minister for Education and Skills the number of children being taught in prefabricated classrooms at both primary and secondary levels, by county; the timeframe for the abolition of prefabricated classrooms in the programme for Government; and if he will make a statement on the matter. [11035/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Management of class groups by schools within available accommodation determines the number of pupils currently in temporary accommodation and may vary from year to year.

As the Deputy will appreciate, the overall policy goal of my Department is to ensure the highest standard of permanent accommodation for all schools. In the context of a rapidly increasing school population, my Department's priority is to ensure that every child will have access to a physical school place and in this regard, it is sometimes necessary to make use of temporary accommodation in order to meet the accommodation needs of schools.

Under my Department's Capital Programme (2011-2015) in excess of €2.1 billion was spent on the provision of new schools and the refurbishment of existing schools which resulted in the completion of 238 major school projects and 1,131 additional accommodation projects. As a result, 2,894 additional classrooms were provided in primary schools to accommodate 80,000 additional pupils as well as 403 replacement classrooms which provided new accommodation for 11,000 pupils. At post-primary level 23,000 additional places and 10,000 replacement places were also provided.

My Department's 6 Year Construction Programme (2016-2021) was announced in November 2015 as part of a €2.8 billion schools capital investment plan. Under this programme funding will be provided for over 310 large scale school building projects and will deliver some 19,000 additional permanent primary school places and 43,000 additional post-primary school places. The new Programme also provides for devolved funding for additional classrooms for schools outside of the programme where an immediate enrolment need has been identified, such as the appointment of an additional teacher. In addition it is my intention to replace all purchased prefabs with permanent accommodation over the lifetime of the programme.

### **Student Retention Rates**

76. **Deputy Carol Nolan** asked the Minister for Education and Skills the number of students who left education before completing primary, secondary and third level education or training in each of the past five years, in tabular form; and if he will make a statement on the matter. [11036/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Primary Education:

The information requested by the Deputy at primary level is not yet available. One of the many benefits of the introduction of the Primary Online Database is that it will enable the progress of children through the education system to be accurately monitored. From 2015/2016 onwards the Primary Online Database will provide the Department with the capacity to compile this vital information on children that do not make the transition from primary to post-primary education.

Secondary Education:

At secondary level, the following information is taken from the 2004, 2005, 2006, 2007 and 2008 Retention reports by the Department of Education and Skills, on school retention in Ireland. It is based on a detailed analysis of the records held in the Department's Post-Primary Pupils Database (PPPDB) for the cohort of entrants to the first year of the junior cycle in the years 2004, 2005, 2006, 2007 and 2008 who sat the Leaving Certificate Examinations in the years from 2009 to 2014. The Department will produce a report on the 2009 cohort for those who sat the Leaving Certificate in 2015 by June this year. See Table 1.

For more detailed information on these cohorts please visit the DES website for the full report: [http://www.education.ie/en/Publications/Statistics/Statistical-Reports/stats\\_retention\\_report\\_2008\\_cohort.pdf](http://www.education.ie/en/Publications/Statistics/Statistical-Reports/stats_retention_report_2008_cohort.pdf)



### Third Level Education:

The overall new entrant non-progression rate was 15% in 2007/08 and has remained constant at 16% from 2010/11 to 2012/13. While the number of new entrants increased from 2007/08 to 2012/13, the number of students who did not progress to the following year of study, also increased between these periods. Of note, the rate of non-progression at level 6 in the institute of technology sector shows an incline from 2007/08 of 25% to 30% in 2010/11 and 2011/12. This declined to 26% in 2012/13. In the colleges sector (level 8), the non-progression rate remains consistent at 4% with the exception of 2012/13 where a two percentage point difference is observed. However, the numbers remain very small overall for this sector and so small differences may appear significant. See Table 2. As part of the implementation of the National Plan for Equity of Access to Higher Education 2015-19, a working group is being established to address the issue of non-progression and non-completion in higher education.

### Further Education and Training:

The information on Further Education and Training is being compiled and will be sent directly to the Deputy.

Table 1: National Leaving Certificate Retention Rate for 2004 - 2008 cohorts

Year Retention Rate	%
2004	87.7
2005	89.5
2006	90.2
2007	90.1
2008	90.6

Table 2: Trends in Non-Progression Rates by Sector and NFQ Level from 2007/08 to 2012/13

Sector	Level	2007/08 - 2008/09	2010/11 - 2011/12	2011/12 - 2012/13	2012/13 - 2013/14
Institutes of Technology	Level 6	25%	30%	30%	26%
	Level 7	26%	28%	29%	28%
	Level 8	16%	17%	17%	17%
	All New Entrants	22%	24%	24%	23%
Universities	Level 8	9%	9%	10%	11%
Colleges	Level 8	4%	4%	4%	6%
All Institutions	Level 8	11%	11%	11%	12%
All Institutions	All New Entrants	15%	16%	16%	16%

### School Starting Age

77. **Deputy Carol Nolan** asked the Minister for Education and Skills to clarify the commitment outlined in the programme for Government in respect of raising the school starting age to five years old; if this will apply to all students; when he will implement this measure; the consultation that has taken place with the relevant stakeholders on this; and if he will make a statement on the matter. [11037/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The compulsory school starting age is 6 years of age and the Rules for National Schools provide that a child must be at least 4 years of age before being enrolled in a National School.

The Programme for Government gives a commitment to target investment in children's early years and in this regard, one of the measures refers to a second preschool year which will help prepare young children for starting school and which will mean that most children will be 5 years of age when they start school.

This commitment will be considered in the context of the next budget.

### **School Transport**

78. **Deputy Carol Nolan** asked the Minister for Education and Skills why a student (details supplied) has been refused access under the school transport scheme despite having travelled to school under the scheme since September 2015; and if he will make a statement on the matter. [11038/16]

79. **Deputy Carol Nolan** asked the Minister for Education and Skills the number of students similarly affected by an oversight of Bus Éireann under the school transport scheme which has resulted in a student (details supplied) being deemed ineligible for school transport to the school the student has been attending for a number of years; and if he will make a statement on the matter. [11039/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 78 and 79 together.

Under the terms of my Department's Primary School Transport Scheme children are eligible for transport where they reside not less than 3.2 kms from and are attending their nearest national school as determined by the Department/Bus Éireann, having regard to ethos and language.

The children referred to by the Deputy are not attending their nearest school and are therefore not eligible for school transport. However, Bus Éireann has confirmed that these children are currently availing of a school transport service.

In the case of the child that was incorrectly granted eligibility for school transport will retain this eligibility for the current school year and for the 2016/17 school year; the terms of the scheme will be applied with effect from the 2017/18 school year.

In relation to the number of children that have been incorrectly assessed for school transport eligibility Bus Éireann has advised that although the total number is not available, in the context of the 114,000 children availing of school transport, the number is not significant.

### **School Transport Eligibility**

80. **Deputy Carol Nolan** asked the Minister for Education and Skills if a student diagnosed with epilepsy is eligible for school transport under the scheme for school transport for children with special educational needs; and if he will make a statement on the matter. [11040/16]

81. **Deputy Carol Nolan** asked the Minister for Education and Skills the number of children diagnosed with epilepsy who avail of school transport under the primary school transport scheme; the post-primary school transport scheme; the scheme for school transport for children with special educational needs; those who avail of concessionary school transport; those who receive the remote area grant for school transport, in tabular form; and if he will make a statement on the matter. [11041/16]

82. **Deputy Carol Nolan** asked the Minister for Education and Skills the number of students who have been refused access to the primary or post-primary school transport schemes on foot of a diagnosis of a medical condition or disability; the number of these who are catered for under the scheme for school transport for children with special educational needs; the number who are supported through the remote area grant; the number who are not supported by any school transport scheme and avail of private transport, in tabular form; and if he will make a statement on the matter. [11042/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 80 to 82, inclusive, together.

The purpose of my Department's School Transport Scheme for Children with Special Educational Needs is, having regard to available resources, to support the transport to and from school of children with special educational needs arising from a diagnosed disability. Children are eligible for transport where they:

- have special educational needs arising from a diagnosed disability in accordance with the designation of high and low incidence disability set out in Department of Education and Skill's (DES) Circular 02/05

and

- are attending the nearest recognised: mainstream school, special class/special school or a unit, that is or can be resourced, to meet their special educational needs.

Eligibility is determined following consultation with the National Council for Special Education through its network of Special Education Needs Organisers (SENO). An Application Form for school transport is completed and signed by the Parents, School Principal and the SENO prior to or at the time of first enrolment.

Applications for transport provision, under the terms of this scheme, should only be completed in circumstances where children are not in a position to avail of standard school transport services.

In relation to children who are availing of school transport under my Department's Primary or Post Primary School Transport Scheme I can advise the Deputy that information regarding a child's medical condition or disability is not part of the application process; therefore the figures requested by the Deputy are not available.

In total there are some 114,000 children availing of school transport services including almost 10,000 children with special educational needs. In addition over 1,200 families received the Remote Area Grant in 2015.

### **Third Level Charges**

83. **Deputy Carol Nolan** asked the Minister for Education and Skills to provide a commitment not to increase the student contribution fee; if he will reduce this fee; and if he will make a statement on the matter. [11043/16]

**Minister for Education and Skills (Deputy Richard Bruton):** While the student contribution now stands at €3,000, it is important to recognise that the State pays this contribution on behalf of almost 50% of undergraduate students. Tax relief provisions are also available so that second and subsequent siblings do not have to bear the full cost. In addition, higher education

institutions have provisions in place to allow students to pay the contribution in two moieties.

The sector has expanded considerably in recent years, both in terms of meeting increased demand from school leavers and also in providing opportunities for people to upskill and reskill under programmes like Springboard. The number of students (full-time equivalents) attending higher education has grown from 163,000 in 2008/09 to 192,000 in 2014/15. Demand for higher education is projected to continue to grow over the next decade as a result of demographics placing further pressures on the system.

In light of this, the previous Government established an Expert Group to examine future funding requirements for higher education and to present options for developing a sustainable long term funding strategy for the sector. This Group has completed its work and its report will shortly be considered.

The Report of the Expert Group will allow for a real and meaningful discussion on the funding requirements of the sector and how those requirements should be met. The engagement with the cross-party Oireachtas Committee will ensure that all views can be heard and considered on the most appropriate way forward for the Irish higher education system.

### **Student Grant Scheme**

84. **Deputy Carol Nolan** asked the Minister for Education and Skills to increase the rates of the student grant for undergraduate students; and if he will make a statement on the matter. [11045/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The eligibility criteria for student grants including the income thresholds is reviewed annually in my Department and approved by the Department of Public Expenditure and Reform. No changes to the thresholds were included in Budget 2016.

As the Deputy will be aware, all proposals made in relation to education expenditure, including changes to income thresholds, will be considered in the context of Budget 2017.

### **Programme for Government Priorities**

85. **Deputy Thomas Pringle** asked the Minister for Education and Skills his plan to create a three-year strategy in the first 100 days of this Government; and if he will make a statement on the matter. [11052/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy will be aware, the Programme for a Partnership Government provides for a three-year statement of strategy for my Department within the first 100 days and a framework for measuring its progress. The Strategy will be informed by the Government's Programme for a Partnership Government and aims to advance the transformation of the education system to support the principles of the Programme in the development of a strong economy and a fair and compassionate society.

The Programme sets out the following eight areas of priority:

1. **Prioritising Early Years**
2. Tackling Disadvantage
3. Diversity and Choice for Parents
4. Promoting Excellence and Innovation in Schools
5. Promoting Creativity and Entrepreneurial Capacity in Students

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6. Making Better use of Educational Assets within Communities
7. Special Needs Education
8. Meeting the Skills Needs of the Future

I am currently launching a call for stakeholder consultation to gather views on the development of the new strategy.

### **Programme for Government Initiatives**

86. **Deputy Thomas Pringle** asked the Minister for Education and Skills when he will outline the programme for Government proposed action plan on education inclusion; how he will consult on the plan; the timeline for the completion of the plan; and if he will make a statement on the matter. [11053/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As the Deputy may be aware, a process to review DEIS, the Action Plan for Social Inclusion, is ongoing. The majority of the review work programme is scheduled for completion by the end of the current school year.

The overall scope of the review is to assess the existing DEIS Programme in the context of evaluations to date and any relevant policy and other developments, in order to inform future policy on educational disadvantage.

The review project involves a number of strands.

Stakeholder consultation is a key component of the process and, at the outset, the education partners were invited for their views on both the current and future operation of the programme. Comprehensive submissions were received and are being considered as part of the review. Further stakeholder engagement will take place over the coming weeks including an Education Partners Forum which is to take place on 23 May 2016.

An internal DEIS Advisory Group within my Department is considering the make-up of the current DEIS School Support Programme in the context of the learning from the implementation of the programme to date and the input of education stakeholders.

An Interdepartmental Group is considering current and potential future supports to tackle educational disadvantage provided by other Government Departments and agencies in order to ensure greater cohesion and cross-sectoral cooperation for future service delivery.

A Technical Advisory Group is examining available data sources in order to develop an improved identification process for the inclusion of schools in any future resource allocation framework to tackle educational disadvantage.

During this process, all aspects of the DEIS programme are being considered including the identification of schools.

### **Legislative Programme**

87. **Deputy Thomas Pringle** asked the Minister for Education and Skills when he will publish the draft heads of the new admissions and excellence Bill; and if he will make a statement on the matter. [11054/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Programme for Gov-

ernment gives a commitment to publish a new School Admissions and Excellence legislation, taking account of current draft proposals.

When I have had an opportunity as Minister to review and consider how best to legislate for school admissions so that they operate in a fair and transparent way, I will bring legislation to the Houses of the Oireachtas.

I look forward to working with members on the basis of partnership when progressing this Bill.

### **School Patronage**

88. **Deputy Thomas Pringle** asked the Minister for Education and Skills his proposals for continued divestment given the commitment in the programme for Government for new approaches to speed up divestment; and if he will make a statement on the matter. [11055/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government is committed to progressing the development of a dynamic and innovative education system that reflects the diversity of 21st century Ireland. The Programme for a Partnership Government reflects the Government's objective of strengthening parental choice and further expanding diversity in our school system, specifically by increasing the number of non-denominational and multi-denominational schools with a view to reaching 400 by 2030.

In addition to the phased transfer of Catholic schools to new patrons, which is already under way, this will require considering new ideas and new approaches to substantially accelerate the changes in school provision in order to achieve greater diversity. The Government is committed to working with all stakeholders to facilitate this process and I will be progressing these matters as a priority.

### **Psychological Assessments Waiting Times**

89. **Deputy Michael McGrath** asked the Minister for Education and Skills to urgently provide access to a child psychologist for a person (details supplied) with special needs; and if he will make a statement on the matter. [11065/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I can inform the Deputy that my Department's National Educational Psychological Service (NEPS) provides an educational psychology service to all primary and post-primary schools through an assigned NEPS psychologist and in some cases through the Scheme for Commissioning Psychological Assessments, full details of which are on the Department's website. Under this scheme, schools 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.

I can inform the Deputy that my Department, over the course of recent economic difficulties, has not only maintained psychologist staffing levels within NEPS, but has increased them by some 10% since late 2008, to 165 whole time equivalent psychologists currently employed.

The Programme for a Partnership Government commits that we will invest additional resources in the National Educational Psychological Service to ensure earlier intervention and access for young children and teenagers and to offer immediate support to schools in cases of critical incidents. The Programme commits to bring the total number of NEPS psychologists to 238 from the current sanctioned limit of 173.

In common with many other psychological services and best international practice, NEPS has adopted a consultative model of service. The focus is on empowering teachers to intervene effectively with pupils whose needs range from mild to severe and transient to enduring. Psychologists use a problem-solving and solution-focused consultative approach to maximise positive outcomes for these pupils. NEPS encourages schools to use a continuum-based assessment and intervention process whereby each school takes responsibility for initial assessment, educational planning and remedial intervention for pupils with learning, emotional or behavioural difficulties. Teachers may consult their NEPS psychologist should they need to at this stage in the process. Only in the event of a failure to make reasonable progress, in spite of the school's best efforts in consultation with NEPS, will the psychologist become involved with an individual child for intensive intervention or assessment.

This system allows psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually. It also ensures that children are not referred unnecessarily for psychological intervention.

I would advise that if there are concerns in relation to the educational development of the student referred to in Deputy's question, they should be raised in the first instance with the Principal of the school he is attending, with a view to Principal discussing the situation with the assigned NEPS psychologist.

### **Education and Training Boards**

90. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the status of an application by a person (details supplied); and if he will make a statement on the matter. [11080/16]

**Minister for Education and Skills (Deputy Richard Bruton):** This is an operational matter for Cork ETB. I have asked the board to contact the Deputy directly to clarify the position of the person concerned.

### **School Enrolments**

91. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will continue to make adequate provision for primary and secondary level school places in County Kildare, having regard to the emerging demography; if he will to have to make adjustments to meet demand, with particular reference to towns and villages experiencing the greatest growth; and if he will make a statement on the matter. [11121/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department uses a Geographical Information System (GIS) to identify where the pressure for school places across the country will arise. The GIS uses data from the Central Statistics Office, Ordnance Survey Ireland, the Department of Social Protection and my Department's own databases. With this information, my Department carries out nationwide demographic exercises at primary and post primary level to determine where additional school accommodation is needed.

The school planning areas in County Kildare are experiencing some demographic growth, however, not to such an extent that would currently warrant the provision of new schools. These areas are being kept under ongoing review by my Department to take account of updated child benefit data and updated enrolment data and the impact of existing and planned capacity increases to schools within the planning areas.

In November 2015, my predecessor announced the major school projects, including those for Kildare, that will commence construction from 2016 - 2021 as part of my Department's Six-Year Programme. The programme aims to prioritise new building projects and major extensions in areas where significant demographic need has been established. The Programme also provides for devolved funding for additional classrooms for schools outside the plan where an immediate enrolment need has been identified, such as the appointment of an additional teacher. In addition, the Programme prioritises projects that have a deficit of mainstream accommodation for projected enrolments, require refurbishment and replacement of poor accommodation. The Deputy will be aware that extensions to two primary schools in Clane were approved under the Five-Year Plan. One project has been completed and the other is progressing through architectural planning. Also, in recent years four new schools have opened in County Kildare, comprising two new primary schools which opened in 2012 and 2013 and two new post-primary schools which opened in 2014 and 2015.

The current status of all projects, including those in County Kildare, may be viewed on my Department's website at [www.education.ie](http://www.education.ie) and this will be updated regularly throughout the year.

### **Apprenticeship Programmes**

92. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if there will be an adequate supply of apprentices through the existing apprenticeships schemes; if particular trades or professions are experiencing shortfalls; his proposals to address these issues; and if he will make a statement on the matter. [11122/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Following a number of years of decline, registrations in the 27 existing apprenticeship trades are rising as the employment and economic situation improves. At the end of 2014, registrations were up 40% on 2013. In 2015 there were 3,153 registrations in the existing trades which represents a further 17% increase in registrations on 2014. SOLAS have informed me that registrations are forecast to increase to 3390 in 2016, 4219 in 2017 and 5089 in 2018. Off the job provision in the 27 existing trades is planned and funded by SOLAS and the Higher Education Authority in light of forecast registrations.

### **School Guidance Counsellors**

93. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will augment the career guidance service throughout secondary level education; if he anticipates improvement in the short and medium term; and if he will make a statement on the matter. [11123/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Programme for Government 'A Programme for a Partnership Government' has a commitment to reintroduce guidance counselling to secondary schools.

The current budget provides an improved staffing allocation to second level schools for the purpose of enhancing guidance provision. This improvement takes effect from next September. It brings the basis of allocation from 19:1 to 18.7:1 for the 2016/17 school year. This improvement of 0.3 in PTR allocation is a restoration of 50% of the teaching resources that were removed when the allocation of guidance posts was brought within quota.



The delivery of the 50% restoration through a change in the staffing schedule will allow each school to determine how best to allocate the additional resources to meet the guidance needs of the school. The circular issued earlier this year by my Department outlining the allocation of teaching resources clearly stated that this additional resource is to complement existing resources in order to best meet the guidance needs of the school in line with the school's guidance plan.

At the time of the guidance cuts, all 195 second-level schools in DEIS were given targeted support by a more favourable staffing schedule of 18.25:1. This was a 0.75 point improvement compared to the current PTR of 19:1 that applies in non-fee paying second-level schools.

That was a very important protection for the cohort of our schools in DEIS most in need of support. DEIS schools will also further benefit from the 0.3 improvement to the staffing schedule which will give them an enhanced allocation on the basis of 17.95:1 in respect of the 2016/17 school year. In the next Budget I will consider the best approach to further meeting commitments in the Programme for Government.

### **Special Educational Needs Staff**

94. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will meet special needs teaching requirements in primary and secondary level schools in County Kildare in 2016; his proposals for the future; and if he will make a statement on the matter. [11124/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department's policies focus on ensuring that all children can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network.

A range of placement options for pupils with special educational needs is provided, in order to ensure that all pupils can receive a school placement. Many pupils with special educational needs will be able to attend a local mainstream school, whereas for pupils who have needs which require more specialist interventions, special class and special school placements are provided for.

The National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports, including Resource Teaching allocations, the establishment of special classes and special schools in various geographical areas as required, including Co. Kildare. The NCSE operates within my Department's criteria in allocating such support.

Approximately 17% of the entire budget of my Department – some €1.4 billion – is being spent in support of children with Special Educational Needs in Schools, including schools in Co. Kildare. The provision now includes over 11,800 Learning Support/ Resource Teachers, an increase of over 2,200 since 2011; 12,040 Special Needs Assistants (SNAs), an increase of 1,465 since 2011; provision for over 1,000 Special Classes attached to mainstream schools, an increase of over 460; and some 1,100 teachers in 125 Special Schools at reduced pupil teacher ratios.

The overall level of investment being provided will ensure that provision can continue to be made to provide for the educational requirements of children with special educational needs, enrolled in all schools, to ensure that children with special educational needs can continue to have access to educational facilities in line with their requirements, for the current school year and in future school years.

## **Schools Building Projects Status**

95. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will progress the upgrading of extension works at a school (details supplied) in the near future in line with submissions made by the school authorities; and if he will make a statement on the matter. [11125/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Deputy will be aware that a major building project for the school to which he refers was included on the 6-year Construction Programme announced last November. In the context of progressing the project, my Department has requested technical documentation and drawings from the school. When received, my Department will be in further contact with the school in the context of initiating the architectural process for the project.

## **Pupil-Teacher Ratio**

96. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he is concerned at the pupil teacher ratio in primary and secondary schools in County Kildare; if he will improve the situation; and if he will make a statement on the matter. [11126/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Budget 2016 provides for a one point adjustment to the staffing allocation to primary schools, which will be implemented for the 2016/17 school year. This will see the primary staffing schedule operate on the basis of a general average of 1 classroom teacher for every 27 pupils. Lower thresholds apply for DEIS Band 1 schools, ranging from 20:1 to 24:1 depending on the type of school. The pupil teacher ratio in the current school year is 1 classroom teacher for every 28 pupils. Staffing arrangements for the 2016/17 school year are available in Circular 0007/2016, which is published on the Department website.

This budget also provides for an improved staffing allocation to second level schools for the purpose of enhancing guidance provision. This improvement takes effect from next September. It brings the basis of allocation from 19:1 to 18.7:1 for the 2016/17 school year.

Post Primary DEIS schools will also further benefit from the 0.3 improvement to the staffing schedule which will give them an enhanced allocation on the basis of 17.95:1 in respect of the 2016/17 school year.

In the next Budget I will consider the best approach to further meeting commitments in the Programme for Government.

## **Education and Training Provision**

97. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills when he will issue approval in respect of life-long learning provisions mooted for North County Kildare in line with requirements, with particular reference to the acquisition of the necessary premises to accommodate the demand; and if he will make a statement on the matter. [11127/16]

98. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if and when he will approve the proposed centre at Maynooth for Kildare and Wicklow Education and Training Board; and if he will make a statement on the matter. [11128/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I propose to take Questions Nos. 97 and 98 together.

The business case put forward by the Kildare Wicklow ETB for the development of a new Education and Training Facility in Maynooth, County Kildare, requires a substantial capital investment.

There is currently no dedicated capital funding for Further Education and Training projects and my Department's overall capital budget for 2016 is fully allocated. My Department, in consultation with SOLAS, will keep this proposal under consideration in the context of competing demands for capital investment should capital resources become available in 2016 and also in the context of capital estimates for 2017 and future years.

### School Placement

99. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if children with autistic spectrum disorder have ready access to primary and secondary school places in County Kildare; the extent if difficulties have arisen in meeting the ongoing requirements; and if he will make a statement on the matter. [11130/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department provides for a range of placement options and supports for schools which have enrolled pupils with Autistic Spectrum Disorder (ASD) in order to ensure that, wherever a child is enrolled, they will have access to an appropriate education. Children with ASD may be enrolled in a mainstream school and can attend all mainstream classes. In such cases these children will receive additional teaching support through the learning support and/or the resource teacher and, where appropriate, will receive access to Special Needs Assistance and assistive technology if required.

In respect of children with ASD who cannot be accommodated in mainstream education, they may be enrolled in special classes or special schools where more intensive and supportive interventions are provided.

The Deputy will be aware that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOS), is responsible for processing applications from primary and post primary schools for special educational needs supports, including the establishment of special classes in various geographical areas as required. The NCSE operates within my Department's criteria in allocating such support.

Recent years have seen an increase in the number of SNAs from 10,575 posts in 2011 to 12,040 in June 2016. Almost 40% of all students with SNA provision are students with Autism.

Over the same period the number of ASD special classes in mainstream primary and post primary schools has increased by 435, from 330 in 2011 to 765 in 2015. A further 168 ASD special classes are due to open in 2016.

The NCSE have advised that there are 56 ASD classes in County Kildare. 5 of these are Early Intervention classes for children with ASD who are not yet school of going age, 40 ASD classes are at primary school level and there are 11 ASD classes at post primary level. Each special class for autism at primary level has a 6:1 pupil teacher ratio and at post-primary level has a 6:1.5 pupil teacher ratio. These classes also have Special Needs Assistant support normally amounting to 2 SNAs for a class of 6 children.

The NCSE monitors and reviews the requirement for special class and has capacity to estab-

lish new special classes where necessary. SENOs are currently liaising with schools in the area referred to by the Deputy regarding the establishment of further classes for 2016/17 school year.

A full list of special classes is available at [www.ncse.ie](http://www.ncse.ie).

### **School Accommodation Provision**

100. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will assist the school authorities at Newtown, in Enfield, in County Kildare in the provision of extra enhanced and upgraded accommodation, having reference to the availability of extra space; and if he will make a statement on the matter. [11131/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department furnished an application form to the school in question in April 2015 in response to its enquiry relating to accommodation needs. The school was invited to complete the application form and return it to my Department. My Department has no record of receiving the application from the school.

### **Teachers' Remuneration**

101. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if younger teachers who receive reduced salaries can expect an improvement in their situation in the near future; and if he will make a statement on the matter. [11132/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The Government has committed to establishing a Public Service Pay Commission to examine pay levels across the Public Service, including the entry pay levels to which the Deputy refers. The Government recognises the importance of being able to attract quality new entrants to the Public Service, particularly so in important professional areas like education.

The restrictions in entry pay levels were introduced in 2011 and 2012 across the public service at a time when the pressure in public finances was severe and the scope for new recruitment was very restricted.

Under the Lansdowne Road Agreement the process of restoring public pay is commencing. An important feature of this is the flat rate increase which is being implemented. This is proportionately more valuable to those early in their careers. Restoration of the supervision and substitution payment is provided for subject to co-operation with the Lansdowne Road Agreement. The Lansdowne Road Agreement did not address the issue of pay of new entrants.

My Department continues to seek to engage with teacher unions on issues of mutual concern and has recently reached agreement with INTO and TUI in respect of:

- discussions to improve the position of teachers on fixed-term and part-time teaching;
- a robust review of in-school management structures;
- an increase in the quantum of the extra Croke Park hours which do not have to be worked on a "whole school" basis

The Government has also indicated that it will support the gradual negotiated repeal of FEMPI measures having due regard to the priority to improve public services and in recognition of the essential role played by public servants.

## School Closures

102. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he supports the retention of smaller schools in urban and rural areas notwithstanding religious denominations; and if he will make a statement on the matter. [11133/16]

**Minister for Education and Skills (Deputy Richard Bruton):** My Department is very aware of the importance of small schools to rural communities and particularly the most dispersed and remote communities. To sustain primary schools in these communities my Department has a more favourable staffing schedule for small schools that are more than 8 km distant from the next nearest school of the same type of patronage and language of instruction. This measure is designed to provide rural communities with security about the future of their small schools. With regard to school ethos, the government supports the concept of parental choice in our school system, whether that be a choice for denominational or multi-denominational education. In regard to retaining small schools, a specific commitment is given in the Programme for a Partnership Government not to close any small school without the consent of parents. I am mindful of the concerns of small schools and will take these into account in considering any planning for future provision.

## School Accommodation Provision

103. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will accede to the request for extra facilities, including a sports hall, at a school (details supplied) in County Kildare; and if he will make a statement on the matter. [11134/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I wish to advise the Deputy that in 2006, the school in question received funding from my Department to construct a classroom and a general purpose room. This project was completed in 2008. My Department has no record of receiving an application from the school for grant aid for the extra facilities to which he refers.

## School Funding

104. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills if he will approve an increase in funding offered to a school (details supplied) in County Kildare given the increase in costs; and if he will make a statement on the matter. [11135/16]

**Minister for Education and Skills (Deputy Richard Bruton):** I am aware of the impact budgetary decisions taken in our economic crisis have had on capitation and related grants to our primary schools.

I do recognise the need to improve capitation funding for primary schools having regard to the reductions that were necessary over the recent years.

In 2015 the first increase in education spending was secured in recent years and a further increase in education spending was achieved in 2016.

I am determined to continue pressing the case for increased investment, including grant funding in education.

## Apprenticeship Programmes

105. **Deputy Dara Calleary** asked the Minister for Education and Skills the number of apprentices projected to be in training, by employment sector, in each of the years to 2020; and if he will make a statement on the matter. [11151/16]

**Minister for Education and Skills (Deputy Richard Bruton):** As of the 31st March 2016 the apprenticeship population was 9,628. This includes 820 redundant apprentices. The apprenticeship population fluctuates based on the number of apprenticeship registrations and the numbers completing their apprenticeships. As apprenticeship registrations in the existing trades have been increasing in recent years, more apprentices are in the earlier years of apprenticeship than at the later phases. This means that the levels of completions will be relatively low in the immediate future in many trades.

Annual registrations increased by 40% from 2013 to 2014 and the 2015 figure of 3,153 represented a further 17% increase. The increase in registrations is forecast to be sustained up to at least 2018. These forecasts, by trade, for 2016 to 2018 are set out in the attached table. This will result in continuing growth in the apprenticeship population in the existing trades. SOLAS do not yet have forecasts beyond 2018 but will continue to update their forecasts based on their formal economic model.

In addition, the apprenticeship population will be further significantly supplemented by registrations on new apprenticeships which are being developed under the auspices of the Apprenticeship Council.

Forecast Registrations	2016	2017	2018
Trades			
Construction			
Brick & Stonelaying	65	120	215
Carpentry & Joinery	425	645	975
Floor & Wall Tiling	0	0	0
Painting & Decorating	25	60	100
Pipefitting	30	28	28
Plastering	25	65	120
Plumbing	370	525	625
Stonecutting & Stonemasonry	14	14	14
Wood Manufacturing & Finishing	35	90	140
Total	989	1,547	2,217
ELECTRICAL			
Aircraft Mechanics	40	40	40
Electrical	990	1,205	1,360
Electrical Instrumentation	60	60	60
Electronic Security Systems	20	20	20
Instrumentation	14	14	14
Refrigeration and Air Conditioning	70	70	75
Total	1,194	1,409	1,569
ENGINEERING			
M.A.M.F.	190	195	200
Farriery	8	8	8

Forecast Registrations	2016	2017	2018
Industrial Insulation	14	14	14
Metal Fabrication	220	220	220
Sheet Metalworking	40	50	50
Toolmaking	65	65	65
Total	537	552	557
MOTOR			
Agricultural Mechanics	40	40	40
Construction Plant Fitting	60	85	100
Heavy Vehicle Mechanics	142	146	152
Motor Mechanics	370	374	388
Vehicle Body Repairs	50	50	50
Total	662	695	730
Print Media	8	16	16
Total	8	16	16
Grand Total	3390	4219	5089

### Apprenticeship Programmes

106. **Deputy Dara Calleary** asked the Minister for Education and Skills if the national skills strategy published in January 2016 and containing the target to support the delivery of 50,000 apprenticeship and traineeship places up to 2020 is still Government policy, given that the programme for Government states that 31,000 places are targeted for 2020; and if he will make a statement on the matter. [11152/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The National Skills Strategy target covers both apprenticeship and traineeship whereas the Programme for Government commitment referred to only covers apprenticeship. There is a separate commitment in the Programme for Government to significantly increase the number of traineeship places.

### State Examinations

107. **Deputy John McGuinness** asked the Minister for Education and Skills to review an application for reasonable accommodations at the leaving certificate examinations in 2016 for a person (details supplied) as a matter of urgency; if dyslexic students are entitled to the same opportunities as regular students; and if he will make a statement on the matter. [11155/16]

**Minister for Education and Skills (Deputy Richard Bruton):** The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations.

Currently the SEC operates a Scheme of Reasonable Accommodations at the Leaving and Junior Certificate examinations for candidates with special needs in the examinations. The Scheme applies to candidates who have a physical or medical disability, including visual and hearing impairments, or a specific learning difficulty (dyslexia is one such specific learning difficulty). All applications for reasonable accommodations are considered within a published Framework of Principles established by an Expert Advisory Group.

Reasonable accommodations are not intended to compensate for a possible lack of achieve-

ment arising from a disability or to compensate for difficulties arising from a candidate's general intellectual functioning. Reasonable accommodations are intended to;

(a) to remove, as far as possible, the impact of the disability on the candidate's performance and thus enable the candidate to demonstrate his or her level of attainment and

(b) to ensure that, whilst giving candidates every opportunity to demonstrate their level of attainment, the special arrangements will not give the candidate an unfair advantage over other candidates in the same examination. The range of accommodations includes, inter alia, provision of modified, brailled and enlarged papers for visually impaired students; access to readers, scribes, word-processor, tape or voice recorder for student with physical conditions or dyslexia or other types of SLD; exemptions from components of the examinations such as the oral or aural or the waiver from spelling and grammar in language subjects. Some students may apply for and be granted more than one type of accommodation.

I have forwarded your query in respect of the person whose details you have supplied to the State Examinations Commission for direct reply to you.

### **State Examinations**

108. **Deputy Fiona O'Loughlin** asked the Minister for Education and Skills how he is ensuring that all students sitting State examinations are being treated in a fair and equitable manner with regard to reasonable accommodations. [11164/16]

**Minister for Education and Skills (Deputy Richard Bruton):** Currently the SEC operates a Scheme of Reasonable Accommodations at the Leaving and Junior Certificate examinations for candidates with special needs in the examinations. The Scheme applies to candidates who have a physical or medical disability, including visual and hearing impairments, or a specific learning difficulty (dyslexia is one such specific learning difficulty). All applications for reasonable accommodations are considered within a published Framework of Principles established by an Expert Advisory Group.

Reasonable accommodations are not intended to compensate for a possible lack of achievement arising from a disability or to compensate for difficulties arising from a candidate's general intellectual functioning. Reasonable accommodations are intended to;

(a) to remove, as far as possible, the impact of the disability on the candidate's performance and thus enable the candidate to demonstrate his or her level of attainment and

(b) to ensure that, whilst giving candidates every opportunity to demonstrate their level of attainment, the special arrangements will not give the candidate an unfair advantage over other candidates in the same examination.

The SEC has an Independent Appeals Committee to which applicants if they are not satisfied with the accommodations provided or denied may appeal to.

In addition, applicants when not satisfied with the decision of the Independent Appeals Committee have applied to the Ombudsman or the Ombudsman for Children to consider their complaint.

### **Waste Disposal**

109. **Deputy Billy Kelleher** asked the Minister for the Environment, Community and Lo-



cal Government if he has put preventative measures in place to prevent an increase in dumping given the implementation of the pay-by-weight household collection charge; if he is offering support to local authorities, community groups and so on who have to tackle this issue on a daily basis; and if he will make a statement on the matter. [10988/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** There is no indication from areas where pay-by-weight charging has already been implemented that there has been increased evidence of dumping. In addition, a comprehensive pay-by-weight awareness campaign is currently being rolled out, which includes practical advice for householders on reducing and segregating their waste and thereby minimising their costs.

Notwithstanding the above, and while enforcement action against illegal waste activity, including dumping, is a matter for the local authorities or the Environmental Protection Agency (EPA) as appropriate, my Department has introduced a number of measures to strengthen our efforts to combat illegal waste activity generally.

Waste Enforcement Regional Lead Authorities (WERLAs) have been established in each of the three existing waste regions with responsibility for coordinating waste enforcement actions and ensuring consistent enforcement of waste legislation while still leaving local authority personnel as first responders on the ground to specific breaches of waste legislation. This will facilitate a transformation from process driven enforcement, structured around separate implementation of individual regulations, to one that focuses greatest effort on the waste problems and issues that matter most and to take swift, proportionate and effective action. The work of the WERLAs is being supported by continued funding provided by my Department for the local authority waste enforcement network.

Some €8.2 million is being provided in 2016 for the retention by local authorities of 155 specialised waste enforcement officers, critical to tackling issues such as illegal dumping in local communities and in providing an enhanced response on the ground to infractions of the waste code.

It should also be noted that, under the new pay-by-weight regulatory regime, local authorities will be establishing a register which records the details of households which are using the services of an authorised waste operator (whether a kerbside collector, pay to use compactor or civic amenity facility). In gathering these details from service providers, local authorities may use this information to target households which appear not to be managing their waste correctly or using the services of an authorised operator and these data will support a number of awareness, education and enforcement programmes already initiated by individual local authorities.

Furthermore, fixed penalty notices (or on-the-spot fines) can also be issued from 1 July 2016 in respect of non-compliant waste collectors or service providers for breaches of their waste collection permit conditions.

## **Waste Disposal**

110. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if he is aware of the burden the introduction of the pay-by-weight bin charges will have on small providers in particular; if he will implement measures to mitigate the impact of the charges system on smaller waste collection providers; and if he will allow a phased introduction of the charges over a longer timeframe by local authorities in certain circumstances such as in areas with a lower population density. [11001/16]

111. **Deputy Barry Cowen** asked the Minister for the Environment, Community and Local Government if his Department or any body under its aegis has assessed the impact of the introduction of new pay-by-weight bin charges on smaller waste collection providers; if he is concerned that their introduction in July 2016 will impose an excessive burden on smaller waste collectors in rural and lower density areas and potentially have a significant effect on the waste collection market leading to a concentration of large providers; the cost of implementing the charges, by lorry; and the cost differential of implementing the new system in urban areas in comparison to rural areas. [11002/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 110 and 111 together.

The Regulatory Impact Analysis (RIA) on the collection of household waste carried out in 2012 analysed in depth the household waste collection market and gave a comprehensive overview of the market structure and industry in Ireland.

It recognised that concentration had occurred in the market, as larger firms expanded, in part by acquiring smaller firms, and as local authorities withdrew from the national market. The RIA further noted that, as the household waste collection market develops, consolidation is likely over the medium to long term, in which a small number of vertically integrated waste collection firms may capture more of the national market.

In terms of costs to collectors, the exact costs of servicing any given householder will differ considerably due to a number of variables, including the demographic and geographic nature of the local market, shift patterns, the frequency of the service, the degree of segregated collection, and, in many cases, the degree to which a collection route serves both household and commercial waste.

In terms of moving to pay-by-weight, the RIA also highlighted that a transition to weight-based charging on a national basis could be achieved relatively cheaply, in view of the potential benefits. The necessary capital investment primarily involves fitting transponders to individual bins, and equipping refuse collection vehicles with data readers and weighing equipment. Costs in relation to transponders set out in the RIA were understood to be approximately €2.50 per unit, and approximately €3.00 installation cost per unit. Equipping a refuse collection vehicle with the necessary data reader and weighing equipment is understood to cost approximately €30,000 per vehicle or approximately 10% of the capital cost of the vehicle. Annual repair and maintenance costs are understood to be of the order of 7% of the initial investment, e.g. €2,100 per refuse collection vehicle.

The Waste Management (Waste Collection Permit) Regulations 2007, as amended, have required, since 1 July 2015, that vehicles collecting household waste in reusable receptacles (such as wheelie bins) weigh the waste collected and to make this information available to the householder at least once per month.

### **Control of Dogs**

112. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he is aware that Veterinary Ireland has set up a specialised group which has reviewed the current Control of Dogs Act 1998 regulations; and if he will seek the advice from both Veterinary Ireland and other experts, including a person (details supplied) regarding the current regulations. [11009/16]

**Minister for the Environment, Community and Local Government (Deputy Simon**

**Coveney):** I understand that Veterinary Ireland is undertaking an in-depth policy review at present, which includes, inter alia, an examination of the effectiveness of the Control of Dogs Regulations 1998. As this review, which is a matter solely for Veterinary Ireland, has not yet been finalised, it would be inappropriate for me to comment further at this time.

### **Tenant Purchase Scheme Eligibility**

113. **Deputy Peter Fitzpatrick** asked the Minister for the Environment, Community and Local Government to extend the purchase incremental scheme to cover houses that were acquired under the Part V social and affordable scheme; and if he will make a statement on the matter. [11011/16]

114. **Deputy Eoin Ó Broin** asked the Minister for the Environment, Community and Local Government to set down in tabular form the categories of social protection recipients who are automatically excluded from the 2016 tenant purchase scheme. [11020/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I propose to take Questions Nos. 113 and 114 together.

Provision was made in the Housing (Miscellaneous Provisions) Act 2014 for a new Tenant (Incremental) Purchase Scheme for existing local authority houses. Following the necessary preparatory work the new Scheme came into operation on 1 January 2016. The Scheme is open to eligible tenants, including joint tenants, of local authority houses that are available for sale under the Scheme. To be eligible tenants must meet certain criteria, including having been in receipt of social housing support for a minimum period of one year and having a minimum reckonable income of €15,000 per annum. The scheme applies to all existing local authority houses, other than excluded dwellings.

All tenants of houses included in the scheme, who meet the eligibility criteria, can apply to purchase their house, provided they are not disqualified from doing so under the provisions of the legislation. Reasons for disqualification include rent arrears, participation in a previous tenant purchase scheme or engagement in anti-social behaviour.

The minimum reckonable income for eligibility under the Scheme is determined by the relevant housing authority in accordance with the detailed provisions of the Ministerial Direction issued under Sections 24(3) and (4) of the 2014 Act. In the determination of the minimum reckonable income, housing authorities can include income from a number of different sources and classes, such as from employment, private pensions, maintenance payments and certain social welfare payments, including pensions, where the social welfare payment is secondary to employment income.

In determining reckonable income, the income of the tenants of the house, including adult children that are joint tenants can be included, as can the income of the spouse, civil partner or other partner/co-habitant of a tenant who live in the house with them.

A number of income sources, including certain social welfare payments, are disregarded for the purposes of determining reckonable income. The list of income disregards is included in the Ministerial Direction which can be accessed at the following link:

*<http://www.environ.ie/search/archived/current?query=ministerial%20direction%20%20reckonable%20income>.*

In order to ensure the sustainability of the scheme, it is essential that an applicant's income

is of a long-term and sustainable nature. This is necessary to ensure that the tenant purchasing the house is in a financial position, as the owner, to maintain and insure the property for the duration of the charged period, in compliance with the conditions of the order transferring the ownership of, and responsibility for, the house from the local authority to the tenant.

The provisions of Part V of the Planning and Development Act 2000, as amended, are designed to enable the development of mixed tenure sustainable communities. Part V units are excluded from the Tenant (Incremental) Purchase Scheme to ensure that units delivered under this mechanism will remain available for people in need of social housing support and that the original policy goals of the legislation are not eroded over time. The continued development of mixed tenure communities remains very important in promoting social integration.

The new Scheme is in the very early stages of implementation and my Department is monitoring the operation of the scheme in consultation with housing authorities. In line with the commitment in the new Programme for a Partnership Government to make the scheme more attractive for social housing tenants and to raise new funds for housing development, I intend to undertake a review of the scheme following the first 12 months of operation. I will bring forward any changes to the terms and conditions of the scheme which are considered necessary based on the evidence gathered at that stage.

### **Local Authority Housing Funding**

115. **Deputy Charlie McConalogue** asked the Minister for the Environment, Community and Local Government when he will provide funding for the construction of SI houses to local authorities; and if he will make a statement on the matter. [11029/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** As housing authorities, local authorities are responsible for the identification of the social housing need in their area and the development of appropriate responses to the need identified. This can include the development of single rural dwellings where identified and prioritised by local authorities.

Targets in respect of social housing delivery via a combination of building, buying and leasing schemes, were set for each local authority out to 2017 and are available on my Department's website, along with the associated provisional funding allocations, at the following link: <http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41016,en.htm>.

Following the notification of targets, approvals for a substantial number of new social housing projects were announced in May 2015, July 2015 and January 2016. Between these three announcements, almost €680 million has been allocated for over 3,900 social housing new builds, turnkey developments and acquisitions.

I am keen that all local authorities advance these projects as soon as possible and I have assured them that funding is available to fully support their efforts in this regard. Details of these project approvals are available on my Department's website at the following links:

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,41340,en.htm>

<http://www.environ.ie/en/DevelopmentHousing/Housing/News/MainBody,42225,en.htm>

<http://www.environ.ie/housing/social-housing/ministers-kelly-coffey-announce-further-1000-social-housing-units>.

Local authorities are continuing to develop further construction schemes to deliver new social housing units and I am committed to supporting them in this regard, whether through the delivery of single rural dwellings, small to medium scale projects or larger construction schemes.

### **Local Authority Charges Non-Payment**

116. **Deputy Peter Fitzpatrick** asked the Minister for the Environment, Community and Local Government to outline in tabular form the details of the arrears of commercial rates owed to Louth County Council in Dundalk, Ardee and Drogheda; and if he will make a statement on the matter. [11032/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes, in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority.

Rates income data are published by local authorities in their Annual Financial Statements. 2014 is the latest year for which audited local authority Annual Financial Statement data are available. These are published as a matter of course on local authority websites.

The value of commercial rates outstanding to Louth County Council at 31 December 2014, sourced from audited Annual Financial Statements, was €18,376,977. The information requested in relation to Dundalk, Ardee and Drogheda is not available in my Department.

### **Homeless Persons Data**

117. **Deputy Carol Nolan** asked the Minister for the Environment, Community and Local Government to set down by county and by month in tabular form the number of persons who have presented as homeless for each of the past two years; and if he will make a statement on the matter. [11048/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** My Department's role in relation to homelessness involves the provision of a national framework of policy, legislation and funding to underpin the role of housing authorities in addressing homelessness at local level. Statutory responsibility in relation to the provision of accommodation and related services for homeless persons rests with individual housing authorities.

The official homelessness data provided by housing authorities are produced through the Pathway Accommodation and Support System (PASS). These data capture details of individuals utilising State-funded emergency accommodation arrangements that are overseen by housing authorities. Quarterly reports from lead housing authorities are published on my Department's website as soon as these are available. In addition, lead housing authorities provide monthly reports on homelessness which identify the number of people utilising State-funded emergency accommodation on a regional and county basis and also broken down by the number of families and dependants; my Department collates this information into monthly homeless reports. The specific data sought in the Question is not available in my Department. However, both the quarterly and monthly reports are available on my Department's website at the following link:

## Water Services Provision

118. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government if Irish Water has taken responsibility from local authorities for dealing with complaints relating to the provision of water services that predate its existence; and if he will make a statement on the matter. [11075/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** Since 1 January 2014, Irish Water has statutory responsibility for all aspects of water services planning, delivery and operation at national, regional and local levels. Irish Water has established a dedicated team to deal with representations and queries from public representatives. They may be contacted via email at [oireachtasmembers@water.ie](mailto:oireachtasmembers@water.ie) or by telephone on 1890 578 578.

The Water Services (No. 2) Act 2013 provides that responsibility for the independent economic regulation of the water sector is assigned to the Commission for Energy Regulation (CER) and that the CER must perform its functions in a manner that best serves the interests of customers of Irish Water.

Similar to the approach it has taken in the electricity and gas industries, the CER has required Irish Water to submit a Customer Handbook outlining the minimum requirements of customer service standards they will provide to their customers. The Customer Handbook comprises Irish Water's Customer Charter, Codes of Practice and the Terms and Conditions of supply. Following a public consultation on the document in 2014, the CER published the approved Irish Water Customer Handbook on their website, at

<http://www.cer.ie/docs/000956/CER14364%20Irish%20Water%20Customer%20Handbook.pdf>. Furthermore, the Water Services Act 2014 includes a provision that the CER will provide a dispute resolution service for registered customers of Irish Water. This will be similar to the service operated by the Commission for the gas and electricity markets.

## Planning Issues

119. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if he has studied the stalled development at Naas Town Centre, in County Kildare with particular reference to the adjourned arbitration procedure and the ongoing negative impact the delayed development continues to have on the town; if all the constituent bodies involved continue to engage adequately in order to bring about a speedy conclusion culminating in the resumption of activity on the site; and if he will make a statement on the matter. [11136/16]

**Minister for the Environment, Community and Local Government (Deputy Simon Coveney):** I am informed by Kildare County Council that the securing of a satisfactory conclusion to the development of the Naas Town Centre site has been a particular focus of its efforts over the last number of years. In this connection, the Council - on foot of arbitration procedures - recently successfully completed an agreement with one of two site owners relating to the provision of roads infrastructure to service the Town Centre site. The arbitration case relating to the second site owner remains to be heard by the Property Arbitrator. I understand that the hearing in this case is not scheduled to take place until April 2017 due to the Property Arbitra-

tor's caseload.

In parallel with these arbitration cases, Kildare County Council has also been involved in ongoing discussions with the owner of the Town Centre site, and his agents, with a view to advancing development of the site as early as possible.

As indicated in replies to previous Questions tabled by the Deputy on this matter, the management of the development concerned is primarily a matter for Kildare County Council in the first instance, and I have no function in the matter.

### **Household Benefits Scheme**

120. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the status of the restoration of the telephone allowance for the elderly scheme; and if he will make a statement on the matter. [10996/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The overall concern in recent years has been to protect the primary social welfare rates. Expenditure on pensions at approx. €6.976 billion is the largest block of expenditure in the Department in the Estimate for 2016, representing approximately 35% of overall expenditure. Because of demographic changes, the Department's spending on older people is increasing year on year. Maintaining the rate of the State pension and other core payments is critical in protecting people from poverty.

The decision to discontinue the telephone allowance was estimated to provide annual savings of €48 million. These savings meant that the Department was able to retain the other valuable elements of the household benefits package such as the electricity and gas allowance and the television licence. The Department will spend approximately €227 million this year on these elements of the household benefits package for over 418,000 customers.

The cost of the telephone allowance scheme had risen significantly each year, as the number of eligible customers grew, arising from the increased number of pension recipients. In 2007 there were some 316,000 people receiving the telephone allowance compared to almost 396,000 at the end of September 2013, an increase of 25%, or an average increase of nearly 4% per annum.

Any decision to restore the telephone allowance would have to be considered in the overall budgetary negotiations.

The Government is keenly aware of the impact of Budget decisions on the Department's clients, and strives to ensure that the money available is targeted in the most effective way. In Budget 2016, the first increase in the basic rate of the State pension in seven years was given. This has increased the personal rate of the non-contributory pension to €222, and that of the contributory pension to €233.30. There was also a €2.50 increase in the rate of the Fuel Allowance, from €20 to €22.50 per week. I believe that, taken together with other changes, such as increasing the Christmas Bonus to 75% of weekly rate, the impact of the last Budget has been very positive for older people.

I hope this clarifies the matter for the Deputy.

### **Jobseeker's Allowance**

121. **Deputy Eoin Ó Broin** asked the Minister for Social Protection the legislation, regular

actions, circulars and guidelines used when means-testing an application under the jobseekers' allowance scheme where the spouse lives and works outside the State; the allowance that is made in such circumstances in recognition of the family maintaining two homes; if so, in such circumstances, he will review the rules and introduce recognition of the additional costs associated with operating two homes for the purposes of calculating means. [10961/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The social welfare legislation underpinning means testing for the jobseeker's allowance (JA) scheme, including the means of couples, is set out in Part 2 of the Third Schedule of the *Social Welfare Consolidated Act 2005* (as amended), with the corresponding regulations set out in Chapter 6 of S.I. 142 of 2007, *Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007* (as amended). These can be found on the Irish Statute Book website: <http://www.irishstatutebook.ie/eli/2005/act/26/enacted/en/index.html> and <http://www.irishstatutebook.ie/eli/2007/si/142/made/en/pdf>.

The Department's means assessment guidelines are available on the Departmental website, at the following link: <http://www.welfare.ie/en/pages/means-assessment.aspx>. The JA scheme's operational guidelines are also available on the Department website at: <http://www.welfare.ie/en/Pages/Jobseekers-Allowance.aspx>

There are two additional rules which relate specifically to cases where a jobseeker's allowance claimant's spouse is living outside of the State. As set out in Section 249 (6A) of the 2005 Act (as amended by Section 8 (2) (b) of the *Social Welfare and Pensions Act 2014*), it is not possible for a JA claimant to be paid an increase for a qualified adult in respect of a spouse living abroad. This provision can be found at the following link: <http://www.irishstatutebook.ie/eli/2014/act/16/section/8/enacted/en/html#sec8>.

The Department's internal circular 42/14 addresses this legislative provision, and has been sent to the Deputy.

Related to this, Section 141 (2) (d) of the Consolidation Act (as amended by the Section 9 (a) of the *Social Welfare and Pensions Act 2007*) provides that where the spouse is not a qualified adult, the means of the claimant are taken to be one-half the means of the couple.

Where a JA claimant's spouse is living outside of the State, a further difference in the means assessment may apply. In social assistance schemes generally, where a claimant and/or his/her spouse/partner owns a property other than the family home, the second property is assessed on a capital basis. However, if the spouse lives in the second property, it would not be assessed on a capital basis for social welfare means purposes.

Regardless of where a spouse lives, there are disregards in relation to their earnings. The first €60 of weekly earnings are disregarded, with the remainder assessed at 60%.

It should be noted that there is currently no provision, in social welfare means test arrangements, for any outgoings such as rent, mortgage payments or any upkeep costs to be disregarded in relation to a person's family home. Accordingly, there are no additional disregards where a couple are living in two homes, either in Ireland or abroad. Any changes to the jobseeker's allowance means assessment would have to be considered in the overall policy and budgetary context.

## Rural Social Scheme

122. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection his views on the rural social scheme as a method of ensuring low-income farmers have an adequate livelihood while



contributing to their communities; if he will expand the scheme; if he will reverse the cuts imposed by the previous Minister, by changing the rules of the scheme to the payment rates particularly for participants with dependants; and if he will make a statement on the matter. [10963/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The rural social scheme (RSS) provides income support for low income farmers and those engaged in fishing who have an entitlement to specified social welfare payments. One of the key eligibility criteria for participation in the scheme is that the participant must be underemployed in their primary activity i.e. either farming or fishing, and that their earnings are insufficient to support their family circumstances.

The scheme currently provides work opportunities for around 2,600 participants and 130 supervisory staff. Participants are engaged for 19½ hours per week to provide certain services of benefit to rural communities.

RSS payments are based on the rate of the underlying DSP payment plus €22.50 top-up, subject to a minimum weekly payment of €210.50. As the Deputy can appreciate, it is imperative that funding provided is targeted at low income earners. If participants no longer qualify for an eligible DSP payment, they are required to leave the scheme on grounds of non-eligibility after their contract of employment expires.

The number of places on the RSS has been maintained at the same level since 2006. As with all other activation and employment schemes funded by the Department, the operations are monitored on an on-going basis to ensure that the scheme remains effective, provides value for money, is aligned with other similar schemes and is in line with Government policies overall.

### **Farm Assist Scheme Payments**

123. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection if he will reverse the means testing changes made by his predecessor under the farm assist scheme which have the effect in many cases of imposing a euro reduction for every euro earned to the rates of payment received by persons on the scheme, thus removing any incentive to persons to earn more income; and if he will make a statement on the matter. [10964/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The farm assist scheme provides support for farmers on low incomes and is similar to jobseeker's allowance. Farm assist recipients retain the advantages of the jobseeker's allowance scheme such as the retention of secondary benefits and access to activation programmes. The 2016 Revised Estimates for the Department provide for expenditure of almost €85 million on the farm assist scheme.

Changes introduced in Budgets 2012 and 2013 brought farm assist into closer alignment with the jobseeker's allowance scheme's treatment of self-employed persons. Farm families with the lowest income were least impacted by these changes as the headline rates of farm assist were maintained.

In December last all long term welfare recipients, including recipients of farm assist, benefitted from a 75% Christmas Bonus payment. All recipients of farm assist with children are benefiting from the €5 increase in child benefit rates payable from the start of this year. In addition, farm assist recipients eligible for the fuel allowance gain from the increase of €2.50 per week, from €20 to €22.50 per week over the fuel season.

All measures introduced, including proposals relating to the farm assist scheme, are assessed

and analysed in terms of the impact they have. The Programme for Government contains the commitment to undertake a “Review of the Farm Assist Scheme, recognising the challenges facing farmers on low incomes”. I have asked my officials to review the farm assist scheme from a policy and an administrative point of view. Any changes to the scheme will have to be considered in a budgetary context.

### **Farm Assist Scheme Administration**

124. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection if he will award credits to all persons who were in receipt of farm assist prior to the change of rules that allows persons on farm assist to make self-employed pay related social insurance contributions, to ensure that they receive equal treatment with those on jobseekers’ allowance; and if he will make a statement on the matter. [10967/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The farm assist scheme was introduced in 1999 to provide income support for low income farmers. It replaced the former smallholders’ unemployment assistance payment. In line with the then existing arrangements for unemployment assistance (including smallholders) and pre-retirement allowance, the income of farm assist recipients was exempt from class S PRSI for self-employed workers. Recipients of farm assist who had previously paid Class S social insurance had the option of paying voluntary contributions to maintain their social insurance record, provided they satisfied the qualifying conditions.

Since 1st January 2007, the exemption from class S PRSI has been removed and those receiving jobseeker’s allowance and farm assist are subject to Class S PRSI as self-employed contributors on their self-employed income, provided their annual income is €5,000 or more.

Currently PRSI credited contributions (credits) are only awarded to former employees, to cover gaps in social insurance where they are not in a position to pay PRSI such as during periods of unemployment, illness, etc. Self-employed workers do not qualify for credits.

Any proposal to award retrospective credits to farm assist recipients would have to be considered in the context of access to credits for all other categories of the self-employed and in the wider Budgetary context.

### **Child Benefit Data**

125. **Deputy Seán Haughey** asked the Minister for Social Protection the amount of child benefit paid in respect of children living outside the European Union area; and if he will make a statement on the matter. [10987/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Child benefit is payable in respect of children living outside the European Union where their parent(s) remain covered by Irish social insurance, with entitlement decided under Irish domestic legislation. These payments are made in circumstances where people are posted by their Irish based employers to work in other countries and continue to pay social insurance in Ireland.

As at 15 May 2016, child benefit was in payment to a total of 146 families resident outside the European Union, in respect of a total of 306 children. The annual expenditure based on these figures is estimated at €514,000.

## Community Services Programme

126. **Deputy Dara Calleary** asked the Minister for Social Protection the funding sources that exist for community services programme scheme sponsors to provide the areas of activity as outlined on page 10 of the operating manual for community services programme contract holders; and if he will make a statement on the matter. [11018/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The Community Services Programme (CSP) supports community companies that operate on a community business or social enterprise model. Companies supported by the CSP generate and use income from the services they provide to pay staff, meet overhead costs and to contribute to future development. The companies must operate community or social enterprises that are able to deliver tangible services and are capable of generating non-public revenues from their operations by way of charging fees, sales and/or fundraising. The programme is not intended to represent full funding for any operation.

The areas of activity outlined on page 10 of the CSP operating manual are outside the scope of the Programme. Funding for these activities may be available from other Departments and Agencies, including the Department of Children and Youth Affairs or the HSE as well as other funding streams such as the Dormant Accounts Fund, depending on the nature of the activity.

### Disability Allowance Payments

127. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the status of arrears on a payment to a person (details supplied); and if he will make a statement on the matter. [11046/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Disability allowance arrears have been issued to the person in question on 17 May 2016.

### Domiciliary Care Allowance Data

128. **Deputy Carol Nolan** asked the Minister for Social Protection to provide a breakdown per county of the current waiting times for domiciliary care allowance applications; the number of applicants per county that have been denied their application under the scheme in the past 12 months; the number of applicants per county per month; the number of appeals that are submitted per month; the number of appeals that have been successful; and if he will make a statement on the matter. [11051/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I am advised that statistics on applications for Domiciliary Care Allowance are not collated on a county by county basis and therefore, I am not in a position to supply the information as sought by the Deputy. The information that is collated is provided in the table.

**Table 1. Domiciliary Care Allowance Applications**

Month	Received	Awarded	Disallowed
May 2015	665	369	113
June 2015	594	352	137
July 2015	668	497	168

Month	Received	Awarded	Disallowed
August 2015	438	173	331
September 2015	544	552	85
October 2015	579	502	324
November 2015	525	532	245
December 2015	403	206	84
January 2016	498	393	207
February 2016	665	346	159
March 2016	609	191	59
April 2016	714	449	144

The current processing time for a domiciliary care allowance application is approximately 13 weeks. The current average processing time for domiciliary care allowance appeals determined following an oral hearing is 28.5 weeks and 22.7 weeks for such appeals determined summarily. The corresponding appeals processing times in 2015 were 28.7 weeks and 21.7 weeks respectively. Statistics in regard to appeals and their outcomes are detailed in the table.

**Table 2. Domiciliary Care Allowance Appeals**

DCA Appeals May 2015 to April 2016						
	Received	Favourable to appellant			Disallowed	Withdrawn
Revised Decisions by Deciding Officer	Allowed by Appeals Officer	Part Allowed				
May 2015	85	59	49	6	21	0
June 2015	110	21	50	7	23	1
July 2015	86	20	35	2	9	1
August 2015	89	11	37	6	17	0
September 2015	163	17	46	4	14	0
October 2015	91	23	43	0	13	0
November 2015	151	30	57	1	30	0
December 2015	109	55	56	2	17	2
January 2016	97	15	50	2	21	0
February 2016	158	37	48	2	28	1
March 2016	80	22	64	2	40	1
April 2016	109	38	39	2	14	0
	1,328	348	574	36	247	6

### Community Employment Schemes Supervisors

129. **Deputy Michael McGrath** asked the Minister for Social Protection if he will pay a superannuation pension and gratuity to retiring supervisors of community employment schemes; and if he will make a statement on the matter. [11077/16]

**Minister for Social Protection (Deputy Leo Varadkar):** This matter is currently being considered by a high level working group set up under the auspices of the Department of Public Expenditure and Reform. This Group includes officials from the Departments of Public Expenditure, Social Protection and Environment, Community and Local Government as well as from

Pobal and the two unions representing CE supervisors - SIPTU and IMPACT.

### **Disability Allowance Applications**

130. **Deputy Bernard J. Durkan** asked the Minister for Social Protection to urgently examine an application by a person (details supplied) under the disability allowance scheme; and if he will make a statement on the matter. [11087/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The person in question appealed to the independent Social Welfare Appeals Office (SWAO) a decision by a deciding officer to disallow his application for disability allowance (DA).

Following due consideration, the appeal of the person in question was disallowed by an appeals officer (AO) on 16 February 2016. He was notified of this decision in writing by the SWAO on the same date.

An AO's decision is final and conclusive in absence of any fresh facts or evidence.

It is open to the person in question to reapply for DA.

### **Carer's Allowance Payments**

131. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when a carer's allowance will be restored to a person (details supplied); to provide for immediate payment; and if he will make a statement on the matter [11088/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Carer's allowance (CA) was in payment to the person concerned from 15 April 2010 to 27 January 2016. The person concerned was notified on 24 March 2016 that her payment had been terminated as she had failed to co-operate, as she is required to, with a social welfare inspector (SWI) during the course of an investigation.

The person concerned has recently appealed this decision to the social welfare appeals office (SWAO). The SWAO are an independent body and whether the appeal outcome is dealt with summarily or by oral hearing is a matter for the chief appeals officer (CAO). The person concerned may write to the CAO to request an oral hearing if she wishes.

Once all the necessary investigations have been carried out in relation to this appeal, the SWAO will be in contact with the person in question directly.

In the meantime, if the means of the person concerned are insufficient to meet her needs she should apply for a means-tested supplementary welfare allowance from her local community welfare service.

### **Rent Supplement Scheme Applications**

132. **Deputy Bernard J. Durkan** asked the Minister for Social Protection to review and immediately approve an application by a person (details supplied) under the rent support scheme; and if he will make a statement on the matter. [11093/16]

**Minister for Social Protection (Deputy Leo Varadkar):** As advised in the reply to the

Deputy's most recent question on this matter (ref: 37096-15), the person concerned failed to submit the required documentation to allow their eligibility for Rent Supplement to be determined and their claim was closed on this basis and they were advised of their right to appeal this.

It is open to the person concerned to re-apply for a Rent Supplement. If they re-apply, they should provide the information previously requested along with up-to-date documentation pertaining to their situation.

### **Rent Supplement Scheme Applications**

133. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the eligibility of a person (details supplied) under the rent supplement scheme; and if he will make a statement on the matter. [11096/16]

**Minister for Social Protection (Deputy Leo Varadkar):** As detailed to the Deputy in reply to Parliamentary Question No. 86 of 3 December 2015 and No. 78 of 26 April 2016 and several related Parliamentary Questions, the client has been requested on numerous occasions to provide the Department with details of all capital accrued from the sale of the family home. This documentation is required to make an assessment. This documentation has not, to date, been received by the Department. A final reminder was issued to the client on 3rd December. This claim for Rent Supplement was closed on the 21st December. I hope this clarifies the matter for the Deputy.

### **Rent Supplement Scheme Applications**

134. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when he will approve an application for an increase by a person (details supplied) under the rent supplement scheme; and if he will make a statement on the matter. [11097/16]

**Minister for Social Protection (Deputy Leo Varadkar):** All changes in circumstances should be immediately notified to the Department. The client concerned should submit an up to date Rent Supplement application form confirming an increase in monthly rent to allow entitlement to be re-assessed.

### **Carer's Allowance Applications**

135. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when he will award a carer's allowance to a person (details supplied); and if he will make a statement on the matter. [11100/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Carer's Allowance (CA) is a social assistance payment made to persons who are providing full-time care and attention to a relevant person/persons and who satisfies a means test.

No application by the person concerned for CA has been received. Accordingly, I have arranged for an application form (CR1) to issue, which the person concerned should complete and return as soon as possible, in order that the Department may determine their entitlement to CA. If the person in question has already submitted an application in the past few days, there is no need to re-submit a new application and the Department will be in touch in relation to the

application in due course.

### **Disability Allowance Applications**

136. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the status of an application by a person (details supplied) under the disability allowance scheme and the invalidity pension scheme; and if he will make a statement on the matter. [11102/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The person concerned has been awarded disability allowance with effect from 3 December 2014. The first payment was made to the person in question on 5 August 2015.

There is no record that the person concerned having ever submitted an application for invalidity pension.

Invalidity Pension is a payment for insured people who are permanently incapable of work because of an illness or incapacity. To qualify, you must satisfy both social insurance (PRSI) and medical conditions.

and must have:

- a total of 260 weeks PRSI paid, **and**
- 48 weeks PRSI paid or credited (*see note below*) in the last complete tax year before your claim.

**Only PRSI paid at Classes A, E and H count towards Invalidity Pension.**

If you are permanently incapable of work and you satisfy the PRSI and medical conditions, one may apply for an Invalidity Pension by contacting:

#### **Invalidity Pension Claims Section**

Social Welfare Services

Government Buildings

Ballinalee Road

Longford

**Telephone:** (043) 3340000 **LoCall:** 1890 92 77 70

I hope this clarifies the matter for the Deputy.

### **Rent Supplement Scheme Applications**

137. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when he will review a case and grant an increase under the rent support scheme to a person (details supplied); and if he will make a statement on the matter. [11109/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The client concerned has been requested to provide the Department with up to date documentation. On receipt of same, the claim will be re-assessed. I hope this clarifies the matter for the Deputy.

## **Social Insurance Fund**

138. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the procedure a person (details supplied) must follow in respect of a liability to the Social Insurance Fund; and if he will make a statement on the matter. [11110/16]

**Minister for Social Protection (Deputy Leo Varadkar):** It is the employer's responsibility to pay statutory redundancy to its eligible employees. Where an employer is not in a position to pay statutory redundancy, the Department of Social Protection pays the entitlement under the redundancy payments scheme from the social insurance fund. A condition of the scheme is that a debt is subsequently raised against the employer by the Department.

Effective debt recovery is a key aspect of the Department's debt management policy. Re-payment to the social insurance fund can be made as a once off payment or as part of a recovery payment plan. Employers with a debt to the fund are encouraged to engage with the Department so that an arrangement to suit individual circumstances can be put in place.

I trust that this clarifies the matter.

## **State Pension (Contributory) Applications**

139. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the procedure a person (details supplied) must follow in respect of application for a State pension (contributory); if the persons contributions are made up of self-employment or pay as you earn; the extent of the persons entitlement under these headings; and if he will make a statement on the matter. [11111/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Under social welfare legislation, an applicant for state pension (contributory) must complete an SPC1 application form. Forms are available at local post offices and Intreo centres, or can be downloaded from the Department's website [www.welfare.ie](http://www.welfare.ie).

According to the records of the Department, the person concerned will reach pension age on 8 April 2017. An application form, together with a document of Frequently Asked Questions about current state pension (contributory) eligibility criteria has been issued to the person concerned. A copy of the person's social insurance record to date has also been issued. As the person's record includes self-employment, it is important that any liabilities due to Revenue are up to date at pension application stage.

On receipt of the person's application for state pension (contributory), their entitlement will be assessed by a Deciding Officer and they will be notified of the outcome without delay.

I hope this clarifies the matter for the Deputy.

## **Carer's Allowance Eligibility**

140. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a recipient under the family income supplement scheme who is off work due to illness can qualify under the carer's allowance scheme; and if he will make a statement on the matter. [11113/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Carer's Allowance (CA) is a means-tested social assistance payment, made to persons who are providing full-time care and



attention to a person who has a disability such that they require that level of care.

A person can be considered to be providing full-time care and attention where they are engaged in employment, self-employment or on training courses outside the home for a maximum of 15 hours per week, provided that they can show to the satisfaction of a deciding officer that adequate care has been provided for the care recipient in their absence.

It is a condition for receipt of Family Income Supplement (FIS) that the applicant must be engaged in full-time paid employment as an employee for not less than 38 hours per fortnight.

A person off work due to illness may qualify for CA as long as they are able to provide full-time care and attention.

However, if they return to work having proven that adequate care is provided for the care recipient, entitlement to CA would cease if they were employed for more than 15 hours per week outside the home. FIS would cease if they were working less than 38 hours per fortnight.

### **Social Welfare Offices**

141. **Deputy Dara Calleary** asked the Minister for Social Protection his plans for the future of a social protection office (details supplied) in County Mayo; if the present service will be retained; and if he will make a statement on the matter. [11117/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The current manager of the Social Welfare Branch Office in Swinford, County Mayo has tendered his resignation with effect from 30 July 2016. The Department is examining the provision of services in the area and no decision has been made on the future of this office at this time. The Deputy will be kept informed of any future decision.

### **Domiciliary Care Allowance Eligibility**

142. **Deputy Willie Penrose** asked the Minister for Social Protection how he deals with the assessment of awards which are made in compensation cases in respect of children who might be in receipt of domiciliary care allowance where the parent may well be in receipt of carer's allowance, particularly where such awards arise from injuries sustained at birth; and if he will make a statement on the matter. [11118/16]

**Minister for Social Protection (Deputy Leo Varadkar):** Domiciliary Care Allowance (DCA) is a monthly payment for a child aged under 16 with a severe disability, who requires ongoing care and attention, substantially over and above the care and attention usually required by a child of the same age. As DCA is not a means tested, payment, entitlement is not affected in any way affected by the receipt of a compensation award.

Social welfare legislation provides for the disregard of certain compensation awards when assessing the means of a person for social assistance schemes, including Carer's Allowance.

The disregards for social welfare means assessment purposes include all income derived from compensation awarded by the Hepatitis C and HIV Compensation Tribunal, by the Residential Institutions Redress Board and in relation to disability caused by Thalidomide. Any payment made by the Residential Institutions Statutory Fund Board is similarly disregarded. In addition, ex gratia payments made to women who were admitted to and worked in the Magdalen Laundries or through the Symphysiotomy Payment Scheme are also not taken into account

in social welfare means assessments. All other compensation or court awards which are not provided for in social welfare legislation are assessed in the normal manner.

It should be noted that the means assessment for the Carer's Allowance scheme applies to means of the carer and his or her spouse/partner, not the person being cared for. In this regard, if the compensation award is in the name of the person being cared for, its capital value would not be assessed against the claimant.

Furthermore, payment of DCA is also disregarded in the Carer's Allowance means assessment.

### **Carer's Allowance Applications**

143. **Deputy Willie Penrose** asked the Minister for Social Protection the status of an application by a person (details supplied) under the carers' allowance scheme; if same will be expedited; and if he will make a statement on the matter. [11119/16]

**Minister for Social Protection (Deputy Leo Varadkar):** I confirm that the department received an application for carer's allowance (CA) from the person concerned on 22 January 2016. Unfortunately, there are some delays with new applications currently. Additional resources have been provided to the CA section in order to improve the waiting times for new applications and they are working hard to make this happen.

Frequently, delays are outside the control of the Department and are caused by the customer failing to fully complete the claim form or failing to attach the supporting documentation that is requested on the application form.

This application will be processed as quickly as possible and the person concerned will be notified directly of the outcome.

In the meantime, if the means of the person concerned are insufficient to meet her needs she should apply for a means-tested supplementary welfare allowance from her local community welfare service.

### **Humanitarian Assistance Scheme**

144. **Deputy John McGuinness** asked the Minister for Social Protection the legislation and regulations relative to the payment of humanitarian aid arising from the recent floods; if the findings and figures relative to the inspection by loss adjusters appointed by his Department will be made available to those who make a claim and request such information; and if he will make a statement on the matter. [11156/16]

**Minister for Social Protection (Deputy Leo Varadkar):** The purpose of the humanitarian assistance scheme is to prevent hardship by providing income tested financial support to people whose homes were damaged by flooding and other severe weather events and who are not in a position to meet costs for essential needs, household items and in some instances structural repair.

In early December 2015, the Department activated the humanitarian assistance scheme, administered by the local Community Welfare Service (CWS), to assist householders affected by the severe weather conditions. Since then, support has been provided to some 540 households with expenditure of €1.17 million.

The scheme is operated on an administrative basis under guidelines that have been issued to staff. The guidelines outline the supports that come within the scope of the scheme, the income assessment to be applied and the approach to be taken by officers when determining the level of payment to be made.

The Department has awarded a contract for the provision of loss adjusting services in respect of the humanitarian assistance scheme to support the assessment of damage to individual households in cases where structural repairs are necessary and the cost is estimated in excess of €5,000. Guidelines, issued in February 2016, provide guidance to officers in respect of claims involving repair of structural damage and detail the arrangements for referring cases to the Department's loss adjusters for assessment and report.

The role of the loss adjuster is to provide an assessment of the reasonableness of builder's estimates of damage caused to a person's home by means of a site visit to the property. The loss adjuster provides an individual report per dwelling, including a costed itemised inventory of the works required to replace essential losses, to make any essential repairs and to return the person's house to a habitable condition. The loss adjuster's report in relation to a specific property can be made available to that householder on request.

### **Aviation Issues**

145. **Deputy Clare Daly** asked the Minister for Foreign Affairs and Trade further to Parliamentary Question No. 128 of 28 April 2016, under what circumstances he will not make a recommendation against the carriage of certain weapons through Irish airspace, given his statement, "my Department will generally recommend against granting an exemption for the carriage of grenades, bombs, missiles or rockets." [11017/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** My Department would not recommend against the granting of an exemption for the carriage of such items through Irish airspace on civil aircraft in circumstances where they are being transported for Irish Defence Forces or An Garda Síochána purposes.

As stated in my reply to question 128, the final decision on all applications is taken by the Department of Transport, Tourism and Sport.

### **Passport Applications**

146. **Deputy Thomas Pringle** asked the Minister for Foreign Affairs and Trade the processing time for passport renewals; why it appears that the tracking is not updated regularly; if passports are processed within the ten working days; and if he will make a statement on the matter. [11073/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** There are a number of ways of submitting your passport application and each of these services have different turnaround times. Passport Express through the An Post office network is most convenient and cost effective method for applicants who wish to renew a passport and whose departure date is more than 15 working days away.

It should be noted that the turnaround time of 15 working days for the An Post Passport Express service is a target issue date, and not a stated guarantee and it is considered best practice to allow at least six weeks for passport applications.

As of 19 May, the turnaround time for applications through Passport Express is 14/15 working days.

Applicants travelling in less than 15 working days should use the Passport Office website to make an appointment online to submit their application in person through the Passport Office in Dublin or Cork (<https://www.passportappointments.ie/>).

The Online Passport tracking service is updated 3 times a day. Once an application has moved along the production line, it will show an updated status.

I strongly recommend that citizens check their passport validity before booking holidays or business travel and apply for the service which will ensure passports arrive in good time. The key points for citizens, are to:

- check the validity of passports before booking a holiday
- to remind that children's passports vary in length of validity
- follow best practice and apply at least six weeks before the intended date of travel choose the most appropriate application channel depending on the date of travel
- if travelling in three weeks or more (15 working days) the Passport Express channel is the cheapest and most convenient option.
- if travelling in three weeks or less an appointment for the Passport Office in Dublin or Cork should be made online at [www.passportappointments.ie](http://www.passportappointments.ie).

The Passport Service has experienced a 15% increase approximately in applications so far this year over 2015 and demand is expected to remain very high in the coming months.

### **Dublin-Monaghan Bombings**

147. **Deputy Brendan Smith** asked the Minister for Foreign Affairs and Trade if he has had any recent discussions with the Northern Ireland British Secretary of State, Ms Theresa Villers, or with the British Secretary of State for Foreign and Commonwealth Affairs, Mr. Philip Hammond; and the outcome of these in relation to the need for the British Government to release files and papers pertaining to the Dublin and Monaghan bombings; and if he will make a statement on the matter. [11081/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** Dealing with the legacy of the past relating to the conflict in Northern Ireland is a major priority for me as Minister for Foreign Affairs and Trade and the Government, and this is reflected in the new Programme for Government. In relation to the Dublin-Monaghan bombings, we have specifically committed in the Programme for Government to continuing our active pursuit of the implementation of the All-Party Dáil motions of 2008 and 2011. These motions urge the British Government to allow access by an independent international judicial figure to all original documents in their possession relating to the Dublin-Monaghan bombings.

The Government remains entirely committed to this approach. I have raised the issue with the British Government on a number of occasions, most recently in a telephone call with the Secretary of State for Northern Ireland on 9 May. The Taoiseach has also previously raised the matter with Prime Minister Cameron, emphasising the Government's continued support for the Dáil motions.

Despite our urging, the British Government is still considering how to respond to the Dáil motions. However, I have received assurances from the Secretary of State for Northern Ireland that the British Government continues to consider the issue. I have made clear to the Secretary of State that this will remain firmly on the political agenda of the Government and Dáil Éireann.

The Government will continue to urge the British Government to allow access by an independent international judicial figure to all original documents in their possession relating to these bombings. I hope that in the week ahead the 32nd Dáil will debate and agree a fresh all-Party motion on this issue, which would reaffirm our shared will and determination to secure progress on the Dublin-Monaghan bombings.

On Tuesday 17 May, the 42nd anniversary of the bombings, I represented the Government at the commemoration ceremony and stood in solidarity with the families of victims and survivors of the atrocity.

Decades old cases, such as the Dublin-Monaghan bombings, must be adequately addressed if we are to achieve a genuinely reconciled society. Successive Irish Governments, in our ongoing bilateral relations with the UK and through the European Court of Human Rights at Strasbourg, have consistently raised with the British Government the obligation to ensure effective investigations of such cases, including in instances of alleged collusion.

Many families continue to deal not only with the awful pain of losing a loved one, but also with the struggle for answers decades after these traumatic events. The establishment of a new comprehensive framework for dealing with the past, as envisaged in the Stormont House Agreement, is a priority for the Government.

Following the Assembly elections in Northern Ireland, I have engaged further on this issue, most recently on a visit to Belfast this week where I had discussions about the possible route to a final agreement on legacy issues. The Government believes that the legacy institutions agreed under the Stormont House Agreement offer the best hope of helping the thousands of families touched by the Troubles. I am therefore actively working to secure the necessary political agreement to get the legacy bodies established and up and running as soon as possible.

### **Passport Application Refusals**

148. **Deputy Bernard J. Durkan** asked the Minister for Foreign Affairs and Trade why an application for passports for persons (details supplied) were declined; and if he will make a statement on the matter. [11085/16]

**Minister for Foreign Affairs and Trade (Deputy Charles Flanagan):** All passport applications are subject to the terms of the Passports Act, 2008, as amended (the Act). This provides a legal basis for the various policies and practices, which are applied by the Passport Service in the issue of passports. It broadly requires that a person must be an Irish citizen; his/her identity is proven; and in the case of a child, the witnessed consent of that child's guardian(s) is provided.

In the case of the first named person, her naturalisation certificate, dated 12 August, 2015, demonstrated her entitlement to Irish citizenship. However, her application is incomplete in regard to the following requirements of the Act –

The Passport Service last wrote to the parents on 25 February 2016 to advise them of the issues above and that the witness date for the original application was over six months and thus out of date. A new and pre-registered application form was sent to them for their completion.

This has not been returned.

The current position of the application is that it is not compliant with the Act and cannot progress to passport issue. In order to finalise this application, the Passport Service needs to receive the following:

a new witnessed application form and photographs;

original birth certificate or Cameroon passport (Alternatively, a Public Service card when she reaches eighteen years of age.); and

witnessed guardian consent (until she reaches her eighteenth birthday on 4 September, 2016).

As regards the second named person, there is no record on the passport system for this person.

### **Drainage Schemes**

149. **Deputy Tony McLoughlin** asked the Minister for Public Expenditure and Reform with regard to ongoing flooding issues in County Sligo to enable the Office of Public Works which has the machinery required to conduct small-scale work, such as removing trees from the rivers which will alleviate the flooding upstream at the lower ends of the Bonet, the Drumcliff, the Owenmore, the Ballysdare, and the Owenbeg rivers; and if he will make a statement on the matter. [11026/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Office of Public Works (OPW) carries out a programme of Arterial Drainage Maintenance to a total of 11,500 km of river channel and approximately 730 km of embankments nationally. These maintenance works relate to arterial drainage schemes completed by the OPW under the Arterial Drainage Acts 1945 and 1995. The OPW has a statutory duty to maintain the completed schemes in proper repair and effective condition. The annual maintenance programme typically involves some clearance of vegetation and removal of silt build-up on an average five-yearly cycle. Each year, work is carried out to approximately 2,000 km of channel and about 200 structures around the country. The planned OPW maintenance programme in 2016 includes work on approximately 21.5 km of the Bonet Arterial Drainage Scheme.

The other rivers mentioned in the question do not form part of arterial drainage schemes. I am advised that the OPW therefore has no responsibility for the maintenance of the channels, nor any authority to carry out any works there, and that Statutory responsibility for the maintenance and funding of the Coolaney, Drumcliff and Owenmore Drainage Districts lies with the relevant local authority, in this case Sligo County Council.

### **Flood Prevention Measures**

150. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform in instances where local community groups or voluntary organisations have developed detailed and costed flood mitigation and management plans to alleviate local flood risk, compiled in consultation with knowledgeable and accredited professional practitioners, if such proposals will be considered by the competent authorities responsible for flood management; the process by which groups may make such submissions; and if he will make a statement on the matter. [10952/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I am advised by the Commissioners of Public Works that local flooding issues are a matter, in the first instance, for each Local Authority to investigate and address. Any local community group or voluntary organisation which has proposals to make in relation to flood relief measures should, in the first instance, contact their relevant local authority and provide the authority with whatever reports may be applicable in support of their case. It is a matter then for the local authority to assess the information provided by the local voluntary group and to determine whether there is a basis for viable measures to address the flooding problem. The local authority may proceed to carry out works using its own resources or, if necessary, may apply for funding to carry out the works under the Office of Public Works' (OPW) Minor Flood Mitigation Works and Coastal Protection Scheme. This administrative Scheme's eligibility criteria, including a requirement that any measures are cost beneficial are published on the OPW website at <http://www.opw.ie/en/floodriskmanagement/operations/minorfloodworkscoastalprotectionscheme/>.

Under the scheme, only applications submitted by local authorities may be considered and funding, if approved, is provided to local authorities who must carry out, supervise and certify the works. It is not open to local voluntary groups to submit applications under the scheme and no funding is provided to such groups. Any application received from a local authority will be considered in accordance with the overall availability of resources for flood risk management and the scheme's eligibility criteria.

### **Flood Prevention Measures**

151. **Deputy Michael Healy-Rae** asked the Minister for Public Expenditure and Reform the status of an issue (details supplied) in relation to the Office of Public Works; and if he will make a statement on the matter. [10960/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** I am advised by the Commissioners of Public Works that the Office of Public Works (OPW) is not responsible for the maintenance of the channel in this location. Local flooding issues are a matter, in the first instance, for each Local Authority to investigate and address, and local authorities may carry out flood mitigation works using its own resources or, if necessary, may apply for funding under the OPW's Minor Flood Mitigation Works and Coastal Protection Scheme. This administrative Scheme's eligibility criteria, including a requirement that any measures are cost beneficial are published on the OPW website at: <http://www.opw.ie/en/floodriskmanagement/operations/minorfloodworkscoastalprotectionscheme/>.

No application under the minor works scheme has been received to date by the OPW for the location referred to in this question.

### **Public Sector Pay**

152. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform if, when and how he will address unequal pay in the public service, that is, the two-tier pay system whereby new entrants are paid less than older colleagues. [10975/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The issue of addressing the difference in incremental salary scales between those public servants, who entered public service employment since 2011 and those who entered before that date was addressed with the relevant union interests under the provisions of the Haddington Road Agreement (HRA). Any further consideration of remuneration adjustment for any group of public

servants, including issues relating to more recently recruited public servants, will fall to be examined within the provisions of the Public Service Stability Agreement 2013 -2018 (Lansdowne Road Agreement). It will also of course have to comply with the terms of the Financial Emergency Measures in the Public Interest Acts 2009 - 2015 (FEMPI), as well as its affordability being underpinned through delivering enhanced work place practices and productivity.

### **Public Sector Pay**

153. **Deputy Clare Daly** asked the Minister for Public Expenditure and Reform when he will establish the public service pay commission; and when it will report. [10976/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** The Programme for Government contains a strong commitment to fully implement the Public Service Stability Agreement 2013-2018 (Lansdowne Road Agreement) in accordance with the terms and timelines agreed with staff representatives. This sets out the framework and agreed pathway for pay restoration to 2018 for public servants that is affordable and achievable on a fiscally sustainable basis.

As the Deputy is aware, the Programme for Government also states that Government will establish a Public Service Pay Commission to examine pay levels across the public service. The precise structure of such a commission and the technical aspects as to how it would operate have yet to be decided upon and would require broad consultation, including engagement with staff representatives as was committed to in the Lansdowne Road Agreement. My officials have begun to review international best practice in respect of public service pay determination models. This will help frame the Government's thinking on how to establish a fair, transparent and accountable process for determining public service pay, taking into account the views of all stakeholders.

### **Public Sector Staff Recruitment**

154. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform in terms of the recruitment of clerical officers in the public service, if candidates are still being drawn from the panel established from the clerical officer recruitment campaign 2014; his plans for a new clerical officer recruitment campaign in 2016 ; if candidates will then no longer be drawn from the 2014 panel; and if he will make a statement on the matter. [11056/16]

**Minister for Public Expenditure and Reform (Deputy Paschal Donohoe):** As the Deputy will be aware, recruitment to the Civil Service is regulated by the Public Service Management (Recruitment and Appointments) Act 2004. The Act established the Public Appointments Service (PAS) as the centralised recruitment body for the Civil and Public Service.

I have been informed by the PAS that assignments of candidates from the Clerical Officer 2014 campaign is ongoing. Assignments will continue to be made from this panel until a panel from the new campaign is established. It is proposed to advertise a new CO campaign before the end of Q2 2016 and it is anticipated that a panel of candidates from this campaign will be available by Q4.

### **National Parks**

155. **Deputy Dara Calleary** asked the Minister for Arts, Heritage and the Gaeltacht in the



19 May 2016

context of a recent announcement, to extend the seasonal opening hours of a national park (details supplied).in County Mayo. [11067/16]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Heather Humphreys):** My Department is responsible for over 60,000 hectares of diverse landscape within our six National Parks and over 18,000 hectares within our statutory Nature Reserves. All of our National Parks are open to the public all year round.

It is estimated that over 2 million visitors visit our National Parks every year. Visitors can independently explore the parks, or do so as part of guided walks or take part in the many educational programmes run by the National Parks and Wildlife Service. To encourage and maximise use of these facilities, access is free of charge in all cases. Information on public access to the National Parks and Nature Reserves and their scientific significance can be found on my Department's National Parks and Wildlife Service website at [www.npws.ie](http://www.npws.ie).

Within the constraints imposed by current economic conditions, I am continuing to invest in visitor facilities in parks and nature reserves to maximise their sustainable use and enjoyment. To this end, and building on previous investment in this area, my Department is working on proposals to further develop facilities for visitors such as walking and cycling routes, enhanced signage and interpretation.

In terms of access to the visitor centre, as distinct from the National Park, at the location referred to by the Deputy, this aspect is contingent on available staffing levels and are the subject of ongoing consideration in light of the overall business needs and within the pay frameworks in place at the time. Any temporary posts that arise from time to time are advertised in the local media and/or my Department's website at [www.ahg.gov.ie/en/Heritage](http://www.ahg.gov.ie/en/Heritage). While the visitor centre at this National Park is open on a seasonal basis from March to October, the mountain boardwalk and trails within the National Park are easily accessible over the winter months.

Our National Parks and Nature Reserves are there for all to enjoy and their locations around the country give everyone easy access to areas of unrivalled natural rugged beauty. It has been, and continues to be, my intention to facilitate, to the greatest extent possible, public access and appropriate visitor use in these parks and reserves. Such access and use must, of course, be consistent with the ethos of the National Parks as natural places of peace and tranquillity set in scenic landscapes, as well as being compatible with the conservation and biodiversity considerations that are of necessity associated with the management of heritage properties. For example, National Parks and Nature Reserves are largely covered by designations under the EU Birds and Habitats Directives and all activities within these sites must be consistent with the requirements of those Directives.

### **Hospital Services**

156. **Deputy Michael Healy-Rae** asked the Minister for Health the status of cataract operations (details supplied); and if he will make a statement on the matter. [10970/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Orthodontic Services Waiting Lists**

157. **Deputy Sean Fleming** asked the Minister for Health if he is aware of persons on the

orthodontic waiting list who have been screened through the schools programme but who have been waiting for treatment from the beginning of 2011; if he will deal with this issue in 2016; and if he will make a statement on the matter. [10972/16]

**Minister for Health (Deputy Simon Harris):** The HSE provides orthodontic treatment to those who have been assessed and referred for treatment before their 16th birthday. Patients are assessed by the HSE Orthodontic Service under the modified Index of Treatment Need. Patients with the greatest level of need are provided with treatment by the HSE. At the end of Q1 2016 1,229 patients had been waiting over four years for treatment. Following a national procurement process, a panel of independent practitioners is currently being contracted by the HSE to provide treatment for certain categories of misalignment. The practitioners will be under contract over the next three years, with consideration of an extension to four years. This initiative will especially focus on those waiting for four years or longer. It is expected that this initiative will have a positive impact on waiting times.

In addition, a pilot scheme in the Dublin North East area (DNE), which involves up-skilling staff to work as orthodontic therapists is currently underway. A dental hygienist and a dental nurse qualified as orthodontic therapists in September 2015 and are now working in the HSE under the supervision of specialist orthodontists. The scheme is currently undergoing an evaluation, which includes consideration of how the scheme is affecting waiting lists. Figures are currently being collated and early indications are positive. It is planned to extend the scheme after the evaluation has been completed.

### **Medical Aids and Appliances Provision**

158. **Deputy James Browne** asked the Minister for Health if he will compile and make public a list of locations for automated external defibrillators; and if he will make a statement on the matter. [10982/16]

**Minister for Health (Deputy Simon Harris):** I am glad to advise the Deputy that one of the means to help improve health outcomes in this area is through the expansion of the National First Response Network. Community first responder groups comprise this national network. These are people from local communities who are trained in basic life support and the use of defibrillators that attend a potentially life threatening emergency in their area. They are then able to provide an early intervention in situations such as heart attack or cardiac arrest by providing, among other things, resuscitation and defibrillation.

Cardiac First Responders (CFR) Ireland, launched in 2015, is the national umbrella organisation for Community First Responders Groups. CFR Ireland is supported by the National Ambulance Service, Pre-Hospital Emergency Care Council and the Centre for Emergency Medical Science UCD. There are currently 135 Community First Responder groups linked to the National Ambulance Service National Emergency Operations Centre. If an emergency 999/112 call for cardiac arrest, choking, chest pain or breathing difficulties is made to the National Ambulance Service in an area where a CFR group is established, the on-duty CFR member gets a text from the National Ambulance Service at the same time that an ambulance is despatched with location and call details. The First Responder then goes straight to the scene and administers initial care (defibrillation if required) until the National Ambulance Service Emergency resources arrive.

This national initiative provides an opportunity to extend care for cardiac events. In addition, the development of a national Automated External Defibrillator (AED) register is under initial consideration.

## Services for People with Disabilities

159. **Deputy Niamh Smyth** asked the Minister for Health why children who have been diagnosed with autism spectrum disorder and who have previously received support from Enable Ireland have to go through the process of being on waiting lists without being able to access services upon transfer to the Health Service Executive provided services on their sixth birthday; if he will reform this process.; and if he will make a statement on the matter. [10983/16]

160. **Deputy Niamh Smyth** asked the Minister for Health why a child (details supplied) has to be put on a waiting list for speech and language services and occupational therapy services by the Health Service Executive despite having a formal diagnosis of autism spectrum disorder and having previously been in receipt of such services by Enable Ireland prior to the sixth birthday. [10984/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** I propose to take Questions Nos. 159 and 160 together.

The Government is committed to providing services and supports for people with disabilities which will empower them to live independent lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. This commitment is outlined in the Programme for A Partnership Government, which is guided by two principles: equality of opportunity and improving the quality of life for people with disabilities.

Improving access to therapy services for children in primary care and in disability services is a particular priority for the Government. Building on additional investment in recent years, funding of €8m is being provided to the HSE in 2016 to expand the provision of Speech and Language Therapy in primary care and the further development of early intervention therapy services under the Progressing Disabilities Programme.

Within this context, I have asked the HSE to respond directly to the Deputy in relation to this specific case and issue. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

## Hospital Appointments Status

161. **Deputy Pearse Doherty** asked the Minister for Health when a person (details supplied) will receive an appointment from University Hospital Galway, County Galway; and if he will make a statement on the matter. [10986/16]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The scheduling of appointments for patients is a matter for the hospital to which the patient has been referred. Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she should take the matter up with the consultant and the hospital involved. In relation to the specific case raised, I have asked the HSE to respond to you directly.

If you have not received a reply from the HSE within 15 working days please contact my

Private Office and my officials will follow the matter up.

### **Speech and Language Therapy Provision**

162. **Deputy Fiona O'Loughlin** asked the Minister for Health if he will provide speech and language therapy to a person (details supplied); and if he will make a statement on the matter. [10989/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter it has been referred to the Health Service Executive for direct reply. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

### **General Medical Services Scheme**

163. **Deputy Clare Daly** asked the Minister for Health if he will investigate allegations that a general practitioner surgery (details supplied) is charging medical cardholders for phlebotomy services, given his Department has repeatedly stated that persons covered by the general medical services scheme should not be charged for routine phlebotomy services provided by their general practitioner or by the practice nurse on behalf of the general practitioner, which are required to assist in the diagnosis of a patient or to monitor a diagnosed condition. [11000/16]

**Minister for Health (Deputy Simon Harris):** Persons covered by the General Medical Services (GMS) Scheme should not be charged for routine phlebotomy services provided by their GP, or the Practice Nurse on behalf of the GP, which are required to either assist in the diagnosis of illness or the treatment of a condition.

Consultation fees charged by GPs outside the terms of the GMS contract are a matter of private contract between the clinicians and the patients. While I have no role in relation to such fees, I would expect clinicians to have regard to the overall economic situation in setting their fees.

The Department of Health and the HSE are cognisant of the need for a new contract with GPs that will help modernise our health service and develop a strengthened primary care sector and negotiations are underway with the Irish Medical Organisation in this regard. The development of appropriate contractual arrangements in relation to the management of chronic conditions and issues such as phlebotomy services are amongst the significant issues to be considered during the contractual talks.

As this is a service matter, I have asked the HSE to respond directly to the Deputy on this issue. If you have not received a reply from the HSE within 15 working days, please contact my private office and they will follow up the matter with them.

### **Assisted Human Reproduction Services Expenditure**

164. **Deputy Louise O'Reilly** asked the Minister for Health the status of the review of international public funding models for fertility treatment; when he will introduce legislation on this; and if he will make a statement on the matter. [11003/16]

165. **Deputy Louise O'Reilly** asked the Minister for Health the cost of providing fertility

treatment through the public health system; the cost of funding one, two and three cycles of in vitro fertilisation; and if he will make a statement on the matter. [11004/16]

**Minister for Health (Deputy Simon Harris):** I propose to take Questions Nos. 164 and 165 together.

On Monday 1 February 2016, the then Minister for Health, Leo Varadkar, announced his intention to provide public funding for assisted human reproduction (AHR) treatment in conjunction with the planned introduction of legislation in this area. It is important that consideration be given to how best to provide public funding for fertility treatment. To that end, Minister Varadkar commissioned an evidence review of international public funding models. This review will provide us with a comprehensive report of the existing evidence using a systematic approach, which will be invaluable in determining the most appropriate funding model for AHR in the State. It is expected that the evidence review will be completed before the end of 2016.

Separately to this evidence review, my officials are currently drafting a General Scheme of legislative provisions dealing with AHR, with a view to closing the legislative gap in this area of healthcare. Once the General Scheme is completed and the AHR legislation is subsequently enacted, the Government will be in a position to provide fertility treatments based on the best model of funding for Ireland.

It is important to note that while in vitro fertilisation (IVF) treatment is not provided by the Irish public health service, there is some support available in that patients who access IVF treatment privately may claim tax relief on the costs involved under the tax relief for medical expenses scheme. In addition, a defined list of fertility medicines needed for fertility treatment is covered under the High Tech Scheme administered by the Health Service Executive (HSE). Medicines covered by the High Tech Scheme must be prescribed by a consultant/specialist and approved by the HSE 'High Tech Liaison Officers'. The cost of the medicines is then covered, as appropriate, under the Medical Card or Drugs Payment Scheme.

### **Health Services Staff Recruitment**

166. **Deputy Bobby Aylward** asked the Minister for Health to initiate the recruitment of a community-based diabetes nurse specialist, which his Department has already sanctioned, to cater for the obvious and growing needs of the local diabetes community in County Kilkenny; and if he will make a statement on the matter. [11005/16]

**Minister for Health (Deputy Simon Harris):** As the Deputy's question relates to a service matter, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

### **Health Services Provision**

167. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a person (details supplied) who suffers from an illness; and if he will make a statement on the matter. [11015/16]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the

Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

In relation to the specific case raised, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Treatment Abroad Scheme**

168. **Deputy Peter Fitzpatrick** asked the Minister for Health the number of persons from County Louth who availed of the travel abroad scheme in 2015; the cost of same; and if he will make a statement on the matter. [11023/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. If the Deputy has not received a reply from the HSE within 15 working days, he should contact my Private Office who will follow up the matter with the HSE.

### **Hospital Appointments Status**

169. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a hospital appointment for a person (details supplied); and if he will make a statement on the matter. [11024/16]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The scheduling of appointments for patients is a matter for the hospital to which the patient has been referred. Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she should take the matter up with the consultant and the hospital involved. In relation to the specific case raised, I have asked the HSE to respond to the Deputy directly. If the Deputy has not received a reply from the HSE within 15 working days he should contact my Private Office and my officials will follow the matter up.

### **Health Services Staff Data**

170. **Deputy Michael McGrath** asked the Minister for Health the number of whole-time equivalent child psychologist posts employed in primary care per 1,000 population, and the number of persons served by these, by county, in tabular form; his views on any regional variation; and if he will make a statement on the matter. [11031/16]

**Minister for Health (Deputy Simon Harris):** As this is a service issue, this question has been referred to the Health Service Executive for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he should contact my Private Office and it will follow up the matter with the HSE.

### **Mental Health Services Staff**

171. **Deputy Carol Nolan** asked the Minister for Health the funding allocated to mental health service and the number of staff who are in place in the service in County Offaly in each of the past six years, in tabular form; the number of positions to be filled; the number of staff members expected to retire or take other leave from the service within the next 12 months; and if he will make a statement on the matter. [11049/16]

**Minister for Health (Deputy Simon Harris):** As this is a service issue this question has been referred to the HSE for direct reply. If the Deputy has not received a reply within 15 working days, she would contact my Private Office and it will follow up the matter with the HSE.

### **Mobility Allowance Review**

172. **Deputy Carol Nolan** asked the Minister for Health to reinstate the motorised transport grant and the mobility allowance; and if he will make a statement on the matter. [11050/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** Conscious of the reports of the Ombudsman regarding the legal status of both the Mobility Allowance and Motorised Transport Grant Schemes in the context of the Equal Status Acts, the Government decided to close both schemes. Both schemes remain closed.

However, the Government also decided that monthly payments will continue to be made by the Health Service Executive to 4,700 people who were in receipt of the Mobility Allowance at the time the scheme closed, on the basis that this would prevent hardship and, on an interim basis, alleviate stress, anxiety and uncertainty among a vulnerable group in society.

The Government decided that the detailed preparatory work required for a new Transport Support Scheme and associated statutory provisions should be progressed by the Minister for Health. The Department is seeking a solution which would best meet the aim of supporting people with severe disabilities who require additional income to contribute towards the cost of their mobility needs, while remaining within the available budget and satisfying all legal and equality concerns.

Work is ongoing on the policy proposals to be brought to Government for the drafting of primary legislation for a new scheme. The proposals seek to ensure that:

- There is a firm statutory basis to the Scheme's operation;
- There is transparency and equity in the eligibility criteria attaching to the Scheme;
- Resources are targeted at those with the greatest needs; and
- The Scheme is capable of being costed and it is affordable on its introduction and on an ongoing basis.

I am pleased to inform the Deputy that the Programme for Partnership Government acknowledges the ongoing drafting of primary legislation for a new Transport Support Scheme.

### **Hospital Waiting Lists**

173. **Deputy Timmy Dooley** asked the Minister for Health when a person (details supplied)

will have a procedure; and if he will make a statement on the matter. [11057/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days he should contact my Private Office and it will follow up the matter with the HSE.

### Hospital Waiting Lists

174. **Deputy Michael Healy-Rae** asked the Minister for Health the status of an operation for a person (details supplied); and if he will make a statement on the matter. [11058/16]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the HSE, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to the Deputy directly. If the Deputy has not received a reply from the HSE within 15 working days he should contact my Private Office and my officials will follow the matter up.

### Psychological Services

175. **Deputy Michael McGrath** asked the Minister for Health to urgently provide access to a child psychologist for a person (details supplied) with special needs; and if he will make a statement on the matter. [11064/16]

**Minister for Health (Deputy Simon Harris):** As this is a service issue this question has been referred to the HSE for direct reply. If you have not received a reply within 15 working days, please contact my Private Office and they will follow up the matter with them.

### Medical Card Eligibility

176. **Deputy Thomas Pringle** asked the Minister for Health why applicants who satisfy the criteria for a primary medical certificate, such as those with only one leg, are being refused in County Donegal; and if he will make a statement on the matter. [11071/16]

**Minister of State at the Department of Health (Deputy Finian McGrath):** The Drivers and Passengers with Disabilities Tax Relief Scheme is operated by the Revenue Commissioners and provides tax relief for vehicles purchased for use by people with specific severe and permanent physical disabilities. The eligibility criteria for the scheme are set out by the Department of Finance, details of which can be found on [www.revenue.ie](http://www.revenue.ie).



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In order to qualify for tax relief under the scheme, the person with a disability must have a valid Primary Medical Certificate, applications for which are processed by the Health Service Executive (HSE) Local Health Offices. If the HSE refuses an application for a Primary Medical Certificate, the person is informed that they may appeal the refusal to the Disabled Drivers Medical Board of Appeal, which is based at the National Rehabilitation Hospital, in Dun Laoghaire, Co. Dublin.

If the Deputy has a particular case in mind, he is welcome to contact my Private Office with the details and the matter will be followed up with the HSE. In the meantime, I have arranged for the Deputy's question to be referred to the HSE for a direct reply to the Deputy regarding the numbers of refusals of Primary Medical Certificates in Co. Donegal and any other information relevant to the Deputy's question.

### **Primary Care Reimbursement Service Payments**

177. **Deputy Thomas Pringle** asked the Minister for Health the reasons for the delays in processing information sent to the Primary Care Reimbursement Service by applicants for medical cards and by public representatives that are leading to unacceptable delays in processing applications; and if he will make a statement on the matter. [11072/16]

**Minister for Health (Deputy Simon Harris):** The Primary Care Reimbursement Service has a target to have 90% of properly completed medical/GP visit card applications processed within 15 days of the application having been received by the HSE. The current turnaround is 99.88% within 15 days. This refers to applications, again properly completed, that enable an assessor to make a determination on eligibility under the scheme.

The length of time that it takes for applicants to receive a decision on their medical card applications where a fully completed application form was not submitted, depends on how quickly the applicants respond to the subsequent request for additional information. Once the outstanding documentation is received, the assessment is prioritised without delay.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. Should the Deputy wish to provide information about a specific case or case, the HSE has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members.

### **Hospital Services**

178. **Deputy Peter Fitzpatrick** asked the Minister for Health to extend the opening hours and the age limits of patients treated in the minor injuries unit at Louth County Hospital in line with the programme for Government; and if he will make a statement on the matter. [11076/16]

**Minister for Health (Deputy Simon Harris):** As this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Hospital Appointments Status**

179. **Deputy Michael Healy-Rae** asked the Minister for Health the status of a hospital appointment for a person (details supplied); and if he will make a statement on the matter. [11082/16]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual.

The scheduling of appointments for patients is a matter for the hospital to which the patient has been referred. Should a patient's general practitioner consider that the patient's condition warrants an earlier appointment, he or she should take the matter up with the consultant and the hospital involved. In relation to the specific case raised, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Medical Card Applications**

180. **Deputy Bernard J. Durkan** asked the Minister for Health if and when he will renew a medical card for a person (details supplied); and if he will make a statement on the matter. [11095/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members.

If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

### **Medical Card Applications**

181. **Deputy Bernard J. Durkan** asked the Minister for Health if and when he will issue a medical card to a person (details supplied); and if he will make a statement on the matter. [11101/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible.

The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

## Medical Card Applications

182. **Deputy Bernard J. Durkan** asked the Minister for Health if and when he will issue a medical card to a person (details supplied); and if he will make a statement on the matter. [11112/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

## Treatment Abroad Scheme

183. **Deputy Louise O'Reilly** asked the Minister for Health the number of persons who have been diagnosed with Ehlers Danlos Syndrome; the supports available to sufferers of the syndrome; why there is no specialist clinician to treat sufferers and when they make an application for treatment in the United Kingdom under the Health Service Executive's treatment abroad scheme, their applications are refused; and if he will make a statement on the matter. [11115/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive (HSE) operates a Treatment Abroad Scheme (TAS), for persons entitled to treatment in another EU/EEA Member State or Switzerland under EU Regulation 883/04, as per the procedures set out in EU Regulation 987/09, and in accordance with Department of Health Guidelines. Subject to the EU Regulations and Guidelines, the TAS provides for the cost of approved treatments in another EU/EEA member state or Switzerland through the issue of form E112 (IE) where the treatment is:

- Among the benefits provided for by Irish legislation,
- Not available in Ireland,
- Not available within the time normally necessary for obtaining it in Ireland, taking account of the patient's current state of health and the probable course of the disease.

Applications to the TAS are processed and a determination given in accordance with the statutory framework prior to a patient travelling to avail of treatment. The presence of a rare illness, such as Ehlers Danlos Syndrome, is not of itself criteria for availing of treatment abroad: most rare diseases are treated without any need for recourse to services in other jurisdictions. It is not possible to give a "blanket" statement on applications to TAS for patients with a particular condition.

All patients in conjunction with their Irish based public referring hospital consultant have the ability to apply to the HSE TAS seeking access to public healthcare outside the State. Each application to the HSE TAS is reviewed individually on its own merits and there are no restrictions on a person making an application to the HSE TAS for review and decision. Each application is for an individual episode of care unless otherwise specified by the consultant on the

application form.

As the other issues raised by the Deputy relate to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy. If you have not received a reply from the HSE within 15 working days please contact my Private Office and they will follow up the matter with them.

### **Nursing Homes Support Scheme**

184. **Deputy Louise O'Reilly** asked the Minister for Health his plans to upgrade or change the fair deal scheme; and if he will make a statement on the matter. [11116/16]

**Minister for Health (Deputy Simon Harris):** When the Nursing Homes Support Scheme commenced in 2009, a commitment was made that it would be reviewed after three years. The Report of the Review was published in July 2015.

The Review included a general examination of the operation of the Scheme, as well as the balance between residential care and care in the community. A number of key issues have been identified for more detailed consideration across Departments and Agencies.

In this regard, an Interdepartmental/Agency Working Group has been established to progress the recommendations contained in the Review. These recommendations include the implementation of administrative reforms to the Scheme, and a review by the National Treatment Purchase Fund of the pricing system for private long-term residential care facilities.

The Working Group is chaired by the Department of Health and includes representatives from the Department of the Taoiseach, the Department of Public Expenditure and Reform, the HSE, the Revenue Commissioners and, when required, the National Treatment Purchase Fund. This Group is due to report on progress to the Cabinet Committee on Health in June 2016.

However, there are no plans to change the level of contributions made by participants in the Scheme towards their cost of care, and this is not part of the Working Group's remit.

### **Medical Card Applications**

185. **Deputy Noel Rock** asked the Minister for Health to re-open an application by a person (details supplied) under the medical card scheme; and if he will make a statement on the matter. [11140/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

### **Medical Card Applications**

186. **Deputy Noel Rock** asked the Minister for Health to re-open an application by a person (details supplied) under the medical card scheme; and if he will make a statement on the matter. [11144/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

### **Medical Card Applications**

187. **Deputy Noel Rock** asked the Minister for Health to re-open an application by a person (details supplied) under the medical card scheme; and if he will make a statement on the matter. [11146/16]

**Minister for Health (Deputy Simon Harris):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has recently issued to Oireachtas members. If the Deputy has not received a reply from the HSE within 15 working days, please contact my Private Office who will follow up the matter with them.

### **Community Care**

188. **Deputy John McGuinness** asked the Minister for Health if the Health Service Executive will conduct an audit to ensure that the buildings it uses to house community primary care teams are fit for purpose; if it will review the grade system across therapists and if therapists will be treated equally in the context of consideration for lead positions or the lead position of primary care teams; if it will include training for the various grades of therapist; if all the community primary care teams have their full compliment of professional and trained staff; and if he will make a statement on the matter. [11161/16]

**Minister for Health (Deputy Simon Harris):** As the Deputy's question relates to service matters, I have arranged for the question to be referred to the Health Service Executive (HSE) for direct reply to the Deputy. If the Deputy has not received a reply from the HSE within 15 working days, he can contact my Private Office and they will follow the matter up with the HSE.

### **Hospital Services**

189. **Deputy John McGuinness** asked the Minister for Health why a person was waiting

five hours to have an operation and was discharged without having it; why the operation was on other dates; the date the operation will now be arranged for; and if he will make a statement on the matter. [11162/16]

**Minister for Health (Deputy Simon Harris):** Under the Health Act 2004, the Health Service Executive (HSE) is required to manage and deliver, or arrange to be delivered on its behalf, health and personal social services. Section 6 of the HSE Governance Act 2013 bars the Minister for Health from directing the HSE to provide a treatment or a personal service to any individual or to confer eligibility on any individual. The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2014*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists. In relation to the particular query raised, as this is a service matter, I have asked the HSE to respond to you directly. If you have not received a reply from the HSE within 15 working days please contact my Private Office and my officials will follow the matter up.

### **Bord na gCon**

190. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine the statute under which the name of Bord na gCon was changed to the Irish Greyhound Board; the reason for this change; if he will revert to the name given in the Greyhound Industry Act 1958 which was Bord na gCon in the proposed new legislation for this sector; and if he will make a statement on the matter. [10953/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Bord na gCon was established under the Greyhound Industry Act 1958 to provide for the improvement and development of the greyhound industry, greyhound racing and coursing and for the better control of greyhound race tracks and coursing grounds. There has been no change to the Bord na gCon name.

### **Rural Development Programme Funding**

191. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine whether the €15 million to be invested in island communities during the course of the rural development programme as a special payment to assist island farmers in preserving traditional farming methods and preventing land abandonment as outlined on page 114 of the programme for Government is additional to the already operational island top-up on the payment for areas of natural constraint and the Aran life project; if it is, the nature of the projects this funding will be spent on; and if he will make a statement on the matter. [10962/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Ireland's Rural Development Programme contains two sub-measures which together form the Areas of Natural Constraint Scheme. These are the continuation of the previous support delivered under the Less Favoured Areas Scheme and a new targeted support for island farmers. This support for island farmers was included in the RDP in recognition of the specific constraints island farmers face. For example, island holdings are generally small and fragmented and farming these holdings is a low yield and labour intensive undertaking. In recognition of these constraints, the Areas of Natural Constraints Scheme includes higher rates of payment for island farmers as follows:

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- €250 per hectare for the first 20 hectares of island land farmed
- €170 per hectare for hectares 20-34
- €70 per hectare for hectares 34-40

The €15 million commitment in the Programme for Government will underpin these payments and ensure sufficient funding is available in the RDP during the remainder of the term of the programme.

### **Scéim um Roghanna Comhshaoil Talmhaíochta**

192. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Talmhaíochta, Bia agus Mara cad é méid iomlán na híocaíochta a bhí dlite d'fheirmeoir (sonraí tugtha) faoin scéim um roghanna comhshaoil talmhaíochta (AEOS) do 2015; cén méid atá le baint as an íocaíocht sin mar phionóis atá gearrtha air do na blianta 2011, 2012, 2013, 2014 agus 2015; cén méid atá íoctha leis go dáta faoi scéim 2015; cén fuilleach atá le híoc leis fós don bhliain 2015 agus cén uair a íocfar é; agus an ndéanfaidh sé ráiteas ina thaobh. [10969/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Chuir an duine a ainmnítear tús lena gconradh faoin Scéim um Roghanna Comhshaoil Talmhaíochta (an SRCT) an 1 Samhain 2010. Eisíodh an íocaíocht do bhlianta 2010-2014 na Scéime. Faoi Rialacháin an AE a rialaíonn an Scéim agus scéimeanna eile íocaíochta limistéarbhunaithe, is gá seiceáil chuimsitheach riaracháin a chríochnú, cros-seiceálacha san áireamh leis an gCóras Aitheanta Dáileachtaí Talún. Mar gheall go mbeidh a n-íocaíochtaí deiridh á bhfáil ag gach rannpháirtí san SRCT faoin scéim, críochnaíodh na hathsheiceálacha ar íocaíochtaí a rinneadh do gach bliain scéime sular próiseáladh an íocaíocht deiridh. D'aimsigh an tseiceáil seo neamhréireachtaí idir an méid a íocadh le haghaidh Cothabháil Balla Cloiche Traidisiúnta (CBCT) agus an méid atá le híoc, agus laghdaíodh an méid atá dlite don bhliain 2015, gearradh pionós, agus aisghabhadh na méideanna a íocadh do bhlianta 2010-2014 na scéime dá bharr. Chomh maith leis sin, gearradh pionós Traschomhlíonta 5%.

An méid atá Dlíte don bhliain 2015 €2325.78

Asbhaintí iomlána €917.71

An íocaíocht atá dlite i ndiaidh na n-asbhaintí €1408.07

Eisíodh an íocaíocht deiridh a bhaineann le bliain 2015 na Scéime lúide na hasbhaintí a shonraítear thuas in dhá chuid. Íocadh 85%, arb ionann í agus suim €1059.21 an 29 Aibreán 2016 agus íocadh an fuilleach 15%, arb ionann í agus suim €348.86 an 3 Bealtaine 2016.

### **Agri-Environment Options Scheme Payments**

193. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Food and the Marine when he will issue payment to a person (details supplied) under the agri-environment options scheme; the reason for the delay; and if he will make a statement on the matter. [10971/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** My Department has been investigating a number of cases involving the submission of invoices, which originated from one particular source, to verify and support their claims under the non-productive capital investment action of AEOS. It is known that in some cases the invoices submitted

by participants, or their representatives, were for amounts greater than what was actually paid by the participants for the purchase of trees and hedgerow plants. Funding provided under the scheme comes partly from the EU and partly from the National Exchequer. There is a requirement and obligation to ensure that the expenditure claimed by scheme participants reflects the reality of what took place.

The person registered as the owner of the herd number cited was written to by the Department in September 2014 requesting the submission of alternative verifiable proof to support an invoice that was included in the claim for expenditure incurred. A number of letters have been exchanged since. However, no verification of the expenditure has been received.

A further letter issued to the person concerned on 14 October 2015 informing them of a determination made by the Department which included the clawback of undue payments already made and the imposition of penalties as set out in the EU Regulations. The person concerned was also offered the opportunity to have this determination reviewed within the Department by submitting additional information if they wished.

The person concerned sought a review and a final decision letter issued on 24 February 2016, again outlining the clawback of undue payments made and the penalties to be imposed. They were also advised of the option of appealing this decision to the Agriculture Appeals Office within three months of the date of the review letter.

A further letter issued to the person named on 31 March 2016 giving details of the amount to be recouped. There are no payments due to be made in this case.

### **Animal Welfare**

194. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 25 of 5 May 2016, the welfare certification required from exporters of dogs to China and how this operates to protect dogs which are exported. [10990/16]

196. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine if he is aware that 24 Irish greyhounds that were due to fly from Manchester to China on 12 May, 2016 did not go because of protests and complaints at the airport; and if he will take steps to ensure that the welfare of these greyhounds is secured upon their return to Ireland. [10992/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 194 and 196 together.

All exporters of dogs are required to provide veterinary certification in relation to (i) their compliance with identification requirements (Microchipping and pet passport where appropriate) (ii) their fitness for the intended journey (iii) their health status (iv) rabies vaccination requirements. Once these animal health and welfare certification requirements are met, dogs, including greyhounds, may be exported internationally.

Health certification arrangements are in place and exporters are also required to comply with the provisions of Council Regulation (EC) No 1 of 2005 on the protection of animals during transport. A range of flight carriers make the appropriate arrangements for the safe transport of animals worldwide in accordance with the requirements of International Air Transport. The Irish Greyhound Board (IGB) has advised all owners involved in the export of greyhounds to only export to destinations that provide the expected levels of care and management as defined in the IGBs Code of Practice for the welfare of greyhounds. I fully endorse this view.



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With regard to the 24 greyhounds, I understand that the greyhounds in question have returned to Ireland and were inspected by officers of my Department and found to be in good health.

### **Bord na gCon**

195. **Deputy Clare Daly** asked the Minister for Agriculture, Food and the Marine further to Parliamentary Question No. 25 of 5 May 2016, the oversight mechanisms the Irish Greyhound Board has in place such that it has confidence that its advice to owners involved in the export of greyhounds to only export to destinations that provide the expected levels of care and management as defined in the IGB's code of practice for the welfare of greyhounds is being followed; and what sanctions the board has in place should it find that it is not. [10991/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Bord na gCon is responsible for the governance, regulation and development of the greyhound industry in the Republic of Ireland. Bord na gCon's remit is to regulate all aspects of greyhound racing including the licensing of tracks; the issuing of permits to officials, bookmakers and trainers; and the implementation of the rules of racing. The wellbeing of greyhounds, including their physical and social environment, is at the core of Ireland's greyhound industry. Bord na gCon is totally committed to the welfare of greyhounds and the promotion of the highest standards of care throughout the industry. In particular, Bord na gCon's Code of Practice in relation to the welfare of greyhounds clearly sets out specific standards that all individuals engaged in the care and management of registered Greyhounds are expected to meet. The Code of Practice emphasises that owners and keepers must take full responsibility for the physical and social well-being of greyhounds in line with best welfare practice.

Oversight mechanisms in place regarding greyhound exports include inter-agency co-operation, co-operation with fellow members of International Greyhound Forum and from intelligence/information which is received from Welfare Officers during the course of investigations carried out under the Welfare of Greyhounds Act 2011. Where any breaches of welfare standards are identified under the Welfare of Greyhounds Act 2011, Bord na gCon takes stringent actions and prosecutions ensue in accordance with the Welfare of Greyhounds Act 2011. Bord na gCon expects the proper standard of welfare of greyhounds to be maintained in all jurisdictions worldwide and advises all owners involved in the export of greyhounds to only export to destinations that provide the expected levels of greyhound care and management as defined in the Code.

*Question No. 196 answered with Question No. 194.*

### **Aquaculture Licence Applications**

197. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine to grant a licence for cultivating mussels to a person (details supplied); and if he will make a statement on the matter. [11006/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The application referred to by the Deputy is on behalf of Sneem Fishermen's Cooperative Society Ltd (which includes the individual identified by the Deputy). The relevant sites are located within Kenmare Bay which is designated as a Special Area of Conservation under the EU Habitats

Directive (Natura 2000 site).

All applications in 'Natura' areas are required to be appropriately assessed for the purpose of environmental compliance with the EU Birds and /or Habitats Directives. An Appropriate Assessment has been carried out by the Marine Institute in respect of Kenmare Bay Special Area of Conservation. My Department has prepared an Appropriate Assessment Conclusion Statement which outlines how it is proposed to licence aquaculture in Kenmare Bay Special Area of Conservation in compliance with the Habitats Directive. This Conclusion Statement is available on the Department's website.

In addition to Natura requirements, under EU Environmental Impact Assessment Directives all licence applications must undergo an Environmental Impact Screening Assessment. This requires significant input from my Department's scientific and technical advisors. All applications, in compliance with the requirements of the applicable legislation, are advertised in order to facilitate public consultation, and submissions or observations received must be considered as part of the licence determination process.

While the Appropriate Assessment is carried out on a bay-wide basis, each licence application within the bay must be assessed individually. My Department has been in recent communication with the applicant in respect of elements of the application and the process of determining the application is ongoing at this time.

Every effort is being made to expedite the determination of this aquaculture licence application having regard to all the complexities involved.

### **Animal Welfare**

198. **Deputy Paul Murphy** asked the Minister for Agriculture, Food and the Marine the measures he takes to protect the welfare of greyhounds exported outside of Ireland; if he has concerns as to the welfare of greyhounds exported to the Macau Special Administrative Region in China; and if he will make a statement on the matter. [11061/16]

199. **Deputy Paul Murphy** asked the Minister for Agriculture, Food and the Marine the number of greyhounds exported by country in each of the past five years in tabular form; and if he will make a statement on the matter. [11062/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** I propose to take Questions Nos. 198 and 199 together.

Once appropriate animal health and welfare certification requirements are met, dogs, including greyhounds, may be exported internationally. Health certification arrangements are in place and exporters are also required to comply with the provisions of Council Regulation (EC) No 1 of 2005 on the protection of animals during transport. A range of flight carriers make the appropriate arrangements for the safe transport of animals worldwide in accordance with the requirements of International Air Transport.

With regard to the export of greyhounds to Macau, the Irish Greyhound Board (IGB) has recently advised all owners involved in the export of greyhounds to only export to destinations that provide the expected levels of care and management as defined in the IGBs Code of Practice for the welfare of greyhounds. I fully endorse this view.

There are no requirements or facilities for recording the breed of dog as part of the export certification process. Accordingly, it is not possible to provide the Deputy with the breakdown

of export trade statistics he is seeking. In addition, up to 2014, dogs moved freely between Ireland and the UK. However, following the implementation of EU Regulations 576/13 and 577/13, a more detailed breakdown of canine exports to EU countries from Ireland from 2015 onwards is available and these are set out in the following table. Exports to third countries are not recorded centrally; however I understand that 9 dogs were exported recently to China.

Country of Destination	Number of Animals Exported in 2015	Number of Animals Exported 1 Jan. to 16 May 2016
Belgium	50	17
Czech Republic	80	16
Denmark	12	5
Finland	0	9
France	29	3
Germany	277	112
Greece	1	16
Italy	362	137
Luxembourg	0	2
Lithuania	1	0
Malta	3	0
Netherlands	18	8
Norway	2	11
Poland	1	0
Portugal	70	42
Slovenia	4	8
Spain	44	13
Sweden	580	459
Switzerland	26	6
United Kingdom	9,256	3,628
	10,816	4,492

### Agri-Environment Options Scheme Payments

200. **Deputy Bobby Aylward** asked the Minister for Agriculture, Food and the Marine to expedite a payment to a person (details supplied) under the agri-environment options scheme whose payment has been delayed by five months, as a result of being selected for a random audit which was subsequently passed; and if he will make a statement on the matter. [11070/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** The person named commenced their AEOS contract on 1 September 2010. Payment issued for the 2010-2014 Scheme years. Under the EU Regulations governing the Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System must take place. As all AEOS 1 participants will be receiving their final payments under the scheme, re-checks on payments made for all scheme years must be completed before final payment can be processed. Officials are working through these files and payment will be made as soon as possible.

### Superlevy Fine

201. **Deputy Sean Fleming** asked the Minister for Agriculture, Food and the Marine to urgently suspend for a period the agreement in place whereby farmers who had a superlevy payment that they were agreeing to repay over a three-year period, given the crisis in the dairy industry and that payments are due to be deducted from approximately 3,000 farmers commencing in May 2016; and if he will make a statement on the matter. [11074/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** As the Deputy may be aware, the a facility to phase the final superlevy payment over three years was introduced by the EU Commission last year at Ireland's request. Farmers availing of the facility must pay at least one third of the bill in each of the first two years (2015 and 2016) with the balance to be paid in 2017. The Department implemented the scheme nationally and 3,741 farmers (out of a total of 6,109 farmers who incurred the levy) deferred repayments of €35.6m in superlevy liability, (out of a total national levy liability of €71.2m).

The mechanism required the Exchequer to pay the superlevy liability to the EU in full in 2015, and to recover the levy from farmers over the three years from 2015 to 2017. A wide process of consultation in the design of the scheme was undertaken with farm organisations and co-ops and it was agreed that once the initial farmer instalment was paid in 2015, the optimum repayment model for the balancing payments would involve ten equal instalments from the months of May-September in 2016 and 2017.

These amounts will be deducted by co-ops from a farmer's monthly milk cheques to coincide with the peak milk supply months of April to August. The co-ops will then forward the money each month to the Department. This approach was also agreed as part of the sanction given by the Minister for Public Expenditure and Reform.

As part of the discussions in the run-up to the March Council of Agriculture Ministers, Ireland proposed a further deferral of the payment to 2017 and 2018, to ease the financial burden on liable farmers in 2016. However the European Commission advised that the legal basis for the Regulations under-pinning the scheme are no longer in existence and therefore further amendments were not possible. While Ireland suggested a possible alternative legal approach, it was clear that the proposal enjoyed very little support from other Member States and was therefore unlikely to succeed.

On that basis the focus turned to other measures in the package which can be of assistance to Irish dairy farmers to help them through current difficulties, including the doubling of intervention fixed price buying-in thresholds. I did however raise the matter with Commissioner Phil Hogan in our recent bilateral meeting, as well as at yesterday's Council of Minister's meeting, and encouraged the Commission to reflect again on whether a legal basis could be found to facilitate a further deferral in superlevy repayments for farmers.

### **Animal Welfare**

202. **Deputy Michael McGrath** asked the Minister for Agriculture, Food and the Marine to investigate a matter (details supplied); the procedures that govern such an export; and if he will make a statement on the matter. [11163/16]

**Minister for Agriculture, Food and the Marine (Deputy Michael Creed):** Once appropriate animal health and welfare certification requirements are met, dogs, including greyhounds, may be exported internationally. Health certification arrangements are in place and exporters are also required to comply with the provisions of Council Regulation (EC) No 1 of 2005 on the protection of animals during transport. A range of flight carriers make the appropriate ar-

rangements for the safe transport of animals worldwide in accordance with the requirements of International Air Transport. The Irish Greyhound Board (IGB) has advised all owners involved in the export of greyhounds to only export to destinations that provide the expected levels of care and management as defined in the IGBs Code of Practice for the welfare of greyhounds. I fully endorse this view. I understand that the 24 greyhounds referred to in the attachments have returned to Ireland and were inspected by officers of my Department and found to be in good health.

### **Broadband Service Provision**

203. **Deputy Clare Daly** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 138 of 5 May 2016, the recourse a person has in a situation in which complaints have been submitted to the Commission for Communications Regulation by both consumers and a broadband service provider regarding another service provider (details supplied) failing to perform the necessary engineering works on line connection boxes, resulting in long delays in broadband connection for the customers of the other service provider, but where the Commission for Communications Regulation has failed to act; and if he will make a statement on the matter. [11066/16]

**Minister for Communications, Energy and Natural Resources (Deputy Denis Naughten):** ComReg is the independent regulator of the electronic communication sector. In disputes resolutions it “*shall act independently and shall not seek or take instructions from any other body*” (article 3.3a of Directive 2002/21/EC as amended).

I understand from the Deputy’s office that the question is prompted by delays in delivering a broadband connection to a constituent in Skerries, County Dublin. I understand that the premises was sold as a new dwelling end-February 2016 and that the complaint may have been submitted to ComReg some days or weeks after this timeline. I understand from ComReg that a complaint is still active in relation to this premises and that a representative of the relevant telecommunications provider is expected to call to the premises this week with a view to completing service installation.

### **Driver Licences**

204. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the status of persons who are under 18 years of age applying for driving licences; and if he will make a statement on the matter. [11028/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The operation of the National Driver Licensing Service, including the matters referred to by the Deputy, is the statutory responsibility of the Road Safety Authority. I have therefore referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a response has not been received within ten days.

### **Roads Maintenance Funding**

205. **Deputy Aengus Ó Snodaigh** asked the Minister for Transport, Tourism and Sport when he will provide sufficient funding to Tipperary County Council to carry out the very urgent grade 5 repairs that are required on the busy historic bridge at Ardfinnan in County Tip-

perary which has been reduced to one lane due to heavy traffic, and closed during the recent floods for safety reasons, thus affecting the town's long-term economical viability. [10949/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The improvement and maintenance of regional and local roads in Tipperary (including Ardfinnan Bridge on the R665) is the statutory responsibility of Tipperary County Council, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from the Council's own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the local authority. In January this year, my predecessor announced the 2016 regional and local road allocations, including an allocation of €15.9 million for Tipperary County Council. Grants for remedial works on bridges are made under my Department's Bridge Rehabilitation Grant scheme. Local authorities submit a list of bridges in order of priority for consideration for funding. Ardfinnan Bridge was placed some way down the list in Tipperary County Council's application. Taking into account the overall amount of funding available a grant allocation of €60,000 was made in respect of Ardfinnan Bridge with a view to facilitating progress on initial remedial works at this bridge. It is a matter for the local authority to select, prioritise and agree its regional and local road work programme each year. The purpose of Exchequer funding for regional and local roads is to supplement the own resources of local authorities, not to meet the full costs of all schemes.

### **Swimming Pool Programme Funding**

206. **Deputy Aengus Ó Snodaigh** asked the Minister for Transport, Tourism and Sport when he will provide funding to start phase 2 of the Samuel Beckett Civic Campus in Ballyogan in County Dublin. [10950/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The Local Authority Swimming Pool Programme (LASPP) provides for grant aid to local authorities towards the capital costs of new swimming pools or the refurbishment of existing pools. I am advised that a swimming pool is a substantial element of Phase 2 of the Samuel Beckett Civic Campus in Ballyogan in County Dublin. In January of this year, my Department contacted local authorities and sought expressions of interest in a limited round of swimming pool allocations, subject to funding becoming available from other projects where those projects would not be progressed. There were three expressions of interest received for new pools, two of which were valid and both in Dublin, one in Lucan and the other in Ballyogan. Having assessed existing commitments and the funding available, including funding that will become available from withdrawn projects, it was considered prudent to progress one additional new pool project at this time. Following consideration of the expressions of interest, and the two valid proposals for new pools, it was decided to include the proposal from South Dublin County Council (SDCC) for a new swimming pool in Lucan in the LASPP.

### **Railway Stations**

207. **Deputy Eoin Ó Broin** asked the Minister for Transport, Tourism and Sport when the Kishogue train station in Lucan in County Dublin will open; and to request Irish Rail and Transport for Ireland to have this station opened as soon as possible. [10954/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The National Transport Authority (NTA) has statutory responsibility for developing public transport infrastructure in the Greater Dublin Area (GDA) including Kishogue train station on the Kildare line. Noting

this I have referred the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Air Navigation Orders**

208. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport further to Parliamentary Question No. 149 of 21 April 2016, the criteria he uses in assessing applications for permits to carry munitions through Irish airspace; if he seeks opinions for every permit; if not, the reason he seeks advice in some instances but not in others; and the grounds upon which he will refuse an application to carry munitions through Irish airspace. [11007/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The main purpose of the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Order 1973, as amended, is ensuring the safety and security of aircraft and passengers. Airlines applying for exemptions under the Order to carry munitions must do so on a standard application form outlining all relevant details for the flight in question. Applications are requested at least 48 hours in advance of a flight to facilitate due consideration. For every application received the Department seeks the views of the Department of Foreign Affairs and Trade regarding foreign policy matters and the Department of Justice and Equality regarding security matters. The Department of Defence is copied with all applications for information. If the munitions involved are classified by the UN as dangerous goods, the views of the Irish Aviation Authority are also sought regarding aviation safety. The applications are then processed, taking account of these consultations. If these bodies raise objections an exemption is generally not granted and the airline is requested to reroute the flight outside of Irish airspace.

### **Airlines Regulations**

209. **Deputy Clare Daly** asked the Minister for Transport, Tourism and Sport if he is concerned at reports that an airline (details supplied) plans to use its Irish subsidiary to allow it to skirt Norway's employment laws, eroding wages and disrupting work practices; his views on assertions that the airline created this subsidiary specifically to circumvent Norwegian employment law and to allow it to source long-haul crews from South-East Asia on lower wages; if he will withdraw the support of the Irish authorities for the application by the company to the department of transport of the United States of America for a foreign carrier permit, which was offered, in writing, by a former Minister on 13 February 2014 (details supplied); how he will ensure that Ireland is not used by this airline to drive down wages and conditions for airline staff. [11021/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** Norwegian Air International (NAI) was licensed as an Irish airline in February 2014 and has been gradually growing since then. It now operates 37 Irish registered aircraft, out of several European bases, and has several hundred people working for it. The airline applied for a permit to operate to the US, including the announced services from Cork; however that permit is still pending. The permit application has been subject to an ongoing public consultation process in the US. Multiple submissions have been made both for and against the application. Those opposed to NAI have raised similar issues to those outlined in the Deputy's question. My Department has recently made a public submission reiterating its concerns regarding the potential implications this case is having for the reputation of Ireland and Irish aviation. The submission makes it clear that there is no basis for the irresponsible, unfounded and damaging public statements that have been made about the standard of social and employment protection in Ireland and about the ca-

pability of the Irish regulatory authorities to effectively oversee the safety of NAI's operations.

The Norwegian Air Group has stated that its primary motivation for establishing an Irish airline was to have an EU based airline within the group (Norway is not a member state of the EU). Other reasons cited included the Irish aircraft financing regime, the considerable aviation cluster located in Ireland and the highly regarded Irish civil aviation authorities.

The airline has stated that NAI has no Asia-based crew and that U.S. and EU-based crew will be used on NAI transatlantic services. It also stated that Norwegian always follows the rules and regulations in all the markets in which it operates and offers employees competitive wages and conditions.

I can confirm that I am fully supportive of the airline's US permit application and I look forward to the permit being granted as soon as possible, so that the airline can continue to offer innovation and competition in the air transport market between Europe and the US.

I would be grateful if the Deputy could produce any evidence, and the source of any such evidence, that the airline plans to use its Irish subsidiary to bypass Norwegian employment laws, erode wages and disrupt work practices.

### **Road Signage**

210. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport to include signage for Killarney in County Kerry on road signs along the N69; and if he will make a statement on the matter. [11068/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and operation of individual road projects is a matter for the Transport Infrastructure Ireland (formerly known as the NRA) under the Roads Acts 1993-2015 in conjunction with the local authorities concerned.

Noting the above position, I have referred the Deputy's question to TII for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

### **Road Projects Status**

211. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport to what extent he has studied plans for the provision of improvements and the realignment or relocation of a bridge crossing the River Liffey at Celbridge, County Kildare and particularly the need to achieve optimum benefit by choosing the most appropriate solution in line with the locally expressed views of the people of the area; and if he will make a statement on the matter. [11120/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As I outlined in my reply to the Deputy in PQ 8623/16 of 27 April 2016, the improvement and maintenance of regional and local roads in Kildare is the statutory responsibility of Kildare County Council, in accordance with the provisions of Section 13 of the Roads Act 1993 -2015. The initial selection and prioritisation of works to be funded is also a matter for the Council. Assessment of options in relation to a new bridge at Celbridge is, therefore, a matter for consideration by Kildare County Council.



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### **Railway Stations Upgrade**

212. **Deputy John McGuinness** asked the Minister for Transport, Tourism and Sport to provide funding to upgrade Thomastown railway station in County Kilkenny as it is in a run-down state; and if he will make a statement on the matter. [11157/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** As Minister for Transport, Tourism and Sport I have responsibility for policy and overall funding in relation to public transport. Iarnród Éireann has responsibility for developing rail infrastructure and for the maintenance of stations across the network, including Thomastown Station in Kilkenny.

Noting this I have referred the Deputy's question to Iarnród Éireann for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Railway Stations Upgrade**

213. **Deputy John McGuinness** asked the Minister for Transport, Tourism and Sport to provide funding to Irish Rail for the use of a lift for passengers wishing to access McDonagh Station in Kilkenny; and his views that although this lift has been provided Irish Rail will not pay the cost of operating it and therefore the elderly and infirm are faced with a steep climb by foot to access the platform. [11158/16]

**Minister for Transport, Tourism and Sport (Deputy Shane Ross):** The provision and maintenance of facilities at railway stations, including accessibility lifts, is an operational matter for Iarnród Éireann. With regard to the issue concerning the lift at McDonagh Rail Station in Kilkenny, I understand that a lift was installed by the developer of the McDonagh Junction Shopping Centre on the assumption that there would be an accessibility demand from the city as well as from the proposed shopping centre and hotel developments. Since the hotel development has not progressed the developer has not commissioned the lift.

In the event that the lift is commissioned at some future date and agreement is reached between the owner of the lift and Iarnród Éireann, regarding its use for Iarnród Éireann passengers, the issue of funding for the operation of the lift can then be considered in the context of the Accessibility Grants Programme which is a scheme implemented by the National Transport Authority on behalf of my Department. In the meantime I am assured by Iarnród Éireann that Kilkenny Station remains fully accessible.

Noting their responsibility in the matter, I have referred your question to Iarnród Éireann for a more detailed reply. Please advise my private office if you don't receive a reply within 10 working days.

### **Company Law**

214. **Deputy Josepha Madigan** asked the Minister for Jobs, Enterprise and Innovation to amend section 279(2) of the Companies Act 2014 to extend the deadline to use the modified US generally accepted accounting principles by three years; the time frame he envisages; and if she will make a statement on the matter. [11069/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Section 279 of the Companies Act 2014 provides that US Generally Accepted Accounting Principles may be used by companies for a particular transitional period, subject to compliance with

Irish company law and to the company meeting certain criteria. That transitional period runs to 31 December 2020.

My Department intends to carry out a public consultation on this matter in the second half of this year. If it is considered that the existing exemption period should be extended, it will be necessary to introduce this by way of primary legislation, which ultimately will be a matter for the Oireachtas.

### **Workplace Relations Commission**

215. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation her views on correspondence (details supplied) regarding administrative processes of the Workplace Relations Commission; and if she will make a statement on the matter. [11147/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** With effect from 1 October 2015, the activities of the Labour Relations Commission, the National Employment Rights Authority, the Equality Tribunal and the first instance functions of the Employment Appeals Tribunal were merged into a new body of first instance, known as the Workplace Relations Commission (WRC). From 1 October 2015, all complaints fall to be referred to the Workplace Relations Commission in the first instance, and on appeal, to the Labour Court.

The WRC's core services include the provision of early resolution, mediation, conciliation, facilitation and advisory services, adjudication on employment and equality complaints, the monitoring of employment conditions to ensure the compliance and enforcement of employment rights legislation, the provision of information, and the processing of employment agency and protection of young persons (employment) licences.

The Workplace Relations Commission (WRC) is independent in the exercise of its quasi-judicial function and I have no direct involvement in its day to day operations. It is established practice that Ministers do not get involved with its adjudication function. The Workplace Relations Act 2015 directs that hearings are heard in private.

However, I understand that the administrative procedures of the WRC place emphasis on ensuring that the correct respondent is on notice of the hearing and that linked cases are listed together where feasible. I have been informed that the WRC has been in contact with the parties to this end.

Separately, as set out in its Statement of Strategy, the WRC Adjudication Division will meet with key stakeholder organisations over the coming weeks to identify particular issues of concern around service delivery.

### **Economic Competitiveness**

216. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation how she will tackle the severe competitiveness challenges identified by the National Competitiveness Council report, Costs of Doing Business in Ireland 2016, and Ireland's position as a high cost location for business; and if she will make a statement on the matter. [11148/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Improving Ireland's competitiveness position is a key economic priority for Government. As set out in 'A Programme for a Partnership Government', our objective is to protect our national competitiveness from unsustainable cost growth and to deliver a job-fit business environment

which ranks in the top tier globally.

The Costs of Doing Business Report published by the National Competitiveness Council on 21 April provides an assessment of Ireland's cost competitiveness performance vis-a-vis a range of competitor countries. The report, which has been noted by Government, concentrates on the costs that are largely domestically determined such as labour, property, transport, energy, water, waste, communications, credit /financial, and business service. It finds that Ireland's cost base has improved across a range of metrics over the last five years. This has made Irish firms more competitive internationally and made Ireland a more attractive location for firms to base their operations in. However, despite these improvements, Ireland remains a relatively high cost location for a range of key business inputs and there is upward cost pressure evident in property, business services and the labour market. The Council warns that Ireland is particularly vulnerable to external shocks beyond our control – external risks at the moment include in particular Brexit, oil prices and exchange rate movements.

The report is a timely reminder of the risks of complacency regarding our cost competitiveness performance. The improved competitiveness of Ireland's exporting sector has been one of Ireland's greatest strengths in recent years and has been central to economic growth and job creation. It has been critical to the success of Irish based exporters, allowing them to maximise the opportunities arising from increases in global demand. Even with improvements in competitiveness, threats to continued economic success abound. While the Irish economy is experiencing rapid growth, the global economic outlook is less certain, with growth prospects in emerging and advanced economics far from certain.

I share the Council's view that to protect the gains achieved to date, to further embed and sustain the recovery, and to ultimately spread the benefits of economic growth to all, we must continue to enhance all aspects of our competitiveness.

Addressing Ireland's international cost competitiveness is a key economic policy priority for Government and as set out in the Action Plan for Jobs, a range of initiatives are in train across Government Departments to support cost competitiveness. To date, the National Competitiveness Council has reported regularly to the Cabinet Committee on Economic Recovery and Jobs where its recommendations are progressed by relevant line Departments. This facilitates timely attention to areas of opportunity for improvement.

In addition, the Council and my Department and its agencies are continually engaged with relevant stakeholders on the particular policy needs required to support cost competitiveness. These stakeholders include other Government Departments, regulatory bodies and public and private bodies. In this regard, there is a role for both the public and private sectors alike to proactively manage their cost base and drive efficiency, thus creating a virtuous circle between the costs of living, wage expectations and cost competitiveness. Measures that ensure open and competitive markets are also essential. The policy implications of the Costs of Doing Business in Ireland 2016 report's analysis, and associated structural reforms required to address Ireland's cost base, will be included in the Council's annual Competitiveness Challenge report which will be brought to Government published later this year.

### **Action Plan for Jobs**

217. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the projected number of extra jobs targeted in each nomenclature of units for territorial statistics 3 region by 2020, by year, in tabular form, as envisaged under the programme for Government; and if she will make a statement on the matter. [11149/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** The Programme for Partnership Government provides, *inter alia*, that the ultimate goal of the Government will be to deliver sustainable full employment by 2020. In this context, the Government is committed to the implementation of the Regional Action Plans for Jobs, with local input, to help spread growth to all areas. The Regional Action Plan initiative brings the different stakeholders in each of the 8 NUTS III regions together to identify a range of innovative and practical actions, to be taken across a range of Departments and agencies, with clear timelines for delivery over the period 2015 – 2017. The plans will be monitored and driven in each region by Implementation Committees, comprising representatives from the Enterprise Sector, as well as the Local Authorities, Enterprise Agencies, and other public bodies in the region. Collaboration between the private and the public sector has been a core element in each plan's development, and will be central to each plan's delivery.

A key objective of the plans is to have a further 10 to 15 per cent at work in each region by 2020, with the aim of having the unemployment rate of each region within one per cent of the national average.

The targets for additional jobs to be created in each of the 8 NUTS III regions are included in each plan and are set out in the table.

Achieving these ambitious targets at regional level will require a renewed focus on building on regional strengths, assets and areas of competitive advantage to develop the attractive and competitive environments for business to start, grow and succeed on international markets and to attract inward investment.

Region	Published Regional APJ targets by 2020
North East/North West	28,000
Midland	14,000
West	25,000
Dublin	66,000
Mid-East	25,000
Mid-West	23,000
South-East	25,000
South-West	40,000
State Total	246,000

### Job Creation Targets

218. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the starting period from which the job targets projected up until 2020 will commence as envisaged under the programme for Government; and if she will make a statement on the matter. [11153/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Ireland's return to economic growth has demonstrated our ability, through concerted efforts across Government to focus actions on those areas that help to create jobs. We have made substantial progress since the Action Plan for Jobs process was first introduced in 2012. We can point to the considerable strides made with 1.9 million people at work today (QNHS Q4 2015) and an unemployment rate down to 8.4 percent in April 2016.

Yet, we still have some way to go.

The Programme for Government sets out a target to create an additional 200,000 jobs over the period 2016 to 2020, informed by our statement on enterprise policy, Enterprise 2025, which set out Ireland's potential across a number of key metrics. Achieving our ambition for sustainable job growth will require a continued cross government focus on addressing the challenges and realising the ambition set out in Enterprise 2025.

To deliver on this ambitious target, in the Programme for Government we commit to maintaining the OECD endorsed Action Plan for Jobs (APJ) Process that will set out, on an annual basis, the best ideas for job creation within available resources. Building on this process, we will also implement regional jobs plans, with local input, to help spread growth to all areas. Our aim is for an unemployment rate in each region that is within one percent of the State average by 2020.

The focus on job creation is a government wide agenda, and it involves:

- One: a focus on achieving a leap forward in the capacity and the performance of enterprises based here/ and in attracting further investment : we will put in place an extra €500 million in capital funding to accelerate export led jobs growth across Ireland's regions;

- Two: focusing investments in areas where Ireland can differentiate itself internationally – specifically Talent (education & Skills); Place-making (attractive places to live and work); Innovation (continuing to invest and stimulating increased RD&I activity by enterprises) and being Connected (including through our trade and investment linkages, collaborations and clustering): among other initiatives, we will double the number of apprenticeships by 2020 and promote creativity and entrepreneurial capacity in students; increase the capital budget for local and regional roads by 50 percent in the years ahead as the national finances are repaired; and

- Three: excelling on getting the fundamentals right in terms of finance, cost competitiveness, tax environment and economic infrastructures. The Programme for Government commits to introducing tax incentives to support our entrepreneurs and job creators, including further reducing Capital Gains Tax for new start-ups, and increasing the earned income tax credit for the self-employed. We will maintain a focus on protecting our national competitiveness from unsustainable cost growth.

Only a strong economy supporting people at work can pay for the services needed to create a fair society. It is entrepreneurs and businesses that create jobs. Our aim is to provide a supportive environment for enterprise and employment and to ensure that we deliver on our ambition for more inclusive prosperity. The focus on sustainable job creation requires continued and concerted efforts as Ireland operates in an intensely competitive global environment.

Our employment targets are ambitious, but achievable. It is our ambition that the benefits of recovery will be experienced throughout the country.

### **Examinership Arrangements**

219. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the action she has taken to protect jobs in a company (details supplied) since the appointment of an examiner to it; and if she will make a statement on the matter. [11154/16]

**Minister for Jobs, Enterprise and Innovation (Deputy Mary Mitchell O'Connor):** Examinership is a process by which a company is placed under the protection of the court for a period of time during which all claims against it are, for the most part, frozen and during which the company's difficulties are investigated and a survival scheme is formulated. The purpose

of an examinership is to facilitate the survival of the company and the whole or part of its undertaking as a going concern. Examinership allows some breathing space for potentially viable but ailing companies. The main advantage of examinership is the court protection afforded to the company from any actions brought by larger creditors to the detriment of all, including employees. The process involves the appointment of an examiner who will then consider various “rescue plans” (such as restructuring) designed to get the company back on its feet. During an examinership (a period that lasts 70 days but can be extended to 100 days) a company continues to trade and operate as usual.

As the company concerned is under the protection of the Court it would be inappropriate for me to comment further.

### School Completion Programme

220. **Deputy Carol Nolan** asked the Minister for Children and Youth Affairs the financial resources she will provide under the school completion strategy; the funding allocated to improve school completion rates over each of the past six years, in tabular form; and if she will make a statement on the matter. [11044/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** The School Completion Programme aims to retain young people in the formal education system to completion of senior cycle and to generally improve the school attendance, participation and retention of young people who are risk of educational disadvantage. The programme is a targeted intervention aimed at school communities identified through the Department of Education and Skills’ DEIS Action Plan for Educational Inclusion. It provides targeted supports annually to approximately 37,000 children.

Since 1st January 2014, Tusla, the Child and Family Agency, under the remit of my Department, has operational responsibility for the School Completion Programme, including the allocation of funds to local projects. A review of the programme was undertaken by the Economic and Social Research Institute on behalf of Tusla and published in October 2015. Tusla has taken a number of actions to address the findings in the review and to strengthen the operation of the programme for the future.

Improving attendance and participation in education, particularly for vulnerable children, is an important priority for me as Minister for Children and Youth Affairs. The Programme for Government commits to publishing a new School Completion Strategy to further improve school completion rates, particularly in disadvantaged areas. I and my Department will work closely with the Minister for Education and Skills, in developing the new Strategy and in the context of the Government programme commitment to a new Action Plan for Educational Inclusion to secure good educational outcomes for all children, especially those at risk of educational disadvantage.

The detailed information, requested by the Deputy, about the funding allocations for the School Completion Programme in the past six years is as follows:

Year	Amount
2016	€24.756m
2015	€24.756m
2014	€24.756m
2013	€26.456m

Year	Amount
2012	€28.256m
2011	€30.258m
2010	€31m

### Early Childhood Care and Education

221. **Deputy Bernard J. Durkan** asked the Minister for Children and Youth Affairs if she will accommodate the extra preschool year in full in County Kildare; and if she will make a statement on the matter. [11129/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** In Budget 2016, my Department announced a significant expansion to pre-school provision under the Early Childhood Care and Education (ECCE) programme. This measure, which will be introduced from September 2016, means that children will be eligible to start free pre-school when they reach the age of 3, and continue to avail of free pre-school until they start primary school (once the child is not older than 5½ years at the end of the pre-school year i.e. end June). Following the introduction of the expanded programme there will be three opportunities each year - in September, January and April - for eligible children to enrol for the free pre-school provision. This will ensure that children aged 3 or over have the opportunity to enrol as soon as possible after their third birthday.

The expansion of the ECCE programme will see the number of children benefitting from the Programme rise from around 67,000 to around 127,000 in a given programme year. For the 2016/17 programme year, it is estimated that 89,500 children will be eligible to enrol in the Programme from September 2016, an additional 22,000 from January 2017 and a further 15,500 from April 2017.

My Department made detailed information available to the City and County Childcare Committees (CCCs), including Kildare CCC, at the beginning of this year indicating the number of children, by every electoral division across the country, who would be eligible for an ECCE place in September 2016, January 2017 and April 2017. My Department continues to work closely with the City and County Childcare Committees to match this data against their reported capacity in the sector to meet the increase in demand. This exercise is almost complete. Where any capacity issues are found, I will be asking the relevant City / County Childcare Committee to work intensively with my Department to resolve the issue.

The Department announced earlier this year the introduction of an Early Years Capital Programme 2016 with total funding of €4 million available. This funding was targeted at early years pre-school providers that are making alterations to their services to accommodate the increased numbers of children eligible for the free pre-school provision following the decision to expand the Early Childhood Care and Education (ECCE) programme. The maximum grant available under this programme is €10,000. The closing date for applications was 8 April, 2016.

### Early Childhood Care and Education

222. **Deputy Michael McGrath** asked the Minister for Children and Youth Affairs the status of an application under the early years capital grant 2016 (details supplied) including when she will make a decision on it; and if she will make a statement on the matter. [11014/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** Capital funding

of €4 million is being made available through the Early Years Capital Programme in 2016 for early years pre-school services, both private and not-for-profit/community, that are intending to expand their service to provide for more capacity in the Early Childhood Care and Education (ECCE) programme. The maximum grant available under this programme is €10,000. The closing date for applications was 8 April, 2016.

Pobal is responsible for the administration of this funding scheme on behalf of my Department. I have been advised by Pobal that an appraisal process is underway and that recommendations for approval of funding, in line with the published criteria, will be with my Department by early June. The award of funding will be based partially on evidence of current need and/or projected future demand for additional ECCE places in 2016/2017 in the catchment area of each applying service. The relevant City/County Childcare Committee will assist Pobal with demand versus supply data. Value for money is also an awarding criteria and the costs-grant requested relative to the number of ECCE places being created will be taken into account when evaluating grant applications.

I have been advised by Pobal that an application from Doodlebugs Creche & Montessori has been received and that it is currently in the appraisal process.

Grant agreements will be issued to successful applicants in July 2016. The date by which a service's grant and own funds must be fully spent and reported to Pobal is 31st December 2016.

### **Early Childhood Care and Education**

223. **Deputy Carol Nolan** asked the Minister for Children and Youth Affairs the funding available for the provision of special needs assistants under the early childhood care and education scheme for the upcoming term beginning in September, 2016; the number of additional posts that have been funded; the timeframe for recruitment of the posts; and if she will make a statement on the matter. [11047/16]

**Minister for Children and Youth Affairs (Deputy Katherine Zappone):** In November 2015, a new model for supporting children with a disability to access the Early Childhood Care and Education (ECCE) programme was launched. The Access and Inclusion Model (AIM) is a cross-Government initiative, led by the Department of Children and Youth Affairs, and involving the Department of Health, the Department of Education and Skills and others. The model will deliver seven levels of progressive support, moving from the universal to the targeted, to enable the full inclusion and meaningful participation of children with disabilities in the ECCE programme. These are:

Level 1 -**An Inclusive Culture:** includes training dedicated Inclusion Co-ordinators in pre-schools, and a small capitation increase for particular childcare services to support fully inclusive practice;

Level 2 - **Information for Parents and Providers:** includes development of a national website and information packs for parents and providers;

Level 3 - **A Qualified and Confident Workforce:** resourcing formal and informal training for early years practitioners to support more inclusive provision;

Level 4 - **Expert Educational Advice & Support:** enhancing the Better Start Early Years Specialist Service so that practitioners have prompt access to advice and support from experts in early years education for children with disabilities;



Level 5 - **Equipment, Appliances and Minor Alterations:** the provision of specialised equipment, appliances or capital grants towards the cost of minor building alterations so that children with disabilities can participate in pre-school;

Level 6 - **Therapeutic Intervention:** additional resources to enable access to HSE therapeutic services, where these are needed to allow a child enrol, and fully participate in, pre-school.

Level 7 - **Additional Assistance:** where the supports available at levels 1-6 are not sufficient to meet a child's needs, additional capitation can be made available to childcare providers to support the pre-school leader to ensure children's full participation. This could include, for example, buying in additional support, or, in particular circumstances, reducing the staff:child ratio.

Work is well advanced across many elements of the model with a view to introducing the initiative from September 2016. It is intended that service providers and parents will be able to submit applications for supports under the new model from June 2016 onwards to allow them to plan for pre-school enrolment in September 2016 and to ensure that children will begin to benefit from these measures from that point forward.

Funding of €14.35 million has been provided by my Department for the implementation of the scheme in 2016. The model will build incrementally over a number of years with full implementation costs in 2020 estimated at almost €40 million.

Finally, the Deputy has asked specifically about funding for the provision of Special Needs Assistants. The model does not involve the provision of special needs assistants and the Department of Children and Youth Affairs does not fund such services. The HSE does, on an *ad hoc* basis, make some supports available and it is expected that these arrangements will continue until the new model has been established.