

The Citizens Information Board is the statutory body which supports the provision of information, advice and advocacy on the broad range of social and civil services to the public. It provides the Citizens Information website and supports the voluntary network of Citizens Information Services and the Citizens Information Phone Service.

HEAD OFFICE

7th Floor
Hume House
Ballsbridge
Dublin 4

t + 353 1 605 9000
f + 353 1 605 9099
e info@ciboard.ie
w www.citizensinformationboard.ie

March 2007

Information Age awareness campaign for older people

Information Age, an awareness campaign aimed at helping to meet the information needs of Ireland's older population, was launched in February 2007. The initiative came out of the report 'Meeting the Information Needs of Older People: A Framework for Action', produced by a broadly-based working group led by the Citizens Information Board. Members of the group were drawn from the voluntary and community sector as well as relevant statutory bodies, including the HSE, the Department of Social and Family Affairs and the National Council on Ageing and Older People.

The cornerstone of the campaign is the Information Age booklet, which is being directly distributed to the homes of all State pensioners over the age of 65 years (approximately 400,000 people).

The Information Age Booklet highlights a range of state and voluntary agencies that offer assistance to older people. The pocket-sized booklet details core information sources such as Citizens Information Centres, HSE and Social Welfare Offices. In addition, it highlights areas of special interest to older people such as retirement; health services; income and support; and safety and security, and directs people to a wide range of organisations that are able to answer questions relating to these topics.

It will also be available in Citizens Information Centres, Social Welfare and Local Health Offices and through voluntary organisations which work with older people.

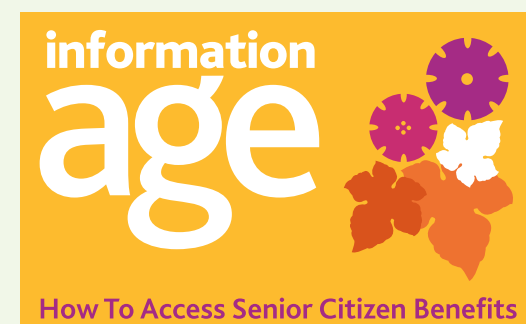
Included with the booklet is a 'My Information' sheet that allows people to note important personal information, such as G.P. and neighbours' phone numbers and PPS and

Pension Book details in the one place to make them easy to find when they are needed.

The Information Age initiative also addresses the needs of organisations which provide information to older people. It has produced a series of factsheets on important topics such as moving into residential accommodation, becoming ill, bereavement and income supports. The factsheets are accompanied by a wallchart detailing payment and services information, as well as guidelines for providing information to older people. The initiative has been supported by a series of specialised training seminars around the country. It also included a number of local events aimed at older people.

A number of projects and initiatives, aimed at providing enhanced information services to older people, are being supported at local level.

The Citizens Information website www.citizensinformation.ie includes enhanced and easily accessible information for older people as part of the Information Age strategy.



Citizens Information 

LOG ON
www.citizensinformation.ie

LO-CALL
1890 777 121 Open Mon to Fri, 9am to 9pm

DROP IN
For your local centre see Golden Pages listing

Volume 34: Issue 6
ISSN 07904290

Contents

Page No.

- 1 Citizens Information Board & Strategic Plan 2006-2009
- 2 Citizens Information Act 2007
- 4 Employment permits
- 8 Information for older people

Relate

The journal of developments in social services, policy and legislation in Ireland

Citizens Information Board

The Citizens Information Board is the new name for Comhairle. The name change occurred as a result of the passing of the Citizens Information Act 2007 and applies from 21 February 2007. The name change gives public expression to the link between the national body and citizens information services nationwide. The development of the Citizens Information website www.citizensinformation.ie also reflects the change of name. This issue of Relate is the first of a new look which is being introduced as part of the overall change of name and the identification of all services and publications under the Citizens Information brand.

The Board of Comhairle remains in place as the Citizens Information Board. The Board and its activities are governed by the Comhairle Act 2000 as amended by the Citizens Information Act 2007. The new Act provides for some changes in the structure and functions of the Board. The most notable change involves the setting up by the Citizens Information Board of a Personal Advocacy Service. The section of the 2007 Act which changes the name is in effect but the other parts, including the Personal Advocacy Service, are not yet in effect and will not be until Commencement Orders are made.

Citizens Information Strategic Plan 2006-2009

The Board's Citizens Information Strategic Plan 2006-2009 sets out the mission and priorities of the Board and its programme of activities for the three years. The mission of the Board is:

To ensure that all individuals have easy access to high quality, independent information, advice and advocacy services so that they can identify their needs and access their entitlements to social and civil services.

The Strategic Plan outlines the Board's priorities as follows:

Integrated information: Produce high quality customer-focused and integrated information on all aspects of social and civil services to assist people in securing their rights and entitlements.

In this issue...

Personal Advocacy Service, p2

Development of advocacy services, p4

Service delivery: Ensure the delivery of customer-focused information, advice and advocacy services through a range of accessible web-based, phone, and face-to-face delivery channels, as well as emerging technologies.

Advocacy and social policy development: Develop and facilitate advocacy services, particularly for people with disabilities, and influence policy developments and administrative systems and procedures.

Accessibility: Enhance accessibility to information, advice and advocacy services with particular reference to vulnerable groups and those most in need.

Citizens Information Act 2007

As already stated, the Citizens Information Act 2007 provides for changes to the structure and functions of the Board. The Bill was described in the November 2006 issue of Relate. Some small changes were made as it was going through the Oireachtas, but the main features are as described already. The Board's main functions will continue to be to support the provision of and provide directly, independent information, advice and advocacy services in relation to social services and to assist and support individuals, in particular those with disabilities, in identifying and understanding their needs and options and in accessing their entitlements to social services. The Act provides that another major function will be to provide or arrange for the provision of a Personal Advocacy Service – this is described in further detail below.

The Act also proposes that the Board must, subject to the approval of the Minister for Social and Family Affairs, decide the terms and conditions under which it may support the provision of information, advice or advocacy services and provide financial or other resources to a voluntary body or to a body specified by the Minister. When deciding these terms and conditions, the Board must have regard to its aim of promoting the provision of an integrated, reliable and comprehensive information service of the highest quality and of the need for it to co-operate with statutory and voluntary bodies.

Advocacy

Advocacy is defined in the Act as including services in which the interests of a person seeking a social service are represented in order to assist the person in getting entitlements to such service but does not include legal representation.

Social services

The Citizens Information Act defines social services as follows: any service provided by a statutory or voluntary body that is available or accessible to the public generally or a section of the public under legislation or otherwise and includes, but is not limited to, services in relation to health, social welfare, education, family support, housing, taxation, citizenship, consumer matters, employment and training, equality, asylum and immigration.

Disability

Disability is defined in the same way as in the Disability Act 2005, that is it is defined, in relation to a person, as a substantial restriction in the capacity of the person to carry on a profession, business or occupation or to participate in social or cultural life by reason of an enduring physical, sensory, mental health or intellectual impairment.

Voluntary body

The Act defines a voluntary body as a body corporate or an unincorporated body of people other than a statutory body and includes a body commonly known as a Citizens Information Service or a Citizens Information Centre.

Personal Advocacy Service

The Act provides for the setting up of a Personal Advocacy Service for people with disabilities. This requires a Commencement Order. When providing this service, the Citizens Information Board must take account of its own financial resources and whether the people concerned can get advocacy services from another source. The Chief Executive Officer may designate members of the staff of the Board to be personal advocates and/or the Board may arrange for the functions of personal advocates to be carried out by people who are not staff members.

Director of the Personal Advocacy Service

The Board may appoint a Director of the Personal Advocacy Service. The Director will manage and control the Personal Advocacy Service and be responsible to the Chief Executive. The Director must provide information about the service to certain specified people. These are family members and carers including members of an organisation or group, who are actively involved in promoting the health, welfare or wellbeing of a person whom they consider is a qualifying person under the scheme.

Qualifying persons

The Act describes people who qualify for the Personal Advocacy Service as "qualifying persons".

You may qualify for a personal advocacy service if you are aged 18 or over and:

- Because of a disability, you are unable to obtain or have difficulty in obtaining a social service without the help or support of a personal advocate and
 - There are reasonable grounds for believing that there is a risk of harm to your health, welfare or safety if you are not provided with the social service in question.
- If you are under 18, you may qualify for a personal advocacy service if:
- Your only parent or guardian meets the qualifying conditions or
 - You have a disability or there are reasonable grounds for believing you have a disability and it would be unreasonable to expect a parent or guardian to act on your behalf without the help of a personal advocate and your health, safety or welfare would be at risk if you did not get the service concerned.

When assigning personal advocates, the Board may have to set an order of priority among the people who qualify for the service. When doing this, the Board must take into account:

- The needs of the people who qualify to have a personal advocate assigned to them
- The degrees of risk of harm to the health, welfare or safety of the people concerned if they are not provided with the social service they are trying to get
- The benefits likely to accrue if they do get personal advocates
- The availability of advocacy services from other sources and
- Other factors the Board considers appropriate or are set out in regulations.

How to get a personal advocate

If you consider that you are entitled to get a personal advocate – that you are what the legislation describes as a "qualifying person" – you write (or apply in such other form as may be specified by the Minister) to the Director of the Personal Advocacy Service asking that you be assigned a personal advocate and setting out the social services that you are trying to get. This application may be made by any other person on your behalf. The Director decides whether or not you are a qualifying person and, if you are, he/she assigns a personal advocate to you.

If your application is refused, reasons must be given in writing. You may appeal against such a decision to the Social Welfare Appeals Office in broadly the same way as you would appeal against a decision about social welfare payments. This means, in general, that you must appeal within 21 days and that the decision of an Appeals Officer is final.

Functions of a personal advocate

A personal advocate has a range of functions including:

- Applying on your behalf or helping you to apply for an assessment of need and helping and/or representing you at the various stages of the process of drawing up a service statement; assessments of need and service statements are provided for in the Disability Act 2005. The assessment of need arrangements will begin to be implemented in July 2007.
- Helping you or representing you in the process of getting the social services you have named in your application or which are included in your service statement
- If the personal advocate considers it appropriate, making or helping you to make a complaint, appeal or application for review to any body other than a court. This could involve, for example, helping you to make an appeal to the Social Welfare Appeals Office or a complaint to the Ombudsman as well as helping you to use the complaints and appeals machinery provided under the Disability Act.
- In order to help you to promote the best interests of your health, welfare and well-being, providing support and training to you, members of your family, your carers or others who are involved in promoting your best interests.

Personal advocates will be entitled to get certain information and make inquiries on your behalf. They may go into any place where day care, residential care or training is provided for you and make inquiries. They may, subject to the data protection legislation:

- Get information relating to you from a statutory or voluntary body
- Attend and represent you at any meeting, consultation or discussion at which your interests are being considered and
- Identify any family member or carer who may be able to help in promoting your best interests.

Voluntary and statutory bodies which provide social services will be obliged to co-operate with personal advocates.

The development of advocacy services

The Citizens Information Board – formerly Comhairle – has been developing advocacy services in order to meet its general advocacy remit, as well as planning the implementation of the Personal Advocacy Service for people with disabilities.

The report *Developing an Advocacy Service for People with Disabilities* was published in 2004. The report looks at the concept of advocacy, reviews the policy context, profiles the population of people with disabilities, outlines current Irish developments and international experience and sets out proposals for the provision of advocacy services in Ireland. The report recommends that a coherent advocacy service should have three strands:

- Personal Advocacy Service (PAS) – this is now provided for in the Citizens Information Act 2007.
 - Community and voluntary sector advocacy
 - Community Visitors Programme, which would focus on advocacy for individuals in residential settings.
- Since 2004, the Board has provided funding for a number of advocacy projects in the Community and Voluntary sector – 30 projects are being funded in 2007. Details of the projects concerned are contained in the newsletter *Speaking up for Advocacy* which is available on the Board's website www.citizensinformationboard.ie
- An information and tendering process was used to elicit applications.
- The Comhairle Advocacy Guidelines - Guiding Principles and Operating Procedures for the Delivery of Advocacy*

Services through Community and Voluntary Organisations have been published and are also available on the website.

Research and planning for the Community Visitors Programme is one of the actions proposed in the Citizens Information Strategic Plan 2006-2009. That plan also outlines avenues for developing capacity and training in the advocacy area.

The Advocacy Resource Officer programme is being expanded to build the capacity of information providers in Citizens Information Services (CISs) to advocate on behalf of clients at all levels including appeals. At the end of 2006 seven advocacy resource officer projects were funded to work with the staff of 20 CISs.

The Citizens Information Board is continuing its mainstream advocacy programmes, based in Citizens Information Centres (CICs).

Employment permits

The Employment Permits Act 2006 came into effect on 1 February 2007. The Act provides the statutory basis for the procedures for the application, grant and refusal of employment permits. There are two main kinds of employment permit – the Green Card permit for highly skilled workers and the work permit for those who are not covered by the Green Card scheme. There are special arrangements for the spouses and dependants of employment permit holders and there are also special arrangements for intra-company transfer of staff. Existing permits remain valid for the duration which applies to them. When they expire, they may be renewed under the new arrangements.

All employment permits are now held by the employee and they contain a statement of the employee's rights. The main differences between the Green Card permit and the work permit are in the duration of the permit, the right to a long-term permit and the right to bring family members to live here. The rights of people with spousal/dependant work permits are related to the status of the primary employment permit holder.

Who needs an employment permit?

Foreign nationals need an employment permit in order to work legally in Ireland unless they are in one of the following categories:

- Citizens of the 25 EU member states other than Romania and Bulgaria and their spouses and dependants (regardless of their nationality)
- Citizens of the other EEA member states (Norway, Iceland and Liechtenstein) and Swiss citizens, and their spouses and dependants

- People who have been granted refugee status in Ireland
- People who have been refused refugee status but have been given leave to remain on humanitarian grounds
- People who have been given leave to remain because they are the spouse or parent of an Irish citizen
- Postgraduate students where the work is an integral part of the course of study being undertaken.

General rules about employment permits

There are general rules which apply to both the Green Card permit and the work permit schemes. Either the prospective employee or prospective employer may apply for the permit. You must apply to the Employment Permits Section of the Department of Enterprise, Trade and Employment. Application forms are available at www.entemp.ie

Employment Permits Section
Department of Enterprise, Trade and Employment
Davitt House
65a Adelaide Road
Dublin 2

Tel: (01) 631 3333
 Lo-call: 1890 201 616
 Fax: (01) 631 3268

Refusal of employment permit

The Act provides for an internal review of refusals of employment permits. You should ask for a review within 21 days of being notified of a refusal.

The employer

Employers who want to employ people who need employment permits have to meet certain requirements. They must be legally trading in Ireland – this means they must be registered with the Revenue Commissioners and with the Companies Registration Office (CRO) if the employer is a company. You can check the registration at the CRO at www.cro.ie

The employer must employ you directly – this means that applications from recruitment agencies, agents, intermediaries or companies who intend to outsource or subcontract you to work in another company will not be accepted. There is a limit to the proportion of the workforce who can be employment permit holders. Permits will not be granted to employers where a result of granting the permit would be that more than 50% of employees in the firm would be non-EEA or Swiss nationals.

The employee

Employees who have work permits are obliged to abide by the immigration rules. This means that you may need an entry visa and you must register with the immigration authorities.

You may need an entry visa to come to Ireland – the list of countries whose nationals need entry visas is available at www.justice.ie. You may get the visa from your local Irish embassy or consulate. A list of these is available at www.dfa.ie

Further information about visas to enter Ireland is available at www.justice.ie and at www.citizensinformation.ie

Registration

When you come to Ireland, you must register with the local immigration registration officer. You should do this at the Garda National Immigration Bureau, Burgh Quay, Dublin 2 if you intend to live in the Dublin area, or at the Garda Superintendent's office in the local Garda District headquarters if you intend to live somewhere else in Ireland. Addresses of Garda District headquarters are available on www.citizensinformation.ie

Family reunification

Your right to have your family come and live with you in Ireland depends on the type of permit you have. The Irish Naturalisation and Immigration Service of the Department of Justice, Equality and Law Reform deals with applications for family reunification and for long-term residence.

Green Card permits

There is now a Green Card permit system for highly skilled migrant workers. It has replaced the previous working visa/work authorisation system. The existing visas/authorisations remain valid for the duration covered by them. If you hold a working visa or work authorisation you may renew it under the new system by applying to the local immigration registration officer (described above).

Green Card permits are granted to two groups of people:

- People in almost any occupation where the salary range is above €60,000 – the only exceptions are occupations which are contrary to the public interest
- People with specified skills in a restricted list of occupations in the salary range of €30,000 to €60,000. The relevant occupations at present include ICT professionals, health professionals, professional engineers and technologists, construction professionals, researchers and natural scientists, business and financial professionals.

A detailed list is published on the website of the Department of Enterprise, Trade and Employment. The list may be changed from time to time depending on the skills needs of the economy.

You may get a Green Card permit if you meet these requirements and have a job offer in writing from an employer who is legally trading in Ireland. The job offer must be for at least two years and must be dated within the 60 days before you apply. It must specify the proposed employment, the starting date, the annual salary excluding bonuses and give information about the qualifications, skills or experience that are required for the employment.

Duration

Green Cards are issued for 2 years initially and, normally, indefinitely after that. You may get long-term residence rights in Ireland after 2 years.

Fees for Green Card

The fee for an initial application is €1,000. The fee for indefinite renewal after 2 years is €1,500.

Your family

You may bring your family to live with you in Ireland immediately. Your spouse and dependants may then get spousal/dependant work permits.

Moving employment

If you get a Green Card permit, you are generally expected to stay with your initial employer for a year but, in exceptional circumstances, that may not be essential. You may then move to another employer but you must apply again for a permit. If you get an indefinite permit, you may move employment at any time.

Work permits

Work permits may be issued to foreign nationals for those occupations to which the Green Card permit does not apply and where the salary is €30,000 or more and, in very limited circumstances, where the salary is less than this. There is a labour market needs test. This means that the employer must establish firstly, that there are no suitable applicants from the EEA countries or Switzerland and, secondly, that there are no suitable applicants from Romania or Bulgaria. The vacancy must have been notified to the FÁS/EURES employment network and advertised in local and national newspapers for three days. (EURES is the EU-wide network of national

employment agencies; FÁS is the Irish member of the network.) Evidence that this has been done must be included with the application.

There are certain occupations for which work permits are not considered. These include clerical and administrative jobs, labourers, production staff, most retail sales staff, drivers (except for HGV drivers), childcare workers, hotel and catering staff except chefs and many craft workers. Work permits are not granted for applications proposing to pay wages below Registered Employment Agreement/ Employment Registered Order rates.

Duration

Work permits may be issued for an initial period of up to 2 years and may then be renewed for a further 3 years. After that, the permit may be renewed indefinitely. You may get long-term residence rights in Ireland after 5 years.

Fees for a work permit

The fees for work permit applications and renewals are:

Work permit for a period of up to 6 months: €500

Work permit for between 6 months and 2 years: €1,000

Work permit for between 2 and 3 years: €1,500

Indefinite renewal (after 5 years): no fee.

Your family

You may be able to bring your family to live here after you have been legally working here for a year. You also have to be able to show that you will be able to support them. In practice, you need to be earning an income above the limits for Family Income Supplement. Your spouse and dependants may apply for a spousal/dependant work permit once they are legally resident in Ireland on the basis of being your spouse or dependant.

Moving employment

You are expected to stay with your initial employer for at least a year, unless there are exceptional circumstances. You may then move to another employer but there must be a new application for a work permit and the labour market test applies to this application.

Intra-Company Transfer Permits

The Intra-Company Transfer scheme is designed to facilitate the transfer of senior management, key personnel or trainees who are foreign nationals from an overseas branch of a multinational corporation to its Irish branch.

The employee must be earning a minimum annual salary of €40,000 and must have been working for at least a year with the overseas company before the transfer. The transfer must be for a defined period. The precise period depends on the reason for the transfer but there is a maximum of 2 years which may then be renewed for a total maximum of 5 years. The number of intra-company transfers should not normally be greater than 5% of the total Irish workforce in a firm but a higher percentage may be allowed in certain circumstances.

Graduate scheme

The graduate scheme allows non-EEA students who have acquired a primary, masters or doctorate degree from an Irish third-level educational institution to apply to the Irish Naturalisation and Immigration Service for permission to remain in Ireland for six months after the receipt of their examination results.

This period will allow them to seek employment and, if appropriate, apply for a work permit or Green Card permit.

Spouses and dependants

Spouses and dependants of employment permit holders may be granted a work permit in respect of any occupation and without a labour market test. There is no fee for these permits.

The spouse or dependant must be legally resident in Ireland on the basis of being a dependant of the employment permit holder. The employment permit holder must have:

- A valid Green Card permit or
- A valid work permit of 12 months or more duration or
- A valid working visa/work authorisation issued before 31 December 2006 or
- A valid Intra-Company Transfer Permit of 12 months or more duration

and must be working within the terms of this employment permit.

Dependants

In general, dependants are children under the age of 18. If you are over 18, came here while under 18, have been living legally here on the basis of being a dependant of an employment permit holder, and have finished your studies, you may be able get a dependant work permit but each

such case is looked at on its own merits. Family members over the age of 18 may, of course, apply for a Green Card permit or a work permit in the normal way.

Duration

The spousal/dependant work permit has the same duration as that of the main employment permit holder and may then be renewed if the main permit is being renewed.

Moving employment

You are expected to stay with your initial employer for at least a year, unless there are exceptional circumstances. You may then move to another employer but there must be a new application for a work permit.

Protection for migrant workers

Foreign nationals who are legally working in Ireland have exactly the same rights under labour legislation as Irish people working here.

The new employment permits are given to the employee. The permit contains a statement of the rights and entitlements of the worker. The statement of rights includes the information about when and how the worker may change employment. The statement also includes details of pay, rights under the national minimum wage legislation and any deductions which it is proposed to make from that pay – for example, for accommodation. The national minimum wage legislation provides for a deduction to be made from the statutory minimum pay of an employee if the employee is provided with board and/or lodgings as follows:

Full board and lodgings:

€54.13 a week or €7.73 a day

Full board only:

€32.14 a week or €4.60 a day

Lodgings only:

€21.85 a week or €3.14 a day

Employers are not allowed to deduct expenses associated with recruitment from the employee's pay and are not allowed retain any of the worker's personal documents.