



CHAPTER 2

Coping With Poverty

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Coping with Poverty

The INOU is constantly campaigning for much needed improvements in the Social Welfare system and for real 'cost of living' payments for all welfare recipients. As part of our work we realise that it is important for people to get as much help, information, and support as possible in accessing the range of payments and supports that are available to meet essential cost of living needs.

In this chapter we explain a range of supports available under the Supplementary Welfare Allowance system, how to access them and how to get the most benefit from them.

Supplementary Welfare Allowance Scheme (SWA)

The Supplementary Welfare Allowance (SWA) scheme provides a basic income support payment to eligible people who are habitually resident (satisfy the HRC) in the State and whose means are insufficient to meet their needs and those of their dependants, through no fault of their own.

The main purpose of the basic Supplementary Welfare Allowance scheme is to provide immediate and flexible assistance for those in need. The scheme is subject to certain terms and conditions. The SWA schemes are administered by officers of the Community Welfare Service (CWS) of the Department of Social Protection at local Intreo centres.

A typical example of where a Supplementary Welfare Allowance may be accessed is where:

- an application for a Social Welfare payment has been made and is being processed and the claimant has no other income.
- a request for a Review of a negative decision by the DSP, usually resulting in the refusal of a payment, has been made and pending the outcome of the review, the claimant has no other source of income.
- an official Appeal against a decision or refusal of payment by the DSP has been lodged with the Social Welfare Appeals Office (SWAO) and the claimant has no other source of income.
- a single/once-off payment is required to help meet an essential expense or need which a person could not be expected to meet out of their weekly income.

SWA – Rates of Payment

Age	Maximum Personal	Adult Dependant	Child Dependant
25+	€242.00	€162.00	€50 (under 12) €62 (12 and over)
18-24 (living independently*)	€242.00	€162.00	€50 (under 12) €62 (12 and over)
18-24 (not living independently *)	€153.70	€153.70	With children = maximum Personal rate of €242

** Reduced rates of Supplementary Welfare Allowance do not apply if you are under 25 years of age and if you:*

- *are living independently and getting a state housing support such as Rent Supplement, Rental Accommodation Scheme (RAS) or Housing Assistance Payment (HAP).*
- *have dependent children.*
- *were in the care of the Child and Family Agency (Tusla) for any period during the 12 months before reaching 18 years of age.*

SWA – Who is eligible for a payment?

Any person resident in the state whose means do not meet her/his needs, and the needs of any child dependant or qualified adult, is entitled to apply for a Supplementary Welfare Allowance (SWA) payment.

To get a payment you must:

- Satisfy a means test; **and**
- Satisfy the Habitual Residence Condition (HRC); **and**
- Have applied for all possible benefits or assistance from either the Department of Social Protection (DSP) or other appropriate state agency; **and**
- Have provided all information or documentation reasonably requested by the DSP, where such request pertains to material you could reasonably be expected to provide where it is relevant and appropriate to the processing or administration of your application; **and**
- Have registered with DSP/Intreo if you are of working age; **and**
- Have positively engaged with the DSP / Intreo in pursuing any training, education, work experience or activation measures as recommended by an official of the DSP / Intreo; **and**
- Satisfy the DSP that you need the particular payment.

SWA – Who is not eligible for a payment?

The following groups are not normally entitled to a basic weekly (SWA) payment:

- Full-time students (but students studying under an approved educational scheme can apply) see Chapter 6.
- Full-time workers unless employment is under 30 hours per week.*
- People involved in trade disputes. However, they may claim Supplementary Welfare Allowance for their dependents.
- People who do not satisfy the Habitual Residence Condition (HRC).
- People in prison.
- Where a Reduced Rate is applied to a Jobseekers' payment, for those who refuse to engage with Activation measures, even where a decision is the subject of a review with the DSP or a formal appeal to the Social Welfare Appeals Office (SWAO).

** This condition does not apply to your spouse, civil partner or cohabitant. However any income they have from work is taken into account in the means test.*

If you are excluded from applying for a basic weekly SWA payment based on the list above, you may still apply for an Additional Needs Payment (ANP), where the need is exceptional or urgent. The person making the application must provide sufficient information or proof to support their claim that the situation is exceptional or urgent.

SWA – Benefit and Privilege

If you are 24 years or under, and living with your parents, their income may also be assessed as means against you when processing your application (evidence of parents' income may be required).

Reduced rates of Supplementary Welfare Allowance for claimants under 25 years of age do not apply to:

- People with dependent children.
- Certain children leaving the care of the Child and Family Agency (Tusla) aged 18+ or who were in the care of the HSE during the 12 months before reaching 18 years of age.
- People living independently and in receipt of certain housing supports.

SWA – Overpayments and Repayments

If you have an outstanding overpayment with the Department of Social Protection in relation to any previous/other Social Welfare claims, i.e. you owe them any monies, up to 15% of any Basic SWA payment you receive can be deducted automatically at source, without your permission or approval, to recover the monies owed to the Department. For a single person aged 25 and over a deduction of up to €36.30 (15%) can be made from the €242 weekly payment.

This deduction can only be made from your personal rate of payment, i.e. €242, and not from any payment for your spouse / cohabitant / civil partner or child dependant. In practice, the Department of Social Protection will assess each case individually and based on any extenuating circumstances apply an appropriate recovery rate up to the maximum rate.

SWA – Assessment of Savings / Capital

The value of any savings, investment and capital will be assessed to determine the amount of SWA you may be entitled to receive. The method of assessing capital for entitlement to SWA payments is as follows:

CAPITAL	WEEKLY MEANS ASSESSED	VALUE
First €5,000	Disregarded / Not Counted	€0
Next €10,000	valued at €1 per €1,000	up to €10
Next €25,000	valued at €2 per €1,000	up to €50
Balance	valued at €4 per €1,000	subject to amount

Example:

Savings of €30,000; the first €5,000 is disregarded = €0, the next €10,000 is valued at €1 per €1,000 = €10, the next €15,000 is valued at €2 per €1,000 = €30. This means that savings of €30,000 would have an assessable value of €40 per week (€0 + €10 + €30).

SWA – Means Test

The means test, and associated savings / capital disregards, for Supplementary Welfare Allowance is not the same as other means tested Social Welfare payments such as Jobseeker's Allowance (€20,000), Jobseeker's Transition (€20,000), Disability Allowance (€50,000) or One Parent Family (€20,000) payment.

If you find that you need to apply for an SWA payment pending the processing of a claim for another payment, or if you are seeking a review of a decision or making an appeal to the Social Welfare Appeals Office, you should be aware that the valuation of savings/capital for eligibility for a Basic Supplementary Welfare Allowance payment is treated differently and could result in a lower rate of payment than you may have expected.

SWA – Decisions on Payment

Each application for assistance under Supplementary Welfare Allowance is subject to certain terms and conditions which are governed by Social Welfare legislation.

Each application for an SWA payment must be treated as an individual application. DSP officials cannot seek to rely solely or exclusively on any other decision made by the Department in justifying a refusal of an SWA payment. While information on means, family size and other details related to your 'status' may be shared internally by the Department of Social Protection, each application must be assessed on its own merits, and a decision must be reached using due process, natural justice, and fair procedure reliant on the facts and evidence of the application and the governing legislation.

If you are refused a Basic Weekly (SWA) payment, you may appeal this to the Social Welfare Appeals Office. You may be able to seek a SWA payment pending the outcome of your appeal – (this provision excludes applications related to Jobseekers' payments for those who are subject to Reduced Rates of payment) for refusing to engage with Activation measures.

If you are refused a Basic Weekly (SWA) payment, your dependant spouse / civil partner/cohabitant may be able to make an application for a SWA payment for themselves and any qualifying dependent children.

SWA – Refusal of Payment

You may be refused a SWA payment, if you did not qualify for a Social Welfare payment because you have failed to provide information or material requested by the Department, without just cause or good reason. If you are refused a SWA payment, you are entitled to receive the decision for the refusal in writing, on the grounds that you may wish to seek to request a review of that decision, or that you may wish to lodge a formal Appeal with the Social Welfare Appeals Office (SWAO) – see SWA Appeals.

SWA: Types of Payments

- Basic Supplementary Welfare Allowance (SWA)
- Payment Pending Wages
- Additional Needs Payment – (ANP)
- Rent Supplement (see Housing Section – end of this chapter)
- Heating Supplement – see ANP above

SWA – Basic Weekly Payment

You can apply for this payment if your weekly assessable income is less than the SWA rate appropriate for your family size, and where you can also satisfy a standard means test. You can receive a Basic SWA payment for yourself, your spouse / cohabitant / civil partner, and any qualifying dependent children if you:

- Have applied for a Social Welfare payment appropriate to your circumstances and are awaiting processing / a decision on your claim and have insufficient means to meet your needs. You will only be paid the difference between your current level of assessable weekly income and the appropriate rate of SWA for your family size; or
- Are seeking a Review of a decision by a Deciding Officer in relation to your Social Welfare payment*; or
- Are formally appealing a decision / refusal of an application for a payment by the DSP to the Social Welfare Appeals Office*.

*** Please note:** There is no automatic entitlement to a basic weekly SWA payment while awaiting the outcome of a review by the DSP / formal appeal to the SWA Office.

SWA – Basic Weekly Payment Rates

Age	Maximum Personal	Adult Dependant	Child Dependant
25+	€242.00	€162.00	€50 (under 12) €62 (12 and over)
18-24 (living independently*)	€242.00	€162.00	€50 (under 12) €62 (12 and over)
18-24 (not living independently *)	€153.70	€153.70	With children = maximum Personal Rate of €242

**Independent Living constitutes getting a state housing support such as Rent Supplement, Rental Accommodation Scheme (RAS) or Housing Assistance Payment (HAP)*

A child dependant is a person under the age of 18 who lives with you and depends on you for financial support. If you have been getting SWA for at least 26 weeks, the age limit is 22 for a child dependant in full-time education or up to the end of the academic year after their 22nd birthday.

Reduced rates of Supplementary Welfare Allowance for claimants under 25 years of age do not apply to:

- People with dependent children
- Certain children leaving the care of the Child and Family Agency (Tusla) aged 18+ or who were in the care of the HSE during the 12 months before reaching 18 years of age

SWA – Payment Pending Wages

If you have been offered employment, and the job is paid on a monthly or bi-weekly basis, it could mean that you may be waiting days / weeks to be paid your first salary – with no Jobseeker's payment available.

In support of Jobseeker's in these circumstances, the Department of Social Protection (DSP) can make available payment through the Supplementary Welfare Allowance (SWA) scheme to financially support Jobseeker's in taking-up employment.

This payment, is known as 'Payment Pending Wages' under the Supplementary Welfare Allowance scheme. This basic SWA payment can be made for up to 30 days for anyone returning to / taking up work, where they would no longer qualify for a Jobseeker's payment because they are in full-time employment.

The 'Payment Pending Wages' payment is means tested (the income savings, investments, employment / self-employment of your spouse / partner are taken into consideration), and is paid as a weekly payment and at a rate of €2 less than that of any previous Jobseeker's payment.

There is no automatic entitlement to a basic SWA payment while pending wages. Eligibility for any payment are determined on an individual case-by-case basis. This payment is not repayable to the department when the person receives their wages.

Applications for 'Payment Pending Wages' can be made under the Supplementary Welfare Allowance (SWA) scheme at your local Intreo Centre or Social Welfare Branch Office.

SWA – Additional Needs Payment (ANP)

Additional Needs Payment (ANP) is a payment available to you if you have essential expenses that you cannot pay from your weekly income.

You may get this payment even if you are not getting a social welfare payment. It may be available to you if you are working and on a low income regardless of the number of hours that you work.

The Department of Social Protection can provide Additional Needs Payments for:

- the increased cost of heating and electricity
- essential repairs to property and replacing household appliances and furniture
- assistance with deposits for private rented accommodation
- furniture, bedding and other items if setting up a home for the first time
- funeral costs

- recurring travel expenses such as for hospital appointments or visiting relatives in hospital or prison
- assistance with immediate needs such as food, clothing and accommodation expenses following an emergency event such as a house fire
- other additional exceptional needs as they happen

The Additional Needs Payment does not cover non-essential household or personal expenses, or costs that are the responsibility of another government department or agency.

SWA – ANP – How to Qualify

Anybody on a social welfare payment or working and getting a low income may qualify for an Additional Needs Payment.

When you apply for an Additional Needs Payments your application will be assessed by a Community Welfare Officer (CWO). They will assess your weekly household income, your savings and investments, your household expenses and the type of assistance you need when making a decision.

To qualify for an Additional Needs Payment, you must:

- Live in Ireland; and
- Have an income below the 'weekly household income' limit

For ANP household income guidelines please visit:

<https://www.gov.ie/en/departments-of-social-protection/services/additional-needs-payment/>

Please Note: The CWO can provide a payment if your income is above the weekly household income limit, depending on your individual circumstances. Income guidelines do not limit an CWO's discretion when issuing Additional Needs Payments in unique hardship circumstances.

SWA – ANP – Rate of Payment

Due to the nature of the payment, there is no set rate for an Additional Needs Payment. Each application is individually assessed. The amount you get will depend on your circumstances and what you need help with.

SWA – ANP – How to Apply

You can apply for an Additional Needs Payment online at www.MyWelfare.ie. You can also apply for an Additional Needs Payment by filling form SWA1. Application forms can be:

- Downloaded online (www.gov.ie/additionalneedspayment)
- Requested by e-mailing cwsforms@welfare.ie – please include your name, address and PPSN in your email and the reason for your application
- Collected in any Intreo Centre or Social Welfare Branch Office

To help process your claim, you should have the following available:

- Personal Public Service Numbers (PPSNs) for yourself, your spouse, civil partner or cohabitant and your children
- Proof of identity, for example: a Public Services Card (if you have one), a passport, driving license, work permit, Irish residence permit
- Documents to show your income, expenses and financial situation, such as pay slips and bank statements

SWA – ANP – Refusal

If you are refused an Additional Needs Payment you may be able to seek a review of that decision with the Department of Social Protection. For more information, please contact the INOU.

SWA – Heating Supplement

A heating supplement may be paid to people who, due to ill health or a particular medical condition, require additional heat. There is no fixed rate for heating supplement. Any application for a heating supplement should be made under the Additional Needs Payment (ANP).

Back to School Clothing and Footwear Allowance Scheme (BSCFA)

This payment is designed to help meet the costs of school uniforms. The scheme is open from June to September each year. You may qualify for the Back-to-School Clothing and Footwear Allowance (BSCFA) if you are:

- In receipt of a weekly Social Welfare payment (including Working Family Payment, Back to Work Family Dividend and); **or**
- Taking part in an approved employment scheme (back to work scheme); **or**
- Taking part in a recognised education or training course; **or**
- Attending an FET, Fáilte Ireland, or Local Area Employment Services (LAES) training scheme

BSCFA – Application Process:

The Department of Social Protection pays BSCFA automatically to many customers. This means that they do not have to apply for the payment. If you qualify automatically, you will receive a notification to your www.mywelfare.ie account or by post before the end of June stating when and how your Allowance will be paid to you.

If you do not receive a notification you will have to make an application online at www.mywelfare.ie. Further information on how to apply for this payment is available on the Department's website: www.gov.ie/welfare

Applying for Supplementary Welfare Allowance

SWA Payments – How to apply

You can make an application for any of the above Supplementary Welfare Allowance (SWA) payments, to the Community Welfare Service at your local Department of Social Protection (DSP) / Intreo office. You can also apply online for an Additional Needs Payment at www.mywelfare.ie.

Your local Department of Social Protection (DSP) / Intreo office can provide official application forms to make applications for Basic Weekly SWA payments and Rent Supplement. Remember to keep a copy of your original application if possible.

The SWA application form will give you the opportunity to explain all the reasons why you need help at that particular time, and it will help you to explain your case to the Department of Social Protection. You can attach additional pages if necessary.

You will need to provide the following items when making your application:

- Proof of where you live and proof of identity.
- Relevant letters from doctors, community workers, social workers, etc. as appropriate.
- If you are looking for Rent Supplement, copies of your lease, rent book or rent receipts.

Your application will be means-tested based on your income and assessable means. Where all supporting documentation has been submitted, decisions will normally take about 1-2 weeks. The quicker you can give the Department of Social Protection the information needed to complete the assessment of your income and the means test, the quicker they can process your claim.

If you are refused payment, you are entitled to be given the reason for refusal in writing. In the event you are unhappy with the decision and wish to request a review or want to appeal the decision to the Social Welfare Appeals Office.

SWA Payments – Other Qualifying Conditions

SWA Genuinely Seeking Work (GSW) – Jobseekers

If you have applied for a Jobseeker's payment, are seeking a review of a decision refusing a Jobseeker's payment or appealing a refusal / disqualification of a Jobseeker's payment, the Department of Social Protection has the authority to seek proof of your efforts in 'Genuinely Seeking Work' (see Chapter 1), when assessing your entitlement to a basic weekly SWA payment.

The Social Welfare Consolidation Act 2005 allows the Department of Social Protection to decide if a person is 'Genuinely Seeking Work', where that person would normally be expected to apply for / qualify for a Jobseeker's payment. If they decide that you are not Genuinely Seeking Work, they could refuse your

application for an SWA payment. If this occurs, you should:

- Ask for the decision in writing.
- Inform the CWS officer that you may consider requesting a formal review of their original decision.
- Inform the CWS officer that you may consider appealing the decision to the Social Welfare Appeals Office if any review of the original decision is unsuccessful.
- If you seek a review of the original decision with the DSP or appeal the decision to the Social Welfare Appeals Office, and you have no other additional means of income or support, you can apply for either a Basic Weekly Supplementary Welfare Allowance payment or Additional Needs Payment (ANP), pending the outcome of your review with the DSP or formal Appeal to the Social Welfare Appeals Office.

See the following pages for more information on Supplementary Welfare Allowance Appeals. Contact the INOU on (01) 856 0088 or by e-mail: welfare@inou.ie for more information.

SWA Activation Reduced Rates / Penalty Rates – Jobseekers

Your Jobseeker's payment may be reduced to a Penalty Rate / Reduced Rate if you fail, without worthy cause, to engage in Group or Individual Activation meetings or avail of suitable education, training or development opportunities, or specified employment programmes and Schemes as recommended by the Department of Social Protection (DSP) or any employment service provider acting on behalf of the DSP.

Legal provision has also been made in the Supplementary Welfare Allowance Scheme prohibiting the payment of SWA to replace any Penalty Rate / Reduced Rate imposed. However, as with Jobseeker's Allowance and Jobseeker's Benefit, a 9-week Activation disqualification only applies to the Personal Rate of SWA – the €242 portion paid to the main claimant. Where a disqualification is applied, SWA may be paid for qualified adults (IQA) and Child Support Payment (previously known as Increase for Qualified Child (IQC).

If your application for a basic weekly SWA payment is refused, suspended, or disqualified completely you should:

- Ask for the decision in writing.
- Decide if you wish to request a formal review of that decision.
- Decide if you wish to appeal the original decision, or any review of the original decision if the outcome of the review is unsuccessful, to the Social Welfare Appeals Office (SWAO).

See the following pages for more information on Supplementary Welfare Allowance Appeals. Contact the INOU on (01) 856 0088 or by e-mail: welfare@inou.ie for more information.

SWA – Decisions – Review and Appeals

The INOU provides an Information and Advocacy service which supports people, and information workers assisting clients, who are experiencing difficulties or issues in applying for SWA payments. If you require any assistance in requesting a review of a refusal or in making a formal appeal to the Social Welfare Appeals Office, please contact the INOU on (01) 856 0088 or by e-mail: welfare@inou.ie.

If an SWA payment has been refused, you have the right to formally appeal that decision to the Social Welfare Appeals Office. Before making a formal appeal to the Social Welfare Appeals Office, you can make a request for a 'review' to the Department of Social Protection asking for the original decision to be reviewed. If this is not successful, you can make a formal appeal to the Social Welfare Appeals Office. At each stage you should appeal a decision / request a review within 60 days of the date that the initial decision has been made. If you require any assistance or support in making an appeal to the Social Welfare Appeals Office, please contact the INOU.

SWA – Decisions

Each application for an SWA payment must be treated as an individual application. CWS officers cannot seek to refuse a payment where they rely solely or exclusively on any other decision made by another official of the Department in justifying a refusal of an SWA payment.

While information on qualification, means, family size and other details related to your 'status' may be shared internally by the Department of Social Protection, each application for SWA must be assessed on its own merits and a decision must be reached by the Department of Social Protection using due process, natural justice, and fair procedure. Any decision rendered by the Department of Social Protection must rely on the facts and evidence set before them in the application, mindful of the governing legislation.

SWA Decisions – Reviews and Appeals

If you are unhappy with a decision, in relation to a Supplementary Welfare Allowance, you have two options:

- **SWA Review** – Referred to the CWS Officer who made the original decision
- **SWA Appeal** – Referred to the Social Welfare Appeals Office

You can request a Review (to the CWS Officer) and lodge an Appeal (to the Social Welfare Appeals Office) at the same time, doing so will not affect either a Review request or an appeal to the Social Welfare Appeals Office. If the review is successful, you have the option to withdraw your Appeal. If the Review is unsuccessful, you have the choice to continue with your Appeal to the Social Welfare Appeals Office.

SWA Decisions – Seeking a Review

If you are unhappy with a decision, you can seek a Review as follows:

- Ask the CWS Officer exactly why any payment is being refused / reduced and request the decision in writing on the grounds that you may wish to appeal. Ask them to make specific reference to the relevant legislation they are seeking to rely upon in support of their decision. Their letter should be clearly written in 'plain' English and signed by the named CWS officer who made the decision. If CWS officer refuses or fails to provide signed proof of the decision, contact the INOU on (01) 856 0088 or by e-mail: welfare@inou.ie.
- Review the information you provided as part of your application. Check to make sure the CWS officer had all the relevant information available to them at the time they made their decision. Provide any added or additional information as may be relevant or which you believe may have an impact on any further decision.
- Contact the CWS officer directly and request that they review the existing information and consider any further clarification or additional information or evidence you have provided. You should also forward your request for a review in writing. You should clearly ask the CWS officer to reverse the original decision in light of the clarification / information you have provided.
- If you are unhappy with the result of this review, you may then make a formal appeal to the Social Welfare Appeals Office. Detailed information on making an appeal to the Social Welfare Appeals Office is contained in Chapter 1. If you require any assistance or support in making an appeal to the Social Welfare Appeals Office, please contact the INOU.

SWA Decisions – Social Welfare Appeals Office

If you are unhappy with a decision relating to an SWA application or you are unhappy with the outcome of any Review Process, you may make a formal appeal to the Social Welfare Appeals Office. You have 60 days from the date the decision is made to appeal the matter to the Social Welfare Appeals Office.

Detailed information on making an appeal to the Social Welfare Appeals Office is contained in Chapter 1. If you require any assistance or support in making an appeal to the Social Welfare Appeals Office, please contact the INOU on (01) 856 0088 or by e-mail: welfare@inou.ie.

SWA Decisions – Social Welfare Appeals Processing Times

Processing times for appeals to the Social Welfare Appeals Office can vary depending on the nature and detail of the issue under appeal. Summary Social Welfare Appeals, without an oral hearing, can be completed in a few weeks. If you apply for an oral hearing, and the oral hearing is granted, it can take several weeks/months for the oral hearing to occur. If your appeal relates to an application for Supplementary Welfare Allowance and you have no alternative source of income, you can ask the Appeals Office to prioritise your appeal and seek an Additional Needs payment while awaiting the outcome of the appeal.

SWA Appeals – Payment Pending Appeal

SWA – Additional Needs Payment (ANP):

If you are appealing the refusal of a basic weekly SWA payment, and have no immediate income or means of support, you can apply for an Additional Needs Payment (ANP) from the Department of Social Protection.

There is no automatic entitlement to an Additional Needs Payment (ANP) while awaiting the outcome of an appeal decision.

SWA – Weekly Payment:

If you are appealing the refusal of a basic weekly SWA payment and have no on-going income or means of support – through no fault of your own, you can apply for a basic weekly SWA payment from the Department of Social Protection pending the outcome of the original appeal. There is no automatic entitlement to a basic weekly SWA payment while awaiting the outcome of an appeal decision.

Medical Cards

Medical Cards entitle people on low incomes to free medical care and a range of medical services. Medical Cards are issued by the local Health Service Executive (HSE) office. You will qualify for a medical card if you pass a means test.

A medical card entitles you to:

- Free GP (family doctor) services.
- Prescribed drugs and medicines.
- In-patient public hospital services and out-patient services.
- Certain medical appliances.
- Dental, optical, and aural services.
- Maternity and infant care services.

If you are solely dependent on Social Welfare payments, and have no other assessable means, you will usually pass the means test for the medical card. Medical Cards can be issued on hardship grounds even if a person's income exceeds the income guidelines.

Each application is considered on its own merits, so if your income is more than the guidelines and you have specific hardship circumstances, you should still apply giving as much detail and evidence of your circumstances as possible.

- Reasonable expenses incurred in respect of childcare costs and rent / mortgage payments will also be allowed.
- Weekly travel to work costs are also allowed.
- If you are unemployed for 12 months or more you may keep your Medical Card for up to 3 years, in certain circumstances, when you get a job. If you

take up full-time employment you will retain your medical card for 3 years from the date you start work. If you take up part-time employment the 3-year period starts from the date your income exceeds the relevant medical card guideline.

- Income from Working Family Payment is not counted when working out if you are within the Medical Card income guidelines.
- If you live in Ireland and work in Northern Ireland, you are entitled to a medical card regardless of your income.

Over 70s

- All persons over 70 are entitled to a medical card subject to a means test. This does not cover their dependants.
- People aged over 70 years with an income of between €550 per week (single) or €1,150 per week (couple) will no longer be entitled to a medical card but may qualify for a GP Visit Medical Card.

Housing

Equal Status Act – Rent Supplement / HAP

Since January 1st 2016, under the Equal Status Acts 2000–2015, you cannot be discriminated against when renting because you are getting Rent Supplement, any Social Welfare payment, or a Housing Assistance Payment (HAP). This means that landlords can no longer state when advertising accommodation that Rent Supplement (or HAP) is not accepted and they cannot refuse to rent you accommodation because you are getting a Social Welfare payment. For more information about your rights, you can contact the Irish Human Rights and Equality Commission – www.ihrec.ie.

The state provides assistance through the following schemes:

- Rent Supplement
- Housing Assistance Payment

Housing – Rent Supplement

Rent Supplement is a short-term income support, paid to people living in private rented accommodation, who cannot provide for the cost of their accommodation, which can include a loss of earnings due to becoming unemployed.

Where a short-term income support is required, rent supplement support is normally calculated to ensure that a person, after the payment of rent, has an income equal to the rate of supplementary welfare allowance appropriate to their family circumstances, less a minimum contribution towards their accommodation costs.

Victims of Domestic Violence

Victims of domestic violence are able to access rent supplement for a 3-month period without undergoing a means test. After the three-month period, a further three-month extension may be provided, subject to the usual rent supplement rules and criteria.

Access to Rent Supplement for victims of domestic violence is by way of referral from Tusla and prescribed Tusla-funded service providers. The measure ensures, that after six months, where there is an identifiable long-term housing need, an application has been made for social housing including access to Housing Assistance Payment (HAP). See HAP in the following pages of this Chapter.

Rent Supplement – EU Temporary Protection Directive

A similar model for ease of access to Rent Supplement introduced support to persons fleeing Ukraine that were covered by the EU Temporary Protection Directive 2001/55/EC by helping with rent costs. Rent Supplement is available on a flexible basis to support those availing of temporary protection in Ireland and who wish to access private rented accommodation.

Rent Supplement – Personal Contribution

Rent supplement recipients are required to pay a contribution from their own income towards their rent. The standard minimum contribution is €30.00 for single persons and €40.00 for couples, plus any assessable means more than the basic SWA rates (subject to any disregards) towards reasonable rent costs.

Rent Supplement – Over Rent Supplement Limits:

In some cases, Rent Supplement can be paid at the discretion of the DSP staff administering the Rent Supplement scheme where the rent is over the relevant limit. This applies both to people getting Rent Supplement and new applicants.

Rent Supplement – Over Minimum Contribution Levels:

Many recipients pay more than €30 or €40 minimum contribution because they have been assessed as having access to additional means (income) above the basic SWA rate. As such, they are expected to make a greater contribution to the payment of their rent.

Rent Supplement – Eligibility:

To qualify for consideration for a Rent Supplement you need to meet one the following conditions:

- You were getting Rent Supplement in the 12 months before the date of your application for Rent Supplement or
- You were living in private rented accommodation for at least 6 months (183 days) of the last 12 months, you could afford the rent at the beginning of your tenancy, and you are unable to continue to pay the rent, because of a substantial change in your circumstances which occurred after you started renting. You can combine time living in more than one rented accommodation to satisfy the 6 months (183 days).

Rent Supplement is also available for those persons who have been residing, for 183 days or more during the 12 months immediately before the application, in an Institution or accommodation for homeless persons, as provided under section 10 of the Housing Act 1988 and have not been determined as qualified for social housing support by a housing authority.

Applicants who do not satisfy these conditions will be referred immediately to their local housing authority to have their housing needs assessed. The claimant's eligibility for social housing support, which includes HAP, will be determined by their respective local authority.

As part of the transfer process from Rent Supplement to HAP, those who have long term social housing needs, i.e., people in receipt of rent supplement for over 18 months, are being requested to contact their Local Authority to have their housing needs assessed. It is necessary to apply for a social housing needs assessment within 6 weeks of being asked to do so by your CWO (Community Welfare Officer). If necessary, an extra 6 weeks can be allowed to make an application, this extension is at the discretion of the CWO dealing with your case.

Rent Supplement – Exclusions:

Rent Supplement **will not be paid** where an applicant has:

- Left private rented accommodation, local authority accommodation or social housing accommodation without just cause or good reason.
- Left the family home with an intention to seek to rely on the state for housing supports.
- Been excluded from private rented accommodation, local authority accommodation or social housing accommodation for anti-social behaviour.
- Refused a second offer of local authority housing or has left such housing without reasonable cause.
- Has failed to make a housing needs assessment application to their local authority, upon request by an officer of the Department of Social Protection (DSP) or fails to cooperate with their respective local authority in the processing of their housing needs assessment application.

Rent Supplement – Additional Income from Employment

Taking up part-time insurable employment can affect your Rent Supplement. Additional Income, that is any income which is more than your appropriate Supplementary Welfare Allowance personal rate, is assessed in the following way:

- The first €75 of 'additional household income' is disregarded.
- Then 25% of any additional household income over the initial €75 (which is fully disregarded) is also disregarded.
- There is no upper limit for the amount of income to which this 25% additional income disregard can be used for when calculating your contribution towards your rent.

- Rent supplement will continue to provide an income support until your 'personal contribution towards your rent' equals your rental payment.

Rent Supplement – Other Additional Household Income

When calculating entitlement to a Rent Supplement, 'additional household income' is money that comes from:

- Part-time employment or self-employment (under 30 hours per week).
- Full-time employment or full-time self-employment (30 hours or over per week – if one of a couple is in full time employment, both are excluded from claiming Rent Supplement) only where a person is accepted as in need of accommodation by a Local Authority under the Rental Accommodation Scheme.
- Any employment or scheme e.g. Community Employment (CE), Tús, the Rural Social Scheme, Part-time Job Incentive Scheme, Skillnet, Work Placement Scheme, Back to Work Allowance, Back to Work Enterprise Allowance or a FET course.
- Working Family Payment (WFP).
- The value of all property of which the Department determine the person deprived themselves of to qualify for SWA. (If you disagree with any decision of the Department in relation to the disposal of any property, you may have the right of appeal).
- Maintenance payments for children are not assessed in the means test.
- Maintenance Payments (not for Children) of over €95.23. Payments more than €170.23 (€95.23 max maintenance limit + €75 'additional household income') are assessed as 'additional household income', with the amount over €170.23 disregarded at 25% of its value.



PLEASE NOTE: Different rules apply where a person is **officially on** the Rental Accommodation Scheme (RAS) with a Local Authority and paying differential rent.

Where assessable 'additional household income' is over €75, the amount over the €75 will be disregarded at 25% of its value.

Rent Supplement – Non-dependent household members

Non-dependent household members, i.e. children or other family members, receiving a Social Welfare payment, must contribute a minimum of €30 for a single person, €40 for a couple, towards the rent (unless they have already been subjected to the Benefit and Privilege assessment). Where non-dependent household members are working, their assessable income (i.e. gross, less PRSI and travel to work expenses) is divided by the appropriate rate of SWA (€242 for a single person) which is then multiplied by €30 to establish their liability.

Rent Supplement – Disability Allowance (DA) / Blind Pension (BP)

Up to €165 of earnings from training or part-time employment can be disregarded if you are getting Disability Allowance or Blind Person's Pension. This disregard cannot be used together with 'the additional income disregard' – only one of the disregards can be applied. The officer dealing with your case will apply whichever is the most beneficial for your circumstances.

Rent Supplement – Returning to Full-Time employment

Persons accepted as being in need of accommodation under the Rental Accommodation Scheme (RAS) may continue to receive a Rent Supplement and return to full-time employment subject to satisfying a means test. To qualify the person must not have been in full-time employment (i.e. 30 hours or more per week) in the previous 12-month period immediately before seeking to retain their Rent Supplement.

Where a person has participated in Community Employment (CE) or the Back to Work Enterprise Allowance Scheme (BTWEA), they will be eligible to retain their Rent Supplement if returning to full-time work – subject to qualifying for the Rental Accommodation Scheme (RAS).

Rent Supplement – when Taking up Employment

A person who is not entitled to retain Rent Supplement on taking up full employment may continue to receive payment of Rent Supplement for a period of up to 30 days after starting work or until such time as he or she first receives remuneration, whichever is the earlier – (section 3.6 SWA Rent Supplement Operational Guidelines).

Rent Supplement – Full-time work

Where one member of a household is working full-time (i.e. if one of a couple is working 30 hours or more) both partners will be excluded from receiving a rent supplement. This does not apply where the claimant has been accepted as 'in need of accommodation' by a Local Authority under the Rental Accommodation Scheme (RAS) and their spouse, civil partner or cohabitant is not in full-time employment.

Rent Supplement – Levels of Acceptable Rent

When assessing applications for Rent Supplement, the Department will use guidelines on what is considered reasonable accommodation for individual or household needs. Rent supplements are subject to a limit on the amount of rent that an applicant for rent supplement may incur. The limits vary according to geographic location and family size.

The rent supplement will cover rent up to the amount set out in the regulations. If your rent is above the maximum 'cap' or limit for your family size the DSP can refuse to pay any rent supplement. The Department of Social Protection can ask you to move to cheaper rented accommodation if they think your accommodation is too expensive. It is essential that you keep the Department of Social Protection informed of any change in your circumstances. Contact the INOU on (01) 856 0088 or by e-mail: welfare@inou.ie for details of rent limits in your area.

Rent Supplement – Reduction in Rents

If your rent is above the maximum limits, or your rent has been increased above the maximum rent supplement levels, you will be asked to approach your landlord to have your rent reduced. If the landlord will not reduce your rent, you should contact your local Intreo Office to discuss your options. You may be asked to move to cheaper accommodation. If you believe your rent is above market rates you can submit a complaint to the Residential Tenancies Board (RTB). Please contact the INOU for further information or assistance.

Housing Assistance Payment (HAP)

The Housing Assistance Payment (HAP) is a social housing support administered by local authorities. HAP will replace Rent Supplement for those with a long-term housing need who qualify for social housing support. Under the HAP scheme, responsibility for the provision of rental assistance to those with a long-term housing need is transferring to Local Authorities.

HAP has been designed to simplify the current system of housing supports, and it allows households that get full-time employment to remain in the scheme. If you are eligible and approved for HAP, your local authority will pay your monthly rent directly to your landlord on your behalf. In return, you pay a contribution towards your rent to the local authority. This will be a 'differential rent' meaning that it is based on your household weekly income in the same way differential rents are charged to tenants in local authority housing.

HAP – Who Qualifies

To be eligible for HAP, you must first apply for and be approved for social housing support by your local authority. If your household is already on your local authority's housing list, you will be eligible for HAP. If you are on your local authority's housing list and currently in receipt of Rent Supplement, you will be eligible for HAP.

Rent Supplement will still be available from the Department of Social Protection for people who do not qualify for social housing support – for example, someone who is temporarily unemployed. Normally, you need to show that you have been renting in the private sector for at least six months of the previous year and that you could afford your rent at the beginning of the tenancy. You may also qualify if you have received Rent Supplement at any time during the 12 months before applying.

HAP – Qualifying Conditions

To have the local authority pay your rent directly to your landlord, you must meet the following conditions:

- You must pay your weekly rent contribution to the local authority. If you do not pay this rent contribution, HAP payments to your landlord will be stopped or suspended.
- You, or any member of your household, must not engage in antisocial behaviour.

- Your accommodation must meet the standards for rented accommodation.
- Your local authority will carry out an inspection to make sure the property meets these standards. This inspection will happen within eight months from the time the first HAP payment is made to your landlord.
- Your landlord must be tax compliant – that is, the landlord's tax affairs must be in order, and they must be able to supply a current tax clearance cert to the local authority.

Your local authority may not approve a HAP application if the accommodation is not suitable for your household's needs. You should also note that your local authority can decide not to make HAP payments in certain circumstances.

HAP – Finding Accommodation

Under the Housing Assistance Payment (HAP), it is up to the tenant to find accommodation for rent in the private rented sector. This accommodation must be within the HAP rent limits, which are based on the size of your household and the rental market in your area. Your local authority will let you know what the rent limits are.

The local authority will pay the rent directly to the landlord on behalf of the tenant. This is subject to certain conditions, including that you pay a rent contribution to your local authority. The tenancy will be covered under the terms of the Residential Tenancies Act 2004 (RTA).

This means that the tenancy agreement is, or will be, between the tenant and the landlord – the local authority will not be the landlord. The landlord is the person the tenant makes the rental agreement with and who the local authority pays the rent to. In addition, under the RTA, the landlord must register the tenancy with the Residential Tenancies Board (RTB).

HAP – How to Apply

Once you are qualified for social housing support, you are eligible to apply for HAP. If you are already on your local authority's housing list, you can ask for the HAP application form and find your own accommodation. The HAP application form only needs to be filled in after you have found accommodation that suits you. This could be your existing accommodation if you are in receipt of Rent Supplement.

If this is the case, you need to talk to your landlord as they need to agree to the terms and conditions of the HAP scheme. If you have been receiving Rent Supplement for a significant period, the Department of Social Protection may ask you to contact your local authority about your social housing support qualification and applying for HAP.

HAP – Working and HAP

Under HAP, you are allowed to work full time and continue to benefit from Housing Assistance Payment (HAP). Payments to your landlord will continue,

but the amount of rent contribution you pay to your local authority will increase in accordance with your income, like the Differential Rent Scheme operated by the local authorities.

HAP – Paying Rent

You will have to pay your rent contribution through the Household Budget service if you are receiving Social Welfare payments paid through the post office.

HAP – Housing Standards

Your local authority will inspect your accommodation within eight months of the first HAP payment made to your landlord. This is to make sure that your accommodation meets the rental housing standards.

HAP – Local Authority Housing List

Once you are receiving HAP, your housing needs are met, and you will be removed from the local authority's housing list. However, you will be able to apply for transfer to other forms of social housing, for example a local authority house. When you are approved for HAP, you will receive a letter and a form to apply for a transfer from your local authority.

If you apply for a transfer within two weeks of the date of the letter, any time you spent on the housing list before you entered HAP will be considered when your local authority considers your application.

This means that you can be placed on your local authority's transfer list at the point you left the housing list. In other words, you do not have to start from scratch. You can also apply for transfer at a later date, but your previous waiting time on the housing list will not count.

HAP – Duration

Once you have been approved for HAP, you will be expected to stay in the same property for at least two years. However, you may be able to apply for a new HAP payment for another property sooner if your circumstances change. For example, if you receive a job offer in another town, or if your family has another child and the property is no longer big enough.

HAP – More information

You can find additional information on the Housing Assistance Payment on the www.hap.ie website or by contacting your local authority, see the Department of Housing, Planning and Local Government website – www.housing.gov.ie.