

## 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 7, inclusive, answered orally.*

*Questions Nos. 8 to 16, inclusive, resubmitted.*

### Covid-19 Pandemic Supports

17. **Deputy Brendan Griffin** asked the Tánaiste and Minister for Enterprise, Trade and Employment if the restart grant or additional business supports can be extended to a business (details supplied) in County Kerry; and if he will make a statement on the matter. [33964/20]

17. **Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar)**: The July Stimulus introduced significant measures to help support tourism businesses to recover following the devastating impacts of the COVID-19 crisis. In addition to the Restart Grant Plus scheme for B&Bs, some of the key measures for tourism and hospitality include the “Stay and Spend” initiative, the €26 million adaptation grant, the €10 million grant for coach tourism. Tourism enterprises also benefit from wider horizontal supports announced in Budget 2021.

As part of Budget 2021, the New COVID Restrictions Support Scheme (CRSS), operated through Revenue from 13 October 2020, offers a targeted, timely and temporary sector-specific support to businesses forced to close or trade at significantly reduced levels due to COVID of up to €5,000 per month.

The Government has extended the wage subsidy scheme, which will now run until 2021 and has also improved eligibility criteria for the Pandemic Unemployment Payment.

The Government also announced a six-month reduction in the VAT, going down from 23% to 21%, a reduction in the 13.5% VAT rate to 9% which will benefit the hospitality sector, together with a range of additional public capital investment measures to support the domestic economy.

The Microenterprise Assistance Fund is also available from Local Enterprise Offices for businesses which were not eligible for the COVID-19 Restart/Restart Plus Grant or similar COVID-19 business restart grants from other Government Departments.

Self-catering businesses are a crucial and valued part of our national tourism industry and Fáilte Ireland is committed to helping these businesses safely and successfully return to business. In this regard, the Fáilte Ireland COVID-19 Business Support Hub (<https://covid19.failteireland.ie/>) is targeting its supports to respond to the most urgent challenges and threats which tourism businesses are now facing.

I can assure you that I will continue to work with my colleagues across Government and all

stakeholders to examine how best to further assist businesses impacted by COVID-19 as part of the forthcoming National Economic Plan.

### **Covid-19 Pandemic Supports**

18. **Deputy Brendan Griffin** asked the Tánaiste and Minister for Enterprise, Trade and Employment his views on a matter (details supplied) regarding Budget 2021 for food suppliers to businesses; and if he will make a statement on the matter. [34012/20]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar):** I am keenly aware that businesses are making a massive sacrifice to protect their communities and I am committed to ensuring that the Government will offer as much assistance and support as possible.

Budget 2021 provides a significant package of tax and expenditure measures to build the resilience of the economy and to help vulnerable but viable businesses across all sectors. The measures in the Budget are in addition to those announced in the July Stimulus, including the Employment Wage Subsidy Scheme (EWSS), cash for businesses, low cost loans, commercial rates waivers and deferred tax liabilities. Details of the wide range of COVID-19 schemes are available on my Department's website at <https://dbei.gov.ie/en/What-We-Do/Supports-for-SMEs/COVID-19-supports/>.

As a result of the fact that businesses have to close, we are making changes to the Pandemic Unemployment Payment (PUP) and the EWSS. The new payment structure for the PUP includes the increase in the top rate to €350 for those who were earning in excess of €400 per week. This change to payment rates will apply in respect of all existing and new applicants. The EWSS is also being amended to align with the amendment to PUP, with the top payment increasing to €350 for those earning over €400.

As part of Budget 2021, a new COVID Restrictions Support Scheme (CRSS), became operational from 13th October through Revenue and offers a targeted, timely and temporary sector-specific support to businesses forced to close or trade at significantly reduced levels due to COVID of up to €5,000 per week.

We are providing more and cheaper loan finance through MicroFinance Ireland, SBCI and the new €2bn Credit Guarantee Scheme

We have also announced a six-month reduction in the VAT, going down from 23% to 21%, a reduction in the 13.5% VAT rate to 9%.

### **State Aid**

19. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment his plans to change State aid rules to better support local authorities, businesses and communities in the midlands as requested by the Just Transition Commissioner; and if he will make a statement on the matter. [34069/20]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar):** State aid rules apply equally to all Member States and therefore are developed by the European Commission in consultation with Member States. As such, no national Government has sole discretion to make changes to these rules but each Member State provides input into the development of the rules be this through the State aid Modernisation process which is currently

underway, State aid Fitness Checks and their associated consultation processes. The State Aid Unit of my Department coordinates Ireland's position in the development and/or revision of State aid rules and engages widely across Government on specific state aid issues.

For example as part of the recent review of the Regional Aid Guidelines, Ireland set out the importance of specific measures for Just Transition areas, a position also taken by other Member States who considered that the uniqueness of Just Transition areas should be included in the revised Regional Aid Guidelines.

The Green Deal and Just Transition are very much a priority for the Commission and for Member States with new flexibilities already in place. Ireland has recently developed the Just Transition Fund under the General Block Exemption Regulation. This will provide funding to innovative projects that contribute to the economic, social and environmental sustainability of the Wider Midlands region. The Government has allocated €11 million to this Fund for 2020.

As part of the State Aid Modernisation Programme, a number of State Aid rules are being considered in the context of the Green Deal and Just Transition. These include the Environmental and Energy State Aid Guidelines which will be subject to consultation over the coming months and my Department will coordinate a cross Government input into the revision process.

### **Grant Payments**

20. **Deputy Jackie Cahill** asked the Tánaiste and Minister for Enterprise, Trade and Employment the status of the business restart grant application for the swimming pool that a facility (details supplied) has applied for; and if he will make a statement on the matter. [34080/20]

**Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Leo Varadkar):** My Department has engaged with the relevant Local Authority on this matter and I am pleased to learn that the business in question has benefitted from both the Restart and Restart Grant Plus schemes. I am further advised that a 30% top-up payment has been awarded, which amounts to a total of €29,500 in grants paid to the business.

### **Fuel Laundering**

21. **Deputy Imelda Munster** asked the Minister for Environment, Climate and Communications the cost in 2018 and 2019 for the disposal of toxic sludge relating to diesel laundering; and if he will make a statement on the matter. [33990/20]

22. **Deputy Imelda Munster** asked the Minister for Environment, Climate and Communications the cost in 2018 and 2019 for the clean-up and remediation relating to diesel laundering; and if he will make a statement on the matter. [33991/20]

**Minister for Environment, Climate and Communications (Deputy Eamon Ryan):** I propose to take Questions Nos. 21 and 22 together.

Enforcement in relation to illegal diesel laundering activities is primarily a matter for the Revenue Commissioners from the point of view of avoiding loss of revenue to the Exchequer. My Department assists local authorities in carrying out their role as competent authorities under waste legislation, which involves taking the necessary measures, on behalf of the State, to ensure that any waste generated and left abandoned by diesel launderers is disposed of without endangering human health and without harming the environment.

In total, funding of €431,298 was provided by my Department to two local authorities over the period 2018 to 2019 to fund the clean up and removal of diesel sludge relating to 88 incidences of illegal diesel laundering. The following table sets out the breakdown of the funding provided and the number of incidents related to each of the two local authority areas.

Funding	Louth	Monaghan	Total
2018	€166,216	€26,056	€192,272
2019	€199,445	€39,581	€239,026
No of Incidents			
2018	26	9	35
2019	42	11	53

### Recycling Policy

23. **Deputy Richard Bruton** asked the Minister for Environment, Climate and Communications if he has developed initiatives to extend full household recycling to apartment developments which do not now provide them; and if he will make a statement on the matter. [34001/20]

**Minister for Environment, Climate and Communications (Deputy Eamon Ryan):** The *Waste Action Plan for a Circular Economy*, which I launched in September this year, contains a commitment to deliver behavioural change campaigns for individuals, businesses and the public sector to encourage improved waste segregation and recycling. The plan contains the following specific commitments in relation to waste collection for apartment dwellers: - We will work with relevant stakeholders to improve waste segregation in apartment complexes;

- We will develop a quality waste management assurance scheme for businesses - including apartments serviced by management companies;

- We will work with the Department of Housing, Local Government and Heritage to make regulatory changes in planning and tenancy laws to ensure apartment dwellers are provided with infrastructure to support food waste segregation.

Work has already commenced in determining which stakeholders are needed to progress these commitments and an initial stakeholder engagement with representative organisations is planned before the end of the year. Work has already taken place with some local authorities examining the issues around managing waste in apartments. In addition, the incorporation of recycling targets into waste collection permits will incentivise the waste collection industry to drive enhanced waste segregation including for apartment complexes.

### Legislative Process

24. **Deputy Michael Healy-Rae** asked the Minister for Environment, Climate and Communications the status of the geothermal energy development Bill; when it is likely to be advanced further; the reason for the delay in advancing this Bill; and if he will make a statement on the matter. [34021/20]

**Minister for Environment, Climate and Communications (Deputy Eamon Ryan):** I expect to be in a position to shortly publish a roadmap for public consultation on the development of a policy and regulatory framework for geothermal energy in Ireland. The development of such a roadmap is in line with the commitment in the Programme for Government to rapidly decarbonise the energy sector. The roadmap will be published together with a technical paper,

providing background detail on geothermal energy generally, Ireland's geothermal potential, a comparison of international policy frameworks, a summary of the other relevant regulatory frameworks and how they interact. Following this, the next steps in the process would include the development of a draft policy statement or paper on geothermal energy to be published for consultation, a final policy for Government consideration and, if approved, preparation of supporting legislation setting out the new regulatory framework.

### **Climate Change Policy**

25. **Deputy Marc MacSharry** asked the Minister for Environment, Climate and Communications if there has been an evaluation of the potential carbon emissions savings resulting from the commitment in the programme for Government which commits to an allocation of 10% of the total transport capital budget for cycling projects and an allocation of 10% of the total capital budget for pedestrian infrastructure; and if he will make a statement on the matter. [34039/20]

**Minister for Environment, Climate and Communications (Deputy Eamon Ryan):** The next ten years are critical if we are to address the climate crisis which threatens our safe future on this planet. The Programme for Government commits to an average 7% per annum reduction in overall greenhouse gas emissions from 2021 to 2030 - a 51% reduction over the decade - and to achieving net zero emissions by 2050. The 2050 target will be set in law by the Climate Action Bill, which will drive the implementation of a suite of policies that will help achieve the Programme for Government's goal of a 7% yearly reduction in greenhouse gas emissions and achieving net zero emissions by 2050. The drafting of the Bill is a key part of our journey towards achieving the 7% annual reduction in greenhouse gas emissions. This step-change in ambition will be challenging and require fundamental changes in so many parts of Irish life, but I believe that Ireland can and will rise to this challenge. In doing so we will be able to improve the health, welfare and security of all our people. The next iteration of the Climate Action Plan will identify and set out the far reaching policy changes across every sector to deliver these emissions reductions. In particular, the Programme for Government commits to:

- Delivering a National Aggregated Model of Retrofitting reaching over 500,000 homes by 2030, as part of the EU Renovation Wave.
- Learning from district heating pilot projects to launch a scaled-up programme.
- Accelerating the electrification of the transport system, including electric bikes, electric vehicles, and electric public transport.
- Developing a strategy for remote working and remote service delivery, taking advantage of the opportunity for a rapid roll-out of the National Broadband Plan.
- Ensuring an unprecedented modal shift in all areas by a reorientation of investment to walking, cycling and public transport.
- Developing a new Sustainable Rural Mobility Plan.
- Introducing a transformational programme of research and development, to ensure that Ireland is at the cutting edge of scientific and technological innovation in meeting our climate targets.
- Developing a major drive to realise the immense potential of Ireland's offshore renewables.

- Devising a systemic programme of sectoral audits of the commercial and industrial sector to underpin, area by area, strategies to meet the new national targets.
- Expanding and incentivising micro generation, including roof-top solar energy.
- Developing a new strategy to expand afforestation, particularly Close to Nature Forestry and agro-forestry.
- Transforming the scale of organics farming, with the delivery of a fair price for farmers at its heart.
- Building on Ireland's relative carbon efficiency in food production and ensuring the delivery of the measures identified by Teagasc to the fullest extent possible.
- Delivering an incremental and ambitious reduction in the use of inorganic fertiliser through to 2030.
- Rapidly evaluating the potential role of sustainable bioenergy.
- Completing and implementing a major Waste and Circular Economy Action Plan.

My Department has commenced work on the next iteration of the Climate Action Plan, due to be published in 2021. As part of this work, modelling inputs will be drawn from the broad spectrum of expertise available to the Government as well as contracted expertise. This work will include examining the expected abatement potential of Programme for Government commitments in relevant sectors, including those in the transport sector, in order to assess how Ireland will be able to achieve an average 7% per annum reduction in overall greenhouse gas emissions from 2021 to 2030.

## **Energy Policy**

26. **Deputy Marc MacSharry** asked the Minister for Environment, Climate and Communications if Ireland is compliant for 2020 and 2021 with the Regulation (EU) No. 994/2010 on security of gas supply which requires member states to comply with the N-1 formula; and if he will make a statement on the matter. [34040/20]

27. **Deputy Marc MacSharry** asked the Minister for Environment, Climate and Communications the implications of Brexit for Ireland's energy supply; if the UK will continue to be subject to the EU law obligations to provide solidarity as required by Regulation (EU) 2017/1938 regarding measures to safeguard the security of supply to Ireland; and if he will make a statement on the matter. [34041/20]

**Minister for Environment, Climate and Communications (Deputy Eamon Ryan):** I propose to take Questions Nos. 26 and 27 together.

The Government's Brexit Readiness Action Plan, published in September, sets out that a disruption to the supply of natural gas as a consequence of Brexit is not anticipated. My Department has worked with key State bodies, including the Commission for Regulation of Utilities and Gas Networks Ireland, to ensure they have updated plans in place.

It is expected that the current rules for trading natural gas across interconnectors with the UK will remain the same. However, in the case of any future gas supply emergency disruption, the UK will no longer be bound by current EU obligations. These obligations include Regulation (EU) 2017/1938 which replaced Regulation (EU) 994/2010 and sets out a range of require-

ments that apply to EU Member States in relation to the security of gas supply.

Ireland will continue to meet the ‘N-1’ infrastructure standard set out in Article 5 of the Regulation on a regional basis with the UK until the end of this year. From 1 January 2021, following the end of the transition period, Ireland will not be in a position to meet the infrastructure standard. However, it should be noted that there will be no adverse impact on security of supply as the same gas infrastructure will remain in place.

From 1 January 2021, the UK will not be required to provide solidarity to Ireland during natural gas supply disruptions under Article 13 of the Regulation. It should be noted that in order for the UK to provide solidarity to Ireland, agreement on technical, legal and financial arrangements would be required. Similar to the majority of other Member States, such agreement is not yet in place. The absence of solidarity will therefore not lead to a reduction in natural gas security of supply from the current position.

Ireland continues to work with our EU partners in the negotiations with the UK to ensure continued future cooperation on natural gas security of supply.

### **National Broadband Plan**

28. **Deputy Joe Carey** asked the Minister for Environment, Climate and Communications if he will provide a detailed plan and timelines of when areas of County Clare will receive fibre broadband in accordance with the National Broadband Plan; and if he will make a statement on the matter. [34074/20]

29. **Deputy Joe Carey** asked the Minister for Environment, Climate and Communications if he will respond to a query (details supplied); and if he will make a statement on the matter. [34075/20]

**Minister for Environment, Climate and Communications (Deputy Eamon Ryan):** I propose to take Questions Nos. 28 and 29 together. 28 and 29 together. The Questions refers to premises which are located in the AMBER area on the National Broadband Plan (NBP) High Speed Broadband Map which is available on my Department’s website at [www.broadband.gov.ie](http://www.broadband.gov.ie). The AMBER area represents the area to be served by the network to be deployed under the NBP State led intervention, the contract for which was signed in November last with National Broadband Ireland (NBI). The NBP network will offer users a high speed broadband service with a minimum download speed of 500Mbps from the outset. This represents an increase from the 150Mbps committed to under the Contract. The deployment plan forecasts premises passed in all counties within the first 2 years and over 90% of premises in the State having access to high speed broadband within the next four years. As of 27 October, design work is complete or on-going in target townlands across 25 counties and steady progress is being made with over 118,000 premises surveyed to date. This activity is increasing week on week and NBI expects to have completed some 120,000 surveys by the end of the year. Given that the contracted delivery of the National Broadband Plan State led intervention is over a 7 year period and the nature of the works involved in delivering a fibre telecommunications network, it is not possible to provide a detailed timetable on a Townlands basis. NBI provides a facility for any premises within the Intervention Area to register their interest in being provided with deployment updates through its website (<https://nbi.ie/map/>). In Clare, I can advise that surveys have commenced in the areas of Cratloe, Ballycannon, Ballyglas and Cloghrea and further surveys are due to commence in the areas of Kilkishen before the end of this year. This activity involves physically walking the routes and documenting images, notes and measurements of the poles, cables and underground ducts in each area. This is informing design solutions for provision

of the fibre network. This detailed design is then used to initiate the ‘make ready’ project with eir for the area, where eir ensure any poles and ducts being reused are fit for purpose. It is also used to initiate works with the subcontractors deploying the actual fibre in the area. The laying of fibre should commence shortly with the first fibre to the home connections expected around December in Cork. Broadband Connection Points (BCPs) are a key element of the NBP providing high speed broadband in every county in advance of the roll out of the fibre to the home network. As of 23 October, some 179 BCP sites have been installed by NBI and 59 of these are now connected with high speed broadband service through service provider contracts managed by the Department of Rural and Community Development for publicly available sites. In addition, school BCPs will be provided with high speed broadband, for educational use only, through a service provider contract managed by the Department of Education and Skills. To date, 6 schools have been connected with high speed broadband for educational access only. It is anticipated that 275 BCP sites will be connected by the end of the year. Further details can be found at <https://nbi.ie/bcp-locations/>.

There are a number of BCPs located across County Clare including at Cree Community Centre, Loop Head and Michael Cusack Visitor Centre. A number of schools including Shragh, Ennistymon and Stonehall National Schools are also now connected. Further details can be found at <https://nbi.ie/bcp-locations/>.

### Travel Trade Sector

30. **Deputy Brendan Griffin** asked the Minister for Transport his views on a matter (details supplied) regarding travel agencies in budget 2021; and if he will make a statement on the matter. [34008/20]

**Minister for Transport (Deputy Eamon Ryan):** I am fully aware that the travel trade sector has not been able to reclaim any meaningful level of lost trade over the past 6 months. It is an SME sector, and as such travels agents and tour operators have access to all of the various business supports made available in the July stimulus package and in last month’s Budget. Budget 2021 contains historic levels of State support for the SME sector in the form of wage supports, financial grants and waived commercial rates.

In addition, under current Level 5 Covid restrictions, travel agents and tour operators operating from business premises that customers are prohibited or significantly restricted from accessing may be eligible for the Covid Restrictions Support Scheme (CRSS). Any queries in relation to the operation of the CRSS should be directed to the Revenue Commissioners. Taken together, I would be hopeful that these significant measures will help safeguard the travel sector throughout the difficult months ahead so that it will be ready to trade fully again when circumstances permit.

### Driver Test

31. **Deputy Richard O’Donoghue** asked the Minister for Transport if he will reconsider the exclusion of theory test centres from level 5 restrictions given the need for persons to obtain a licence for employment; and if he will make a statement on the matter. [34018/20]

**Minister for Transport (Deputy Eamon Ryan):** The Government Decision to move to Level 5 of *Resilience and Recovery 2020-2021: Plan for Living with COVID-19* was taken due to the very serious increase in COVID-19 infection levels.

The Government decision and the public health regulations require that driver theory tests are suspended for the duration of the Level 5 restrictions. The decision to suspend this service, like many other services across all sectors of our society, is a difficult one but is necessary for the measures in the *Plan for Living with COVID-19* to be as effective as possible in addressing the current situation.

All appointments during this period will be rescheduled to the next available appointment date by the Road Safety Authority.

### **Taxi Licences**

32. **Deputy Colm Burke** asked the Minister for Transport if the period of time will be extended for taxis to be registered and issued with taxi licences in cases where the vehicles were imported prior to 28 February 2020, but it has not been possible to register them due to Covid before the six year rule for registration applies; and if he will make a statement on the matter. [33968/20]

**Minister for Transport (Deputy Eamon Ryan):** The regulation of the small public service vehicle (SPSV) industry, including the licensing of SPSVs, is a matter for the National Transport Authority (NTA) under the provisions of the *Taxi Regulation Act 2013*.

Given the role of the NTA as regulator, I have referred your question to the Authority for direct reply to you. Please advise my private office if you do not receive a response within 10 working days

### **Ministerial Meetings**

33. **Deputy Sean Sherlock** asked the Minister for Transport the dates he has had engagement with the DAA and the management of Cork Airport in the past two months. [34003/20]

**Minister for Transport (Deputy Eamon Ryan):** Since coming into Office, both Minister of State Hildegard Naughton and I have met with daa senior management, including its Chief Executive and the Managing Director of Cork Airport. Indeed, at the end of August Minister of State Naughton visited Cork Airport and met with senior management.

While I have not had direct engagement over the period in question, I assure the Deputy that there is ongoing and regular engagement between officials in my Department and daa and the management of Cork Airport. I am also aware that over the past 2 months, senior management from Cork Airport have been in direct contact with the An Taoiseach in relation to the impacts of Covid-19 on the Airport.

In this context the Government has already provided a comprehensive suite of generalised supports for companies of all sizes, including those in the aviation sector, which includes the Employment Wage Subsidy Scheme, a waiver of commercial rates and deferred tax liabilities. Cork Airport, as part of the daa, is availing of these supports which assist in addressing some of the impacts of Covid-19. Further, in recognition of the devastating effects of Covid-19, Budget 2021 included a provision of €10m in capital support to address the challenges facing Cork (and Shannon) Airport.

I can assure the Deputy that I, Minister of State Naughton, and my officials will continue to engage with daa and the management of Cork Airport as the Government continues to develop the forthcoming National Economic Plan.

### **Driver Test**

34. **Deputy Brendan Griffin** asked the Minister for Transport if a person (details supplied) in County Kerry will be permitted to apply for the driver test without the certificate of professional competence truck case studies test given the delay in test appointments; and if he will make a statement on the matter. [34005/20]

**Minister for Transport (Deputy Eamon Ryan):** This is a matter for the Road Safety Authority. I have referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a response is not received within 10 days.

### **Road Projects**

35. **Deputy Joe Carey** asked the Minister for Transport the status relating to the provision of the Killaloe bypass, Shannon bridge crossing and the R494 improvement scheme; the expected construction date for this vital project for south-east County Clare; and if he will make a statement on the matter. [34076/20]

**Minister for Transport (Deputy Eamon Ryan):** The improvement and maintenance of regional and local roads is the statutory responsibility of the relevant local authority 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.

Project Ireland 2040 identifies a programme of regional and local road improvement projects to be progressed with grant support and the Killaloe Bypass, Shannon Bridge Crossing and the R494 improvement scheme is one of those projects. Implementation of the programme of projects is on a phased basis and progression of each project is subject to the profile of annual capital allocations available to the Department.

Implementation of the Killaloe Bypass, Shannon Bridge Crossing and the R494 improvement scheme is the responsibility of Clare County Council. Grant funding of €4.5 million was allocated to the Council for this project in 2020. The scheme is at land acquisition and preparatory works stage at present and a construction schedule for the main scheme has not been finalised as yet.

### **Road Safety Authority**

36. **Deputy Noel Grealish** asked the Minister for Transport if there are parking facilities provided at the RSA testing centre at Carnmore, Oranmore, County Galway; if so, the number of dedicated vehicle parking places; if not, if parking facilities will be provided; and if he will make a statement on the matter. [34103/20]

**Minister for Transport (Deputy Eamon Ryan):** Specific details on the layout and facilities available at a RSA Test Centre are held by the Road Safety Authority and I have no information on this matter.

I am therefore passing the Deputy's question to the Road Safety Authority for direct reply. If a reply has not been received within 10 working days, the Deputy should contact my office.

### **Road Network**

37. **Deputy Marian Harkin** asked the Minister for Transport the total spend on local and national roads by county in 2018, 2019 and to date in 2020, in tabular form; and the budget allocation for 2021. [34125/20]

**Minister for Transport (Deputy Eamon Ryan):** The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority 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 Exchequer road grants, where applicable. The initial selection and prioritisation of works to be funded is also a matter for the local authority. In the case of the four Dublin Councils, the arrangements in place since 2015 for the retention of Local Property Tax means that these Councils are required to largely self-fund their road programmes.

In relation to Exchequer grants on roads in each of the years 2018 and 2019, details of the regional and local road grant allocations and payments to local authorities are outlined in the regional and local road allocations and payments booklets which are available in the Oireachtas Library.

The table below outlines the grants paid out to the end of October this year.

Local Authority	Spend to end October 2020
Carlow	€4,030,267
Cavan	€9,989,021
Clare	€9,195,110
Cork City	€4,659,307
Cork County	€31,870,490
Donegal	€20,453,552
Dublin City	€14,300
Dún Laoghaire-Rathdown	€0
Fingal	€0
Galway City	€1,337,623
Galway County	€21,273,503
Kerry	€14,526,054
Kildare	€12,540,343
Kilkenny	€10,356,228
Laois	€6,892,561
Leitrim	€6,464,532
Limerick	€15,491,864
Longford	€5,853,708
Louth	€2,933,725
Mayo	€18,790,109
Meath	€11,712,812
Monaghan	€7,929,876
Offaly	€6,175,853
Roscommon	€7,406,222
Sligo	€12,097,767
South Dublin	€0
Tipperary	€21,194,639
Waterford	€10,805,739

Local Authority	Spend to end October 2020
Westmeath	€6,486,908
Wexford	€11,782,527
Wicklow	€6,940,533
Totals	€299,205,173

Allocations for 2021 will be decided as part of the general grant allocation process.

In relation to expenditure on national roads, as Minister for Transport I have responsibility for overall policy and securing exchequer funding for the National Roads Programme. Once funding arrangements have been put in place with Transport Infrastructure Ireland (TII), under the Roads Acts 1993-2015 and in line with the National Development Plan (NDP), the planning, development and maintenance of individual national roads is a matter for TII, in conjunction with the local authorities concerned. TII is, therefore, responsible for the distribution of funds under the Capital Programme for the implementation of the national roads programme.

Noting the above position, I have referred your question to TII for a direct reply. Please advise my private office if you do not receive a reply within 10 working days.

### Fuel Laundering

38. **Deputy Imelda Munster** asked the Minister for Finance the number of fuel tank tests tested for marked fuel in 2018 and 2019; and the number of positive tests in each year. [33992/20]

42. **Deputy Imelda Munster** asked the Minister for Finance the annual loss of revenue in 2018 and 2019 due to diesel laundering broken down by tax stream including VAT, excise duty and other relevant tax streams in tabular form. [33989/20]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 38 and 42 together.

I am advised by Revenue that a multifaceted approach is taken to tackling the misuse of fuel and its compliance activities in this area include roadside sampling of private and commercial vehicles at checkpoints combined with a risk based targeted sampling programme based on enhanced supply chain reporting for suppliers and retailers. In addition, Revenue and the UK Revenue and Customs undertook a joint initiative to introduce a new marker for use in marked fuels, which came into operation in April 2015.

The number of samples of Marked Gas Oil drawn and the consequential detections of mis-used fuel for the years 2018 and 2019 are set out below.

Year	Samples Drawn	Misuse Detections
2018	27,875	835
2019	33,984	867

Revenue conducted random National Sampling Programmes in the years 2016 to 2019 to assess the extent of fuel laundering. The results for all 4 years of the sampling programmes to date are summarised in the report of the 2019 programme published at: <https://www.revenue.ie/en/corporate/documents/research/oil-sampling-programme-2019.pdf>.

The 2019 programme involved samples being taken from over 200 randomly selected licenced fuel outlets and transport sector trades. Evidence of misuse of fuel was discovered in only 3 cases.

The results represent confirmation of the effectiveness of the various measures introduced by Revenue in recent years to enhance compliance in the fuel trade and among users of diesel. The random sampling programme results do not signify the complete elimination of the illicit trade in fuel. However, they do demonstrate that systematic selling of illicit fuel through retail outlets and its use in the transport sector is negligible.

I am advised by Revenue that it does not measure on an annual basis the level of tax loss due to diesel laundering. By its nature, an illicit activity such as fuel laundering is not something that can be easily assessed or accurately estimated. However, a number of indicators are used to monitor trends in this area and are detailed in the information I have provided to the Deputy.

Despite the success in combatting the misuse of fuel I am assured by Revenue that combatting such criminality continues to be a priority. Revenue and An Garda Síochána collaborate closely in acting against cross-border fuel crime and also co-operate with their counterparts in Northern Ireland under the framework of the North-South Joint Agency Task Force. This cooperation plays a key role in targeting the organised crime groups who operate across jurisdictions and are responsible for much of this criminality.

### **Covid-19 Pandemic Supports**

39. **Deputy Niall Collins** asked the Minister for Finance his views on correspondence (details supplied); and if he will make a statement on the matter. [33965/20]

41. **Deputy Brendan Griffin** asked the Minister for Finance if he will address an anomaly in the Covid-19 restrictions support scheme (details supplied); and if he will make a statement on the matter. [33979/20]

44. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will address a matter (details supplied) regarding the Covid restrictions support scheme; and if he will make a statement on the matter. [34060/20]

**Minister for Finance (Deputy Paschal Donohoe):** I propose to take Questions Nos. 39, 41 and 44 together.

The Financial Measures (Covid-19) (No. 2) Act 2020 put on a statutory footing the arrangements for the ‘warehousing’ of tax debts that Revenue had been operating on an administrative basis since the beginning of Covid-19 related restrictions in March 2020. I also announced in Budget 2021 that warehousing arrangements would be extended to the balance of 2019 income tax and 2020 preliminary tax obligations for the self-assessed taxpayers whose income has been adversely affected by Covid-19 restrictions.

Businesses that avail of the ‘warehousing’ scheme also qualify for a Tax Clearance Certificate if they continue to meet their qualifying obligations – that is, filing all tax returns and paying other liabilities as they fall due. I should add that taxpayers with non-COVID-19 tax debts which are included in a phased payment arrangement (PPA), can also qualify for tax clearance.

Revenue adopts a pragmatic approach in circumstances where a taxpayer has payment difficulties and it is important that the taxpayer or their tax agent contacts Revenue as early as possible so that alternative arrangements can be agreed.

Tax clearance allows taxpayers to avail of other essential Covid-19 related supports such as the Employment Wage Subsidy Scheme (EWSS), the Stay and Spend Scheme and the Covid Restrictions Support Scheme (CRSS) to which the Deputy refers.

The details of the CRSS are set out in the Finance Bill 2020 and guidelines on the operation of the scheme are available on the Revenue website (<https://www.revenue.ie/en/corporate/press-office/budget-information/2021/crss-guidelines.pdf>). The CRSS is a targeted support for businesses significantly impacted by restrictions introduced by the Government under public health regulations to combat the effects of the Covid-19 pandemic.

The support will be available to companies and self-employed individuals who carry on a trade or trading activities from a business premises located in a region subject to restrictions, introduced in line with the Living with Covid-19 Plan, with the result that the business is required to prohibit or considerably restrict customers from accessing their business premises.

As I have previously indicated, it is not sufficient that the business supplies goods or services to another business that qualifies for the support because, under the Covid restrictions, that other business is required to temporarily close, or significantly reduce, its activity. Each business must satisfy the eligibility criteria in their own right.

### **Wage Subsidy Scheme**

40. **Deputy Robert Troy** asked the Minister for Finance if it is still a requirement of the employment wage subsidy scheme that income must reduce by 30% in the 2nd half of 2020 compared to the 2nd half 2019 or if it will be paid to impacted businesses generally. [33974/20]

**Minister for Finance (Deputy Paschal Donohoe):** The Employment Wage Subsidy Scheme (EWSS) has been deliberately designed as an economy wide enterprise support that is open to all sectors on the basis of a turnover test that can be applied across the whole economy while at the same time remain targeted at employers who are considered to be most in need of support.

The EWSS turnover test has been specifically calibrated so as to target the subsidy at otherwise viable employers whose businesses continue to be adversely impacted by COVID-19 by requiring a comparison of the firm's pre-pandemic operations with their current operations. The legislation provides that the employer must be able to demonstrate that they are operating at no more than 70% in either the turnover of the employer's business or the customer orders received by the employer by reference to the period from July to December 2020 compared with the same period in 2019.

There is additional flexibility in the application of the turnover test to allow employers to take account of potentially sudden changes in turnover on a month-to-month "opt-in/opt-out" basis. Under the legislation, an employer is required to carry out a review of their turnover each month and confirm that they are still eligible for the scheme. At the same time, there is no cut-off deadline for access to the scheme, so if there is a reduction in turnover later in 2020 because of an unexpected reduction in business activity or a sudden change in business circumstances the employer may be entitled to make a claim for that future period.

I am satisfied that the EWSS contains sufficient flexibility to take account of changes in business circumstances and is targeted at employers across all sectors who are most in need of support.

For those who may not be eligible for the EWSS, I would draw attention to the comprehensive package of other business and employer supports that have been made available since the July Stimulus Plan and Budget 2021 - including the Covid Restriction Support Scheme (CRSS), the Credit Guarantee Scheme, the SBCI Working Capital Scheme, Sustaining Enterprise Fund, and the Covid-19 Business Loans Scheme.

*Question No. 41 answered with Question No. 39.*

*Question No. 42 answered with Question No. 38.*

### **Primary Medical Certificates**

43. **Deputy Michael Fitzmaurice** asked the Minister for Finance when assessments will recommence for applications for primary medical certificates; and if he will make a statement on the matter. [34007/20]

**Minister for Finance (Deputy Paschal Donohoe):** The Disabled Drivers & Disabled Passengers Scheme provides relief from VRT and VAT on the purchase and use of an adapted car, as well as an exemption from motor tax and an annual fuel grant. The cost of the scheme in 2019, excluding motor tax, was €72m.

The Scheme is open to severely and permanently disabled persons as a driver or as a passenger and also to certain organisations. In order to qualify for relief an organisation must be entered in the register of charitable organisations under Part 3 of the Charities Act 2009, be engaged in the transport of disabled persons and whose purpose is to provide services to persons with disabilities.

In order to qualify for relief the applicant must hold a Primary Medical Certificate (PMC) issued by the relevant Senior Area Medical Officer (SAMO) or a Board Medical Certificate (BMC) issued by the Disabled Driver Medical Board of Appeal. Certain other criteria apply in relation to the vehicle and its use, including that the vehicle must be specially constructed or adapted for use by the applicant.

The terms of the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994 set out the following medical criteria, and that one or more of these criteria is required to be satisfied in order to obtain a PMC:

- be wholly or almost wholly without the use of both legs;
- 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;
- be without both hands or without both arms;
- be without one or both legs;
- be wholly or almost wholly without the use of both hands or arms and wholly or almost wholly without the use of one leg;
- have the medical condition of dwarfism and have serious difficulties of movement of the lower limbs.

A Supreme Court decision of 18th June found in favour of two appellants against the Disabled Drivers Medical Board of Appeal's refusal to grant them a PMC. The judgement found that the medical criteria set out in the Regulations did not align with the regulation making mandate given in the primary legislation to further define criteria for 'severely and permanently disabled' persons.

The Deputy will appreciate that the complex legal and policy issues raised by the Supreme Court decision will require careful consideration. In parallel to that consideration there is a need

to examine how best the Scheme can target resources to those persons who most need them. I am currently giving consideration to policy and legislative proposals set out by my officials and will seek to progress this issue in the coming weeks.

In the interim, on foot of the legal advice received, it became clear that it was appropriate to revisit the six medical criteria set out in Regulation 3 of Statutory Instrument 353 of 1994 for these assessments. In such circumstances, it is not proposed to continue with PMC assessments until a revised basis for such assessments is established. The medical officers who are responsible for conducting PMC assessments need to have assurance that the decisions they make are based on clear criteria set out in legislation. While Regulation 3 of Statutory Instrument No. 353 of 1994 was not deemed to be invalid, nevertheless it was found to be inconsistent with the mandate provided in Section 92 of the Finance Act 1989.

My officials were in contact with the Medical Board of Appeal and with officials in the Department of Health and will continue to liaise with them, as required, going forward. I have also written to the Minister for Health to request that there are no further PMC assessments until a sound legal basis for such assessments is re-established.

While it is regrettable that PMC assessments are currently not taking place and I acknowledge that this will result in a growing waiting list, I can give a commitment that I will seek to bring clarity to this situation as soon as possible such that PMC assessments can re-continue based on a firm legal basis.

Finally, I would like to clarify that the Scheme itself is still operating. All persons or charitable organisations that can currently access the Scheme will continue to be able to do so and make claims for tax reliefs and the fuel grant in the normal manner.

*Question No. 44 answered with Question No. 39.*

### **Covid-19 Pandemic**

45. **Deputy Jennifer Carroll MacNeill** asked the Minister for Finance the steps he has taken to date to address situations in which persons in receipt of the employment wage subsidy scheme or other Covid-19-related income supports are facing difficulties in securing mortgage approval, despite no change to the persons wages; and if he will make a statement on the matter. [34061/20]

**Minister for Finance (Deputy Paschal Donohoe):** I have met with the CEOs of the banks on a number of occasions since the pandemic arose to discuss the measures banks and other regulated lenders can put in place to assist their borrowers who are economically impacted by COVID-19 and also the need to continue to support overall credit and lending in the economy, including new residential mortgage lending. The three main retail banks assured the Tánaiste, Leo Varadkar T.D., Minister McGrath and me at meetings in July that they were considering applications and mortgage drawdowns from customers on the Temporary Wage Subsidy Scheme (TWSS) on a case by case basis and that they are taking a fair and balanced approach.

The purpose of the Employment Wage Subsidy Scheme (EWSS), which replaced the TWSS, is to support employers by helping them to continue trade as they deal with risk arising from COVID-19, and this puts employers in a position to retain key staff and ensure the viability of businesses and firms.

In respect of the approach of regulated mortgage lenders on new mortgage lending, the Central Bank has advised that it expects all regulated firms to take a consumer-focused approach

and to act in their customers' best interests at all times, including during the COVID-19 pandemic. Lenders continue to process mortgage applications and have supports in place to assist customers impacted by COVID-19. If mortgage applicants have any queries or concerns about the impact of COVID-19 on their mortgage application, they should in the first instance contact their lender directly on the matter.

However, within the parameters of the regulatory framework, as set out below, the decision to grant or refuse an individual application for mortgage credit is a commercial decision to be made by the regulated entity. Also a loan offer may contain a condition that the lender can withdraw or vary the offer if in the lender's opinion there is any material change in circumstances prior to drawdown. In such cases, the decision to withdraw or vary the offer is also a commercial decision for the lender.

The European Union (Consumer Mortgage Credit Agreements) Regulations 2016 (CMCAR) provide that, before concluding a mortgage credit agreement, a lender must make a thorough assessment of the consumer's creditworthiness with a view to verifying the prospect of the consumer being able to meet his or her obligations under the credit agreement. The CMCAR further provide that a lender should only make credit available to a consumer where the result of the creditworthiness assessment indicates that the consumer's obligations resulting from the credit agreement are likely to be met in the manner required under that agreement. The assessment of creditworthiness must be carried out on the basis of information on the consumer's income and expenses and other financial and economic circumstances which is necessary, sufficient and proportionate.

In addition, the Central Bank's Consumer Protection Code 2012 imposes 'Knowing the Consumer and Suitability' requirements on lenders. Under these requirements, lenders are required to assess affordability of credit and the suitability of a product or service based on the individual circumstances of each borrower. The Code specifies that the affordability assessment must include consideration of the information gathered on the borrower's personal circumstances and financial situation.

Where a lender refuses a mortgage application, the CMCAR requires that the lender must inform the consumer without delay of the refusal. In addition, the Code requires that the lender must clearly outline to the consumer the reasons why the credit was not approved, and provide these reasons on paper if requested.

If a mortgage applicant is not satisfied with how a regulated firm is dealing with them, or they believe that the regulated firm is not following the requirements of the Central Bank's codes and regulations or other financial services law, they should make a complaint directly to the regulated firm. If they are still not satisfied with the response from the regulated firm, they can refer the complaint to the Financial Services and Pensions Ombudsman.

## **Credit Unions**

46. **Deputy Noel Grealish** asked the Minister for Finance the number of staff in the registry of credit unions by division of units within the registry; the way in which this has changed since the commencement of the Credit Union and Co-operation with Overseas Regulators Act 2012; and if he will make a statement on the matter. [34118/20]

**Minister for Finance (Deputy Paschal Donohoe):** The Central Bank has informed me that the number of staff in the Registry of Credit Unions is currently 52, allocated across the following activities:

- Supervision
- Intervention & Restructuring
- Policy Framework / Regulatory Approvals
- Business Model Engagement
- Operations

The majority of staff are engaged in supervision and intervention and restructuring activities.

In 2012 there were 48 staff allocated across the following areas:

- Supervision
- Intervention & Restructuring
- Policy Framework
- Financial Analysis
- Operations

A dedicated Business Model Engagement unit was established in 2016, to engage on business model development from a regulatory perspective.

Since 2019, the Financial Analysis function has been relocated within the Central Bank's Risk Analysis, Data Analytics & Reporting Division.

### **Garda Stations**

47. **Deputy Noel Grealish** asked the Minister for Public Expenditure and Reform if the Garda station in Spiddal, County Galway will be refurbished and provided with updated facilities; and if he will make a statement on the matter. [34119/20]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Patrick O'Donovan):** I can confirm that the Office of Public Works (OPW) are liaising with Garda Estate Management on options regarding the replacement of an end-of-life prefabricated unit at Spiddal Garda Station.

Indicative costs have been provided and the OPW awaits final confirmation to proceed from Garda Estate Management.

### **Covid-19 Pandemic**

48. **Deputy Richard O'Donoghue** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media if she will reconsider the exclusion of minor and under 20s championship games from level 5 restrictions; and if she will make a statement on the matter. [34017/20]

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** In line with the Government-approved "Resilience and Recovery 2020-2021: Plan for Living with COVID-19" during the period of application of the current Level 5 restrictions

all matches and other sporting events must cease. A limited exemption is set out in the public health regulations for certain elite and professional sportspeople and sporting activities, including certain games in camogie, football and hurling. However, given the current epidemiological situation with the disease, which requires the minimisation of both travel and contacts to prevent the spread of the virus, not every competition, team or grade in the sports concerned can be accommodated.

I understand that it will be a disappointment to many players and their families that the inter-county competition for younger age categories must be suspended for the coming weeks. Despite the many challenges they faced this year, they have retained their focus and devoted time and effort to their training and preparations for the Championship. The public health advice at this time is to stay at home. Individuals, businesses, community groups and sporting bodies are being asked to continue to suspend their activity in order that we can once again suppress the virus, to save lives and protect the health service.

In the current circumstances, unfortunately, only a very limited number of national and international sporting matches and events is being permitted to proceed during this period. This approach is part of the Government's efforts to minimise the level of personal contact outside of essential functions such as healthcare and education.

### **Stadium Projects**

49. **Deputy Joan Collins** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media if she will confirm that the strategic assessment report and preliminary business case for the Dalymount Park proposal has been carried out fully in accordance with the public sector spending code and that the preliminary business case has or will be published. [34044/20]

53. **Deputy Joan Collins** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media if her attention has been drawn to the funding business case for the Dalymount Park project on the sale of Tolka Park; and if her attention has been further drawn to the fact that this is a reserved function related to public land and subject to a vote by Dublin City councillors. [34043/20]

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** I propose to take Questions Nos. 49 and 53 together.

The proposed development of Dalymount Park and the compliance of the project with the Public Spending Code and other regulatory requirements is a matter in the first instance for Dublin City Council. The question regarding the publication of the business case presented to councillors is also a matter for Dublin City Council.

In relation to my Department's involvement with the project, the Large Scale Sport Infrastructure Fund (LSSIF) was launched in 2018 to provide Exchequer support for larger sports facility projects with at least €100m being made available over the period to 2027. Provisional allocations totalling €77.4m for 25 projects under Stream 2 (construction) of the LSSIF were announced on 10 January 2020. On 13th January additional provisional allocations of €5m for a further 7 projects under Stream 1 (design) of the LSSIF were announced.

Dublin City Council made an application for a grant towards the design work associated with the redevelopment of Dalymount Park and the allocations announced in January included a provisional grant under Stream 1 of €918,750 towards a portion of the design cost of the stadium.

The evaluation procedures and guidelines for the LSSIF provide that once provisional allocations are announced, the projects being suggested for funding undergo a further process of due diligence. This process includes a further review of projects including economic appraisals and feasibility studies as appropriate. This has now been completed for the Dalymount project in respect of the application for the design funding.

As the LSSIF is a new scheme with the first grants only announced earlier this year, it has been necessary to agree an appropriate grant agreement which will protect the State investment and provide clarity in relation to the respective responsibilities to ensure that projects are completed. The finalisation of this grant agreement has involved engagement with the Chief State Solicitors Office who act as my Department's legal advisors in relation to all sports capital grants. Work in this regard was recently finalised in respect of the Dalymount project and my Department has now requested Dublin City Council to forward details of its solicitor so that legal formalities can be completed.

The possible sale of Tolka Park is a matter for the owners of the site. In that regard it should be noted that a deed of charge on the property is already in place which would require the owner to seek the approval of my Department before any sale is made.

In relation to the LSSIF generally, the priority in the short term is on advancing the projects allocated funding in January. While it is not proposed to open the LSSIF for new applications at present, it is planned to review progress on existing grants in 2021 when the question of whether or not it would be appropriate to seek new applications will be considered.

### **Covid-19 Pandemic**

50. **Deputy Denis Naughten** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media if she will ensure that an exemption is made available to leisure centres which facilitate school physical education for schools with no indoor physical education facilities; and if she will make a statement on the matter. [34006/20]

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** The provision of the physical education curriculum is a matter for my colleague the Minister for Education. Advice and guidance has been provided by the Minister to schools to facilitate their operation and I would refer the Deputy to that advice as it pertains to physical education.

As the Deputy will be aware, the Government in agreeing to move to Level 5 restrictions on 19 October last also agreed that an exemption from the public health restrictions would apply in respect of outdoor non-contact sports training for school-age children in pods of up to 15. My Department has provided guidance to the sporting bodies to assist their in applying all necessary public health guidance to ensure the training activity is done in a safe and controlled way. This guidance is available on the Departmental website at [www.gov.ie](http://www.gov.ie). In addition, Sport Ireland have disseminated a wide range of guidance documents to the sporting bodies in respect of training for adults and children, which is also available at the Sport Ireland website [www.sportireland.ie](http://www.sportireland.ie). I would encourage everyone involved in sports training for children to review this guidance to ensure they understand fully how to prepare for training sessions and supervise the children and adolescents - as well as any attendant parents - to ensure that the children can enjoy the activity while mitigating the risks of COVID-19 transmission.

51. **Deputy Catherine Murphy** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media the funding provided to the National Archives of Ireland in each year since 2016; the reason the funding was provided in each case; and if she will make a statement on the matter. [34009/20]

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** The allocations made available to the National Archives from the Vote of the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media are set out in the table below. Staff of the National Archives, are staff of the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media and are therefore paid from the administrative budget pay subhead of the Department which is not included in the table below. As stated below the B3 funding is a payment to match resources generated by the National Archives. The B4 amounts are to cover the general expenses of the National Archives and the National Archives Advisory Council,

Subhead Description	2016 €	2017 €	2018 €	2019 €	2020 €
B.3 Current (Grant-in-aid – matching receipts from fees for copies of archives etc.)	40,000	40,000	40,000	40,000	40,000
B.4 Current	1,165,000	1,215,000	1,265,000	1,315,000	1,315,000
B.4 Capital	351,000	351,000	351,000	351,000	351,000
Total	1,556,000	1,606,000	1,656,000	1,706,000	1,706,000

I am also pleased to confirm that the €24million redevelopment project for the Archival Repository is now at tender stage and it is planned that work will commence on the construction work shortly. Work has already been carried out in decanting the existing Archive to offsite storage and other preparatory work has also commenced.

In addition the National Archives received €198,022.92 for upgrade Capital works at its Bishop Street headquarters carried out by the OPW separate to the redevelopment project and €120,000 towards a digitisation project in conjunction with the Houses of the Oireachtas.

### National Archives

52. **Deputy Catherine Murphy** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media the number of staff employed by the National Archives of Ireland in each year since 2016; if there are positions that remain to be filled; if so, the number; and if she will make a statement on the matter. [34010/20]

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** I am informed that my Department's HR records show that the number of staff employed at the National Archives in each year since 2016 was as set out below:

Number of staff employed in the National Archives at;	Total
31 December 2016	47
31 December 2017	50
31 December 2018	46
31 December 2019	45
2 November 2020	47

My Department is currently reviewing its workforce planning in the context of its changed remit and available resources. Appropriate staffing of the NAI is being reviewed as part of this exercise.

*Question No. 53 answered with Question No. 49.*

### Covid-19 Pandemic

54. **Deputy Michael Healy-Rae** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media if he will address a matter (details supplied); and if she will make a statement on the matter. [34050/20]

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** With regard to the matter referred to by the Deputy, I would like to clarify the public health measures set out in the “Resilience and Recovery 2020-2021: Plan for Living with COVID-19”, as they apply to sporting activity in Level 3. In Level 3 it is not permitted to have any matches or sporting events except for elite and professional sports. Sports training outdoors must be non-contact, in pods of up to 15 people, and training indoors must be on an individual basis only. Gyms, leisure centres and swimming pools are permitted to open for individual training only.

Sport Ireland and the Expert Group on Return to Sport, chaired by an official from my Department, are supporting the sporting bodies to develop and implement COVID-19 protocols in order to practice their activity in a safe way which mitigates the risk of disease transmission. Different activities and sports carry different degrees of risk related to the level of close contact involved. Combat sports with regular close contact carry a higher risk and this risk assessment and associated mitigation measures needs to be reflected in the protocol of the National Governing Body concerned.

The Expert Group on Return to Sport has developed guidance on indoor individual training in Level 3 and the draft guidelines have been shared with other relevant Departments. Following completion of the consultation process, it is my expectation that these guidelines can be published within the next few weeks, in sufficient time to be applied under the appropriate level of the Government’s Resilience and Recovery plan.

### Foras na Gaeilge

55. D’fhiafraigh **Deputy Aengus Ó Snodaigh** den an Aire Turasóireachta, Cultúir, Ealaíon, Gaeltachta, Spóirt agus Meán cá mhéad folúntas atá ar Bhord Fhoras na Gaeilge. [34064/20]

**Minister of State at the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Jack Chambers):** Is tríd an Chomhairle Aireachta Thuaidh / Theas (CATT) a dhéantar na ceapacháin do Bhord Fhoras na Gaeilge ar bhonn ainmniúchán 50:50 thuaidh agus theas.

Tá naoi bhfolúntas ar Bhord Fhoras na Gaeilge faoi láthair, ceithre cinn le hainmniú ó thuaidh agus cúig cinn ó dheas.

Anois agus tús in athuair le cruinnithe na Comhairle Aireachta Thuaidh/Theas, beifear ag súil na folúntais seo a líonadh gan mhoill.

### Departmental Meetings

56. **Deputy Sean Sherlock** asked the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media the number of meetings there have been of the night-time economy taskforce; and the attendees of each meeting. [34073/20]

**Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (Deputy Catherine Martin):** There has been one meeting of the Night-Time Economy taskforce which was held on Tuesday 29th September 2020 via video conference. The next meeting is due to be held in the next fortnight.

The following people attended the meeting :

- Hazel Chu, Lord Mayor of Dublin
- Joe Kavanagh, Lord Mayor of Cork
- Katherine Licken, (Chair), Secretary General, Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media
- Clare Brosnan, Department of Justice and Equality
- Deaglán O Briain, Department of Justice and Equality
- Colin O Heir, Department of Environment, Climate and Communications
- Éanna O Conghaile, Department of Transport
- Mary Byrne, Department of Rural and Community Development
- Colin Ryan, Department of Housing, Local Government and Heritage
- Deborah Dignam, Department of Business, Enterprise, and Innovation
- Tim Gaston, National Transport Authority
- Chief Superintendent McElgunn, An Garda Síochána
- Paul Keely, Fáilte Ireland
- Sunil Sharpe, Give us the Night
- Catherine Griffin, Council of National Cultural Institutions (CNCI)
- Seán MacCarthaigh, Arts Council
- Jenny Sherwin, Local Authority Arts Officer
- Michael Walsh, County and City Managers Association (CCMA)
- Sinéad Copeland, Department of the Department of Tourism, Arts, Culture, Gaeltacht, Sport and Media

*Secretariat and assistants*

Deirdre Currivan, Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media

Muirne Lyons, Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media

### **Recycling Policy**

57. **Deputy Cian O’Callaghan** asked the Minister for Housing, Local Government and Heritage the steps he will take to ensure that recycling facilities are provided in all apartment

buildings; and if he will make a statement on the matter. [34390/20]

59. **Deputy Richard Bruton** asked the Minister for Housing, Local Government and Heritage if planning permissions for apartment developments are now required to provide full recycling facilities; and if he will make a statement on the matter. [33998/20]

**Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien):** I propose to take Questions Nos. 57 and 59 together.

Whilst recycling is not specifically referred to in the Planning and Development Act 2000, as amended (the Act), development plans reflect the objectives of waste management plans applicable to their administrative area, which would generally include measures to promote recycling. In particular, section 10 of the Act requires all local authorities to include policies to support the provision, or facilitation of the provision of infrastructure including, inter alia, waste recovery and disposal facilities and any ancillary facilities or services in their development plans. This is in order to support sustainable development and the provision of services.

With specific regard to apartments, my Department issued the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018)* under section 28 of the Act. These Guidelines include a section on design considerations for the provision of refuse storage facilities and note the following:

*The following general design considerations should be taken into account in the provision of refuse storage facilities:*

*- Sufficient communal storage area to satisfy the three-bin system for the collection of mixed dry recyclables, organic waste and residual waste.*

*- In larger apartment schemes, consideration should also be given to the provision of separate collection facilities for other recyclables such as glass and plastics*

Under planning legislation, the decision as to whether to grant permission on a planning application, with or without conditions, is a matter for the relevant planning authority or the Board on appeal or in the case of a strategic housing development.

In making decisions on a planning application, a planning authority, or the Board as appropriate, must consider the proper planning and sustainable development of the area, having regard to the provisions of the development plan, any submissions or observations received from the public and the statutory consultees, and any relevant Ministerial or Government policies, including any guidelines issued by my Department.

### **Home Loan Scheme**

58. **Deputy Eoin Ó Broin** asked the Minister for Housing, Local Government and Heritage if there are circumstances in which persons that have lost their home due to Celtic tiger era mortgage distress and that have exited a personal insolvency agreement could apply and secure a Rebuilding Ireland home loan. [33987/20]

**Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien):** Applicants for the Rebuilding Ireland Home Loan must be of good credit standing and have a satisfactory credit record. The Housing Agency provides a central credit assessment service to local authorities and credit checks are undertaken as part of the credit assessment process. The final decision on loan approval is a matter for the relevant local authority and its credit

committee on a case-by-case basis. Decisions on all housing loan applications must be made in accordance with the statutory credit policy, that underpins the scheme, in order to ensure prudence and consistency in approaches in the best interests of both borrowers and the lending local authorities.

As with the previous local authority home loan offerings, the Rebuilding Ireland Home Loan is available to first time buyers only. This is to ensure the effective targeting of limited resources, and I have no plans to amend this requirement.

*Question No. 59 answered with Question No. 57.*

### **Planning Investigations**

60. **Deputy Catherine Murphy** asked the Minister for Housing, Local Government and Heritage further to Parliamentary Question No. 1234 of 13 May 2020, if he will publish the report by a person (details supplied) regarding planning matters in County Donegal. [34054/20]

**Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien):** I will be examining this report and will bring this matter to Government for consideration in due course.

In this regard, the decisions of the Commissioner for Environmental Information (CEI/18/0019) of 13 February 2019 and the Information Commissioner (OIC-59426-Q8D7T8) of 27 February 2020 in relation to requests to publish this report will also be taken into account. Both decisions are publicly available on those bodies' websites.

### **Property Tax**

61. **Deputy Catherine Murphy** asked the Minister for Housing, Local Government and Heritage the allocations of local property tax to each local authority in 2020; the estimated yield; the allocation post variation; and if he will make a statement on the matter. [34058/20]

**Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien):** Local Property Tax (LPT) is administered and collected by the Revenue Commissioners and is remitted into the Local Government Fund. The Revenue Commissioners publish detailed information on LPT collected annually, broken down by local authority, on its website at the following web link:

<https://www.revenue.ie/en/corporate/information-about-revenue/statistics/local-property-tax/index.aspx>

The current local retention regime for LPT began in 2015 and since then 80% of the estimated LPT liability in each local authority area for a given year is retained in that area to fund public services, notwithstanding any local variation decisions. The remaining 20% of LPT is re-distributed to provide equalisation funding to those local authorities that have lower property tax bases, due to the variance in property values and density across the country. Detailed information on the LPT retention system, including equalisation funding and allocations is published by my Department on an annual basis and is available at the following link:

<https://www.housing.gov.ie/search/archived/current/category/housing/sub-topic/local-property-tax/sub-type/funding-allocation/topic/chargestaxes/type/publications?query>

**Waterways Issues**

62. **Deputy Denis Naughten** asked the Minister for Housing, Local Government and Heritage further to Parliamentary Question Nos. 148 and 166 of 01 October 2020, the number of sluice gates open and closed by the ESB and Waterways Ireland; and the number of boards removed for the month of October 2020, in tabular form. [34070/20]

**Minister for Housing, Local Government and Heritage (Deputy Darragh O'Brien):** Waterways Ireland have provided my Department with the attached table showing the number of sluice gates open and closed by the ESB and Waterways Ireland and the number of boards removed (there were no boards in place) for the month of October 2020.

**BANAGHER AREA - OCT 2020**

OCTOBER	SLUICES OPEN	SLUICES CLOSED	NUMBER OF BOARDS REMOVED
1	28	2	0
2	29	1	0
3	30	0	0
4	30	0	0
5	30	0	0
6	30	0	0
7	30	0	0
8	30	0	0
9	30	0	0
10	30	0	0
11	30	0	0
12	30	0	0
13	30	0	0
14	30	0	0
15	30	0	0
16	30	0	0
17	30	0	0
18	30	0	0
19	30	0	0
20	30	0	0
21	30	0	0
22	30	0	0
23	30	0	0
24	30	0	0
25	30	0	0
26	30	0	0
27	30	0	0
28	30	0	0
29	30	0	0
30	30	0	0
31	30	0	0
	30 SLUICES IN TOTAL		

**ATHLONE SOUTH - OCT 2020**

SLUICES OPEN	SLUICES CLOSED
1	11
1	11
1	11
1	11



relation to travel locator forms and recommended isolation times; and if he will make a statement on the matter. [34065/20]

**Minister for Foreign Affairs (Deputy Simon Coveney):** Ireland is implementing the new EU ‘traffic lights’ approach to travel to countries in the EU / EEA and the UK. Our current advice for travellers to these countries is to ‘exercise a high degree of caution’. Anyone considering travel to Great Britain should also check the latest information from the local authorities there regarding requirements for international passengers arriving in the country.

Ireland’s restrictions and advice for individuals arriving into the State are also based on the EU ‘traffic lights’ system. Travellers from ‘green’ regions can enter the State without being requested to restrict their movements. Travellers from orange, red or grey regions within this classification system, with the exception of certain exempted categories of personnel, are requested to restrict their movements for 14 days. It is expected that it will shortly be possible to disapply this request if passengers from orange regions have a negative PCR test up to 72 hours before arrival. The red or grey status currently applies to Great Britain. Therefore, individuals arriving from Great Britain, including England, are at present subject to the attendant restrictions of the ‘traffic lights’ system.

Restrictions imposed on passengers entering a country in the ‘traffic lights’ system are based on the location of the passenger during the 14 days prior to arrival, not on the airport or seaport of arrival or the point of disembarkation. Currently, passengers arriving into Ireland who have travelled from England should restrict their movements for 14 days. This includes those who may travel from England to an airport or seaport in Northern Ireland in order to transit onward to a final destination in Ireland.

All passengers travelling to Ireland from overseas, apart from certain limited exceptions, must fill in the COVID-19 Passenger Locator Form before they arrive into the State. This requirement does not apply to those whose journey begins in Northern Ireland, but does apply to those whose journey begins in Great Britain, including England. Passengers who may be travelling to Ireland from England via Belfast must complete the form and can indicate their final destination in Ireland within the fields provided. The COVID-19 Passenger Locator Form is now an online form.

### **Covid-19 Pandemic**

65. **Deputy Michael Fitzmaurice** asked the Minister for Education if a school (details supplied) can continue to use a facility for purposes such as physical education during level 5 restrictions; and if she will make a statement on the matter. [33960/20]

**Minister for Education (Deputy Norma Foley):** I wish to advise the Deputy that Level 5 restrictions do not apply to the Education sector and on this basis any prior commitment or agreement between the two parties referred to should remain in place.

### **Covid-19 Pandemic**

66. **Deputy Thomas Gould** asked the Minister for Education the PPE to be worn by teachers in schools and the location in which the guidance on this can be found. [33949/20]

**Minister for Education (Deputy Norma Foley):** My Department has published a suite of helpful guidance for the safe and sustainable reopening of schools. Each school is required to

have a COVID-19 Response Plan for the safe operation through the prevention, early detection and control of COVID-19 in line with public health advice. This guidance is focused on the practical steps schools must take to minimise the risk of transmission of infection

Following a centralised procurement process, my Department has established a multi-supplier arrangement from which schools can choose a supplier and select the Personal Protective Equipment (PPE), Consumables and equipment products that best suits their needs and the requirements under the Roadmap <https://www.gov.ie/en/publication/b264b-roadmap-for-the-full-return-to-school/> .

This ensures schools have access to, on a value for money basis, a secure supply chain of various PPE and consumables under the Roadmap and their COVID-19 School Response Plan including hand sanitisers, sanitiser fluids, face coverings/visors, gloves, wipes etc.

A COVID-19 Capitation Grant for PPE, Consumables and Equipment of €25 per pupil, with an enhanced rate of €100 per pupil attending a special school or attending a special class attached to a mainstream school will apply to fund school costs to the end of 2020. This capitation grant takes account of a number of once off type costs, which schools face in implementing COVID-19 Response Plans (i.e. installation of sanitiser units, signage/posters etc.) which will be incurred upfront.

### **Covid-19 Pandemic**

**67. Deputy Thomas Gould** asked the Minister for Education if teachers and special needs assistants providing intimate care are automatically deemed a close contact; and if she will make a statement on the matter. [33950/20]

**Minister for Education (Deputy Norma Foley):** My Department has no role in providing guidance of a clinical or medical nature. However the HPSC have recently published the following definition of a close contact in an educational setting which was communicated to all schools this week.

In accordance with current HPSC close contacts guidelines a clinical Public Health Risk Assessment (PHRA) will be undertaken for all educational settings where a confirmed case has attended whilst infectious. This PHRA will determine the close contacts as:

- Any person who has had face to face contact within less than 1 metre with a confirmed case of COVID-19 for >15 minutes in a school day.

- Any person who has been between 1 and 2 metres from a confirmed case of Covid-19 for >15 minutes in a school day with consideration of other mitigation measures e.g. face-coverings, pods, ventilation, IPC measures or uncertain compliance with mitigation measures in place (assessed through clinical PHRA)

Contacts are assessed from contact with a confirmed case of Covid-19 during their infectious period - 48 hours before the onset of symptoms if symptomatic, or 24 hours before the test for Covid-19 was taken in those who are asymptomatic.

The response to confirmed cases or outbreaks of Covid-19 in the community or in a school is the responsibility of, and will be led and managed by, Public Health HSE. All decisions as to appropriate actions following a confirmed case or outbreak will be made by their teams in the context of a full Public Health Risk Assessment procedure.

It is the view of Public Health that the evidence available to date shows that schools are proving to be safe spaces for children and for the staff. My Department will continue to work closely with all of the education partners and the public health system so that schools can continue to be supported during this very challenging time.

### **Teacher Training**

68. **Deputy Brendan Griffin** asked the Minister for Education her views on a matter (details supplied); and if she will make a statement on the matter. [33951/20]

**Minister for Education (Deputy Norma Foley):** The recruitment and appointment of teachers to fill teaching posts is a matter for the individual school authority, subject to procedures agreed under Section 24(3) of the Education Act 1998 (as amended by the Education (Amendment) Act 2012).

In accordance with my Department's Primary Circular 44/2019 which is available on the Department's website under [www.education.ie](http://www.education.ie), schools are required to employ appropriately qualified and registered teachers and ensure that unemployed teachers should be offered employment in preference to those who have retired. Circular 44/2019 details a cascade of measures for the recruitment of teachers, prioritising registered teachers over retired registered teachers and unregistered people. These measures were taken in an effort to increase employment opportunities for unemployed teachers.

### **State Examinations**

69. **Deputy Fergus O'Dowd** asked the Minister for Education if she will respond to concerns raised by a person (details supplied) in respect of leaving certificate calculated grades; and if she will make a statement on the matter. [33971/20]

**Minister for Education (Deputy Norma Foley):** The decision to adopt a model of Calculated Grades by my Department was a direct result of COVID-19, which prevented the state from running the conventional Leaving Certificate Examinations. In the absence of these examinations, every effort has been made to make the system as fair as possible for as many students as possible.

The process of national standardisation, which forms a key part of the Calculated Grades process, was applied to the information provided by schools in order to ensure comparability between the standards applied by individual schools and the national standard. In order to be fair to the class of 2020, the teacher judgements made at the level of the school had to be adjusted so that a common national standard was applied. It was inherent to the system of calculated grades that school estimates would be subject to adjustment through this standardisations process.

These adjustments resulted in the school estimates of subject percentage marks staying the same or being revised upwards or downwards. The standardisation process operated on the premise that the school estimates should only be adjusted through the standardisation process where there was credible statistical evidence to justify changing them.

A standardising process happens every year and would have happened in 2020 had the Leaving Certificate examinations been run as normal. In the system of calculated grades, the standardisation process applied uniformly across all subject and levels and school types. The

degree to which mark changes occurred related to the degree of over or underestimation in the school estimates for each subject and each level. This means that some students experienced mark changes from the school estimates but no changes to the grades based on the school estimates; while others will have experienced marks changes from the teacher estimates leading to grade changes in one or more of their subjects.

Following standardisation, the estimated percentage mark was converted to a calculated mark and subsequently, a calculated grade which was provided to students on 7 September. It is only at this point that students were awarded a grade.

Therefore, it is not accurate to state that student(s) were downgraded, or upgraded, through the standardisation process. Rather the grade that was awarded following the standardisation process is the grade for the 2020 Leaving Certificate (Calculated Grades).

The overall data on school estimated marks showed that there was a very significant rise in estimated grades against what would normally be achieved nationally. This level of grade increase based on the school estimates would have been unrealistic. For example, based on the school data, there would have been 13.8% H1 grades this year when in a normal year it is approximately 5.8%. Even with the standardisation process the rate of H1s this year is over 9%.

While some students will be disappointed at the results they have achieved, this is the case every year when the Leaving Certificate results are published. It may be more difficult for students to understand when they see the estimated mark from the school.

The appeals process for Calculated Grades was open to students who were disappointed with the Calculated Grades they received in one or more subjects. Students unhappy with the outcome of the above process could invoke a separate process to have their appeal reviewed by independent Appeals Scrutineers. These scrutineers are independent of my Department. The independent Appeals Scrutineers will check to ensure the correct procedures were followed throughout the appeals process. The scrutineers will have access to the records and documentation considered in the appeals process.

In addition, students had the option to register to sit the 2020 written Leaving Certificate exams which are due to commence on 16 November.

### **Covid-19 Pandemic**

70. **Deputy Bríd Smith** asked the Minister for Education the average number of close contacts a positive case of Covid-19 has in a school setting (details supplied). [33996/20]

**Minister for Education (Deputy Norma Foley):** The Health Protection Surveillance Centre and the HSE have published guidance for managing potential cases of COVID-19 in educational settings, which includes the testing strategy within an educational facility ‘Schools Pathway for COVID-19, the Public Health approach’ <https://www.gov.ie/en/publication/a0bff-reopening-our-primary-and-special-schools/>

When a positive Covid-19 cases arises that is connected to a school community, either a staff member or a student the HSE Department of Public Health will liaise directly with schools if the case of COVID-19 was in the school during the infectious period. When public health doctors make contact with the school they will proceed to ask several questions and undertake a Public Health Risk Assessment (PHRA).

As of 29 October a total of 611 education facilities (primary, post primary and special edu-

cation facilities) have undergone mass testing following Public Health Risk Assessment.

The positivity rate of close contacts testing in educational facilities including primary, post-primary and special educational needs facilities is 2.6% with 15,774 close contacts tested. In comparison the positivity of testing for close contacts in the community, is approximately 10%.

### **Covid-19 Pandemic**

71. **Deputy Bríd Smith** asked the Minister for Education the criteria and procedures used in schools to define a close contact of a Covid-19 positive person (details supplied); the persons the public health risk assessment team consult in deciding who might be a close contact; the person or body that has the final say on what a close contact is in each case; the rationale for departing from the ECDC definitions for schools settings; and if she will make a statement on the matter. [33997/20]

**Minister for Education (Deputy Norma Foley):** My Department has no role in providing guidance of a clinical or medical nature. However the HPSC have recently published the following definition of a close contact in an educational setting which was communicated to all schools this week.

In accordance with current HPSC close contacts guidelines a clinical Public Health Risk Assessment (PHRA) will be undertaken for all educational settings where a confirmed case has attended whilst infectious. This PHRA will determine the close contacts as:

- Any person who has had face to face contact within less than 1 metre with a confirmed case of COVID-19 for >15 minutes in a school day.

- Any person who has been between 1 and 2 metres from a confirmed case of Covid-19 for >15 minutes in a school day with consideration of other mitigation measures e.g. face-coverings, pods, ventilation, IPC measures or uncertain compliance with mitigation measures in place (assessed through clinical PHRA)

Contacts are assessed from contact with a confirmed case of Covid-19 during their infectious period - 48 hours before the onset of symptoms if symptomatic, or 24 hours before the test for Covid-19 was taken in those who are asymptomatic.

The response to confirmed cases or outbreaks of Covid-19 in the community or in a school is the responsibility of, and will be led and managed by, Public Health HSE. All decisions as to appropriate actions following a confirmed case or outbreak will be made by their teams in the context of a full Public Health Risk Assessment procedure.

It is the view of Public Health that the evidence available to date shows that schools are proving to be safe spaces for children and for the staff.

My Department will continue to work closely with all of the education partners and the public health system so that schools can continue to be supported during this very challenging time.

### **School Transport**

72. **Deputy Alan Dillon** asked the Minister for Education if school transport will be provided in the case of a person (details supplied); and if she will make a statement on the matter. [33999/20]

**Minister for Education (Deputy Norma Foley):** School Transport is a significant operation managed by Bus Éireann on behalf of the Department of Education. In the 2019/20 school year over 120,000 children, including over 14,200 children with special educational needs, were transported in over 5,000 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres at a cost of over €219m in 2019.

The purpose of my Department's School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their nearest school. Under the terms of the Post Primary School Transport Scheme, children are eligible for school transport where they reside not less than 4.8kms from and are attending their nearest Post Primary School/Education Centre as determined by the Department/Bus Éireann, having regard to ethos and language.

All children who are eligible for school transport and who completed the application and payment process on time have been accommodated on school transport services for the 2020/21 school year where such services are in operation. The closing date for payment for the 2020/2021 school year was Tuesday 4th August 2020.

Bus Eireann has confirmed, that the child to whom the Deputy refers, is eligible for School Transport. Payment for School Transport for the 2020/2021 school year was received on 8th September 2020 and as such is a late payment.

Late applicants and/or families who pay late are not guaranteed a seat and will only be allocated a seat if capacity is available once seats are allocated to those families who applied and paid on time for transport services for the 2020/2021 school year. In addition, payments or submission of medical card details for Post-Primary seats completed or made after 4th August 2020 will be only considered when 50% capacity, required by Covid19 public health guidelines, is achieved on each route.

In the event of not securing a ticket where no capacity exists, or on cancellation, a full refund will be issued.

### **School Transport**

73. **Deputy Willie O'Dea** asked the Minister for Education the number of concessionary pupils that were previously availing of school transport that are now unable to avail of school transport due to Covid-19 restrictions; and if she will make a statement on the matter. [34011/20]

**Minister for Education (Deputy Norma Foley):** School Transport is a significant operation managed by Bus Éireann on behalf of the Department of Education. In the 2019/20 school year over 120,000 children, including over 14,200 children with special educational needs, were transported in over 5,000 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres at a cost of over €219m in 2019.

The purpose of my Department's School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their nearest school.

All children who are eligible for school transport and who completed the application and payment process on time have been accommodated on school transport services for the 2020/21 school year where such services are in operation.

Children who apply for school transport but who are not eligible are considered for spare

seats that may exist after eligible children have been facilitated; such seats are referred to as concessionary seats.

In the 2019/2020 school year, over 30,100 pupils availed of school transport on a concessionary basis. Concessionary transport may vary from year to year and cannot be guaranteed for the duration of a child's post primary school education cycle. Where the number of applications for transport on a concessionary basis exceeds the number of seats available, Bus Éireann determines the allocation of the tickets using an agreed selection process.

The Department has been engaging intensively with Bus Éireann in regard to the logistics for the safe operation of School Transport Scheme services for the 2020/2021 school year. The Department has also been engaging with Bus Éireann on the logistics involved with the rolling implementation of measures on post-primary services as required to provide physical distancing, in line with those required on public transport, aligned to the public health advice received shortly before schools reopened which advised that the post-primary scheme should run at 50% capacity. The implementation of 50% capacity has been put in place where possible over the last number of weeks and over the coming weeks, Bus Éireann will be implementing 50% capacity on a rolling basis as soon as it is possible to do so on all remaining routes. As the additional capacity is rolled out, where spare capacity is created, further tickets will be allocated to those children eligible for the scheme who have paid late and for other applicants seeking concessionary tickets.

### **State Examinations**

74. **Deputy Brendan Griffin** asked the Minister for Education her views on a matter (details supplied) regarding leaving certificate 2021 examinations; and if she will make a statement on the matter. [34019/20]

**Minister for Education (Deputy Norma Foley):** My Department is acutely aware of the disruption caused to students as a result of school closures resulting from the Covid-19 pandemic and which led the decision not to run the state examinations this summer.

In the context of the return to schools of students for the 2020/21 academic year my Department published a range of documentation and support material as part of the Roadmap for the Full Return to School, which is available at [www.gov.ie/backtoschool](http://www.gov.ie/backtoschool).

On 21 August, I announced a series of changes that would be made to the assessment arrangements for both Junior Cycle and Leaving Certificate examinations for 2021. This announcement was accompanied by a published document detailing these changes, Assessment Arrangements for Junior Cycle and Leaving Certificate Examinations 2021, and forms part of the Roadmap for the Full Return to School.

These arrangements are designed to take account of the disrupted learning experienced by students during the 2019/20 school year and to factor in for some further possible loss of learning time in the 2020/21 school year as a contingency measure. As the loss of learning through school closures will have affected students' engagement with their course of study in different ways, the adjustments put in place will play to students' strengths by leaving intact the familiar overall structure of the examinations, while incorporating additional choice. The adjustments were arrived at through discussions between my Department, the State Examinations Commission (SEC) and the National Council for Curriculum and Assessment (NCCA) and key stakeholders.

These changes to the national assessment arrangements have been made with due regard

for the principles of equity, fairness and integrity, as these principles apply to assessment and examinations and refer to student to-student, subject-to-subject, and year-to-year comparisons over time.

The State Examinations Commission (SEC), which has statutory responsibility for operational matters relating to the certificate examinations, intends to operate the 2021 state examinations as normally as possible, with appropriate contingency built in, in line with prevailing public health advice. It is not intended that there would be any change to the length of the written examinations. For subjects where the SEC issues project briefs during the 2020/21 school year, the intention is to issue these at least four weeks earlier than normal. For subjects with course work completion dates typically late in the school year, schools will be asked to submit this coursework two weeks earlier than normal as a contingency measure. In this context teachers are being encouraged to plan and undertake these projects as early as possible in the programme of study.

Other documents published by the Department to support the return to school include Guidance for Practical Subjects in Post-Primary Schools and Centres for Education and Returning to school: Guidance on learning and school programmes for post primary school leaders and teachers. These documents provide guidance for teachers and schools that is specific to each practical subject area, so that students can be facilitated to actively engage with their learning. All documentation published is available on [www.gov.ie/backtoschool](http://www.gov.ie/backtoschool)

The [www.gov.ie/backtoschool](http://www.gov.ie/backtoschool) site also contains information on wellbeing supports for Leaving Certificate students. This includes a series of supports on managing wellbeing, coping with uncertainty and managing stress and anxiety, developed by the National Educational Psychological Service, to support students. The webpage has links to more individualised support for students to access, should these be needed. My Department worked with the Department of Health and the HSE to ensure the most appropriate services and resources are clearly signposted for students.

Promoting the wellbeing of school communities has been a fundamental element of my Department's overall plan to support a successful return to school as we continue to manage the impact of the Covid-19 pandemic. We know that most students have been happy and relieved to get back to school, reconnect and prepare to re-engage with learning. The Department is providing for approximately 120 extra posts for guidance to support student wellbeing, recognising the particular importance for this support in the context of the Covid-19 pandemic challenges.

## School Transport

75. **Deputy John McGuinness** asked the Minister for Education if she will provide school transport for up to 30 students that attend secondary schools in Kilkenny city and require transport from Thomastown, County Kilkenny in view of the fact that they have no transport due to Covid-19 restrictions; and if she will make a statement on the matter. [34020/20]

**Minister for Education (Deputy Norma Foley):** School Transport is a significant operation managed by Bus Éireann on behalf of the Department of Education. In the 2019/20 school year over 120,000 children, including over 14,200 children with special educational needs, were transported in over 5,000 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres at a cost of over €219m in 2019.

The purpose of my Department's School Transport Scheme is, having regard to available resources, to support the transport to and from school of children who reside remote from their

nearest school.

Under the terms of my Department's Post Primary School Transport Scheme, children are eligible for transport where they reside not less than 4.8kms atand are attending their nearest School/Education Centre as determined by the Department/Bus Éireann, having regard to ethos and language.

All children who are eligible for school transport and who completed the application and payment process on time have been accommodated on school transport services for the 2020/21 school year where such services are in operation.

Children who are not eligible for school transport may apply for transport on a concessionary basis only and will be facilitated where spare seats are available after eligible children have been accommodated. Where the number of ineligible children exceeds the number of spare seats available Bus Éireann allocates tickets for the spare seats using an agreed selection process.

In the event of not securing a ticket where no capacity exists, or on cancellation, a full refund will be issued.

Bus Éireann has advised that in general, pupils who reside in Thomastown, Kilkenny are not eligible for school transport to Kilkenny Post Primary Centre as it is not their closest Post Primary Centre.

### **Schools Building Projects**

76. **Deputy Catherine Murphy** asked the Minister for Education the amount outstanding to the contractor following the termination of the obligation to complete the construction of the new school building at a school (details supplied); if her Department or the design team are still in dialogue with the former contractor; and if she will make a statement on the matter. [34026/20]

77. **Deputy Catherine Murphy** asked the Minister for Education if a sum of money was paid or agreed to be paid to the contractor following the termination of the obligation to complete the construction of the new school building at a school (details supplied) as compensation for terminating the contract; if so, the amount; and if she will make a statement on the matter. [34027/20]

78. **Deputy Catherine Murphy** asked the Minister for Education the amount being held in a bond with respect to a project (details supplied); the other sums retained following the termination of the obligation to complete the construction of the new school; the basis for their retention; and if she will make a statement on the matter. [34028/20]

81. **Deputy Catherine Murphy** asked the Minister for Education the timeframe for the temporary school building erected and currently occupied at a school (details supplied) was tendered for; the number of tenders received for this building; the amount that has been spent to date on this building; the person or body that was the successful contractor; and if she will make a statement on the matter. [34045/20]

**Minister for Education (Deputy Norma Foley):** I propose to take Questions Nos. 76, 77, 78 and 81 together.

The tender package for the project at the school referred to by the Deputy included a re-

quirement for the provision of temporary accommodation for the duration of the construction period. In that regard, all the contractors who tendered for the contract tendered for the provision of temporary accommodation. The successful tenderer was PJ McLaughlin.

The temporary accommodation that was installed on site when the main Contractor commenced construction remains on site and is the only accommodation available to the school until the new school building is completed. The provision of this accommodation was an integral part of the tender and the Contract awarded and is not available as a separate sum.

The value of the Bond put in place at the start of the Contract is €1,062,424 representing 12.5% of the contract amount. The Bond remains in place and will be called upon by the school to cover its costs in completing the construction of the new school. The Bondsman has been duly notified.

The Contractor's obligation to complete the works was terminated under Clause 12.1.1(3) of the Public Works Contract in March of this year. Clause 12.1.1(3) of the Contract provides that "The Employer may ... terminate the Contractor's obligation to complete the Works if ... the Contractor fails to proceed regularly and diligently with the execution of the Works".

There are no monies owing to the Contractor following the termination notice.

The school, with funding from my Department, has fully paid the main contractor for all works completed on-site up to the date of the termination of works.

There is no provision within the Public Works Contract for any compensation to the Contractor following a termination notice. No amounts have been paid or been agreed to be paid in this respect.

The Contractor continues to periodically send letters and emails to the school and its design team. These are responded to by the school and its design team based on legal advice and with assistance from my Department.

The Board of Management are in the process of appointing a new Contractor to complete the envelope of the building including finishing the installation of all windows, sealing the roof and making the site safe. It is envisaged that that this Contractor will commence work in November.

The school's Design Team are also currently working to complete tender documentation in order to hold a tender competition to appoint a Completion Contractor to finish out the building. It is anticipated that the Completion Contractor will be appointed when the work to seal the building has been completed.

When the new school building is completed and occupied by the school, the school and its design team will make arrangements with PJ McLaughlin to remove the temporary accommodation from the site at that time.

## School Transport

79. **Deputy Michael Ring** asked the Minister for Education when a special transport grant for the academic year 2019-2020 will issue in respect of a person (details supplied) in view of the fact that the payment is overdue by many months and the delay is causing hardship; and if she will make a statement on the matter. [34029/20]

**Minister for Education (Deputy Norma Foley):** School Transport is a significant opera-

tion managed by Bus Éireann on behalf of the Department.

In the 2019/2020 school year over 120,000 children, including over 14,200 children with special educational needs, were transported in over 5,000 vehicles on a daily basis to primary and post-primary schools throughout the country covering over 100 million kilometres at a cost of over €219m in 2019.

The purpose of the 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.

In general, children with special educational needs are eligible for school transport if they are attending the nearest school that is 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).

The child referred to by the Deputy is eligible for school transport under the terms of the School Transport Scheme for Children with Special Educational Needs and the family has been approved to avail of a special Transport Grant for the child. The payment of this grant for the 2019/20 school year has now been approved and will be processed in the coming days.

### **School Accommodation**

80. **Deputy Dara Calleary** asked the Minister for Education the reason for the delay in signing a lease regarding a school property in County Mayo; if her attention has been drawn to the delay in signing a lease that is delaying the development of a school that has grown substantially in numbers in recent years; and if she will make a statement on the matter. [34037/20]

**Minister for Education (Deputy Norma Foley):** The school in question opened in September 2014 under the Patronage Divesting Process. The divesting of the school was facilitated by transfer from the Church of Ireland. The Church of Ireland Trustees, who own the property, and the new school Patron engaged directly with each other in relation to the leasing arrangements for the property. A draft lease was drawn up but was not finalised and executed between the parties.

On foot of a request from one of the parties and given that the school has been in place on the property since 2014 and cognisant of the need for additional accommodation to be made available from the property, the Department agreed to engage with the representative of the landowners with a view to regularising the position in relation to the lease.

The Department and the Chief State Solicitor's Office have been liaising with the property owner and its legal representative on the draft lease, which is at an advanced stage. This is being actively progressed by the parties with a view to finalising the lease as soon as possible."

*Question No. 81 answered with Question No. 76.*

### **State Examinations**

82. **Deputy Sean Sherlock** asked the Minister for Education if an appeal will be allowed on the leaving certificate calculated grades for a person (details supplied). [34047/20]

**Minister for Education (Deputy Norma Foley):** The results of appeals under the 2020

Leaving Certificate Calculated Grades appeals process were made available to students at 12pm on Friday 16 October through the Calculated Grades Student Portal.

In the processing of the appeals, a total of 33,301 individual subject records belonging to 12,216 students were reviewed. This number excluded students who initially entered for an appeal but later withdrew their application.

As a result of the process, a total of 18 increased grades were awarded to 18 individual students. Eleven of these were upgrades following an appeal by the student. A further seven grades were upgraded following quality assurance checks as part of the appeals process which involved checks on the documentation submitted by schools; the entry of that data on to the schools' data collection system; and the subsequent transmission of the data through the various IT systems used in the generation of calculated grades.

The appeals process was a process review focussed on looking for errors in the transmission and processing of student data through the process. It was not possible to appeal the information (estimated percentage mark or rank order) provided by the school. Due to the nature of the Calculated Grades system the professional judgement of the school was outside of the appeals process. The design of the statistical model and the application of the national standardisation process was also outside of the scope of the appeals process.

The CAO were also notified of changes to students' results on 16 October. Candidates who are eligible for a new offer as a result of the upgraded mark received following the appeals process will be contacted as soon as possible.

Students unhappy with the outcome of the above process could invoke a separate process to have their appeal reviewed by independent Appeals Scrutineers. These scrutineers are independent of my Department. The independent Appeals Scrutineers will check to ensure the correct procedures were followed throughout the appeals process. The scrutineers will have access to the records and documentation considered in the appeals process. Students who were advised of the results of their appeal on 16 October were also advised that information regarding the next stage of the process was available on the [www.gov.ie](http://www.gov.ie) website. The relevant section of that website stated that the closing date for receipt of completed forms for review by Independent Appeals Scrutineers was 5pm on Friday 23 October 2020. This information, together with further details regarding the Independent Appeals Scrutineers process, was also included under the 'Frequently Asked Questions' section of that website. Details of the process were also available on the Calculated Grades Student Portal.

Following the conclusion of the appeals processes, students who consider that their case has not been processed correctly can make a complaint to the Ombudsman or, in the case of students under 18 years of age, the Ombudsman for Children.

Students were also given the opportunity to register for the postponed Leaving Certificate examinations which are due to begin on 16 November.

### **Schools Health and Safety**

83. **Deputy Steven Matthews** asked the Minister for Education her plans to meet with the developers of a school (details supplied) to discuss the ongoing issues that relate to a disputed safety report. [34053/20]

**Minister for Education (Deputy Norma Foley):** The building referred to by Deputy has not yet been handed over. My Department is taking appropriate steps to ensure that it is com-

pletely satisfied that the building is fit for handover prior to accepting it.

There is currently an engagement underway between my Department and the Contractor in this regard under the contract. Communications are ongoing and the issue is being actively addressed.

Until this process is complete, it will not be possible to provide definitive timelines for occupation of the building. However, as this process develops my Department officials will keep the ETB and the school managements informed of developments

### **Special Educational Needs Staff**

84. **Deputy Michael Healy-Rae** asked the Minister for Education if she will address a matter (details supplied) regarding special needs assistants; and if she will make a statement on the matter. [34056/20]

**Minister of State at the Department of Education and Skills (Deputy Josepha Madigan):** Budget 2021 provided for an additional 990 additional Special Needs Assistants (SNAs) for allocation to schools, bringing the total numbers to 18,000 by the end of December 2021. This allocation of SNAs is to meet the care needs of pupils in 2021 and will enable the establishment of new special classes, creation of new places in special schools, support children in mainstream classes and the transition to the new allocation model for the 2021/22 school year.

There are currently 16,969 SNAs allocated to schools. The Budget 2021 increase to 18,000 SNAs posts represents an increase of increase of 70% in the number of SNAs provided since 2011 at which point 10,575 SNAs were available.

A new model for allocating SNAs to primary and post primary schools for students in mainstream classes only was to be introduced in the 2020/21 school year as part of the phased roll out of the School Inclusion Model (SIM). In light of the ongoing Covid-19 crisis the Front-loaded Allocation Model for SNAs was deferred until the beginning of the 2021/22 school year.

Further advice will issue in the course of the 2020/21 school year on the introduction of the frontloaded model with effect from September 2021. This will outline the overall approach, including the professional development and other supports to be made available for schools and teachers.

The change to a new allocation model was recommended by the National Council for Special Education (NCSE) in policy advice published in May 2018 entitled the “Comprehensive Review of the Special Needs Assistant Scheme – a new School Inclusion Model to deliver the right supports at the right time to students with additional care needs”.

The Review highlighted the important role SNAs play in assisting students with additional care needs to attend school and acknowledged that the scheme is greatly valued by parents, students and schools. There is evidence of an enduring loyalty and a strong attachment between many schools, students, parents and SNAs.

The Review made a number of recommendations regarding SNAs. While SNAs are very much valued in the provision of care support, the Review recommended that a more broadly based set of supports was required including therapeutic supports.

Under the new model the allocation of SNAs for mainstream classes to primary and post primary schools will be based on the school profile used for the allocation of Special Educa-

tion Teachers and will not be based on an annual application process, this means that schools will have certainty around their SNA allocation going forward, and it will enable schools to engage SNA's on contracts of employment for a longer duration than is currently possible. SNA will then have more certainty around their tenure of employment and the new model does not change their roles and functions.

The Review also referenced SNA training. Among the recommendations was the introduction of a national training programme for SNAs currently employed in our schools. Following a public procurement process, University College Dublin (UCD) School of Education, in conjunction with UCD School of Nursing, Midwifery and Health Systems, were selected to develop and deliver this important educational initiative. UCD's wide-ranging experience and expertise will enable the delivery of a broad-ranging and high-quality programme. This programme will begin in January 2021 with 500 participants in the first year. Priority is being given to SNAs working in School Inclusion Pilot Schools.

This major educational initiative will enhance the knowledge, skills and expertise of SNAs whose work is central to the inclusion of students with additional care and complex needs in school life. For some SNAs, this programme may present the first opportunity in recent times for them to engage with the theory and research based best practice underlying their role. There is no cost to serving SNAs working in schools. This course is fully funded by the Department of Education and Skills.

### **Covid-19 Pandemic**

85. **Deputy Emer Higgins** asked the Minister for Education if drama students are permitted to attend in person their educational facility that will allow them pre-record their speciality piece as they seek a place in third-level education for that given speciality in view of the fact that this process would normally be face to face in the UK but due to Covid-19 a video recording in lieu of in person is permitted. [34129/20]

86. **Deputy Emer Higgins** asked the Minister for Education the basis on which performing arts exam students, vocational students, pre-professional students or recreational students are excluded from training in level 3 restrictions; and if she will make a statement on the matter. [34130/20]

**Minister for Education (Deputy Norma Foley):** I propose to take Questions Nos. 85 and 86 together.

My Department has published a suite of helpful guidance for the safe and sustainable operation of schools. Each school is required to have a COVID-19 Response Plan for the safe operation through the prevention, early detection and control of COVID-19 in line with public health advice. This guidance is focused on the practical steps schools must take to minimise the risk of transmission of infection.

My Department does not have responsibility for Higher or Further Education.

Schools have a particular role to play in establishing secure and safe learning environments, in supporting the wellbeing of all, and in planning collaboratively for teaching and learning in a way that enables all pupils to progress and flourish in the 2020/21 school year. Subjects which are being followed as part of the school curriculum, can continue, once appropriate control measures are in place in line with a school's COVID-19 Response Plan.

The specific focus of planning for individual subjects will vary from school to school in

light of the individual school circumstances. Schools are advised to consult with guidance published by my Department in respect of practical subjects ‘ *Return to School Guidance for Practical Subjects in Post Primary Schools and Centres for Education* ’ .

Further information is available at [www.gov.ie/backtoschool](http://www.gov.ie/backtoschool)

Guidelines on undertaking private activities outside of school are not a matter for this Department.

### **School Enrolments**

87. **Deputy Seán Haughey** asked the Minister for Education if she will allow a school (details supplied) to provide an additional first year class given the huge demand in the area from parents that wish to send their children to this new school; and if she will make a statement on the matter. [34140/20]

**Minister for Education (Deputy Norma Foley):** The school to which the Deputy refers is currently in interim accommodation on the Grange Community College site pending delivery of its intended interim accommodation on its permanent site on Belmayne Avenue, Belmayne. Work has commenced on site and it is currently anticipated that the accommodation will be ready for occupation by the school in early December.

In addition to the interim accommodation for the post-primary school that site which currently facilitates interim accommodation for a primary school will also accommodate the future construction of the permanent building for the post-primary school. In that regard, there are restrictions on the amount of temporary accommodation that can be placed on the permanent site. Therefore, the Department has informed the school and its Patron Body, Educate Together that it will not be possible for the school to increase its enrolment intake beyond the current intake level (which is up to 48 pupils at 1st year intake) for the 2021/2022 academic year.

### **Covid-19 Pandemic Unemployment Payment**

88. **Deputy Catherine Murphy** asked the Minister for Social Protection the criteria that must be satisfied by a self-employed person who is receiving a pandemic unemployment payment and who may also earn €480 gross per month; the date this was commenced; and if she will make a statement on the matter. [33963/20]

**Minister for Social Protection (Deputy Heather Humphreys):** In order to address concerns expressed by self-employed people relating to the difficulties they face in resuming activity, the uncertainty of income streams given the ongoing economic disruption and the fact that in many cases work will be of an occasional or intermittent nature during the initial period of a return to work, the Government introduced changes to the Pandemic Unemployment Payment as part of Budget 2021.

These changes included formal provision to enable self-employed people on the Pandemic Unemployment Payment (including arts/entertainment sector workers and taxi drivers) recommencing employment earn up to €480 over a rolling 4 week period while retaining entitlement to the Pandemic Unemployment Payment. The changes are effective from 13 October 2020.

In effect an earnings threshold of €480 per rolling four week period will be used to assess whether or not a self-employed person is substantively employed/unemployed. Any self-employed person earning below this amount will be considered to be unemployed for the purposes

of assessing entitlement to the Pandemic Unemployment Payment. The earnings threshold is aligned with the income disregard currently in place for people in receipt of Disability Allowance. A self-employed person availing of this does not need to seek approval from the Department and they do not need to report these earnings to the Department on a regular basis. They do need to keep a record of all income for the period.

The earnings threshold approach will be implemented in the first instance by means of self-assessment, with spot checks of a sample of claims by Social Welfare inspectors and ultimately reconciliation with Revenue earnings returns.

I hope that this clarifies matters for the Deputy.

### **Covid-19 Pandemic Unemployment Payment**

89. **Deputy Claire Kerrane** asked the Minister for Social Protection the number of pandemic unemployment payment applicants that have been refused the payment on the grounds that her Department does not have a recent record of PRSI contributions paid by them at the following classes: A/E/H/P/S; and if she will make a statement on the matter. [33972/20]

**Minister for Social Protection (Deputy Heather Humphreys):** The Covid-19 Pandemic Unemployment Payment was put on a statutory footing with effect from 5 August 2020 as a social welfare benefit to help mitigate the adverse economic effects of the Covid-19 pandemic. It is available to employees who lost their employment on or after 13 March 2020 as a direct consequence of Covid-19. It is also available to self-employed people whose income from self-employment ceased or reduced as a direct consequence of the pandemic to the extent that they would be available to take up full-time employment.

The Covid-19 Pandemic Unemployment Payment is payable where a person was an employed contributor in the week immediately before he or she ceased to earn an income from the employment concerned. Similarly, a self-employed person must have been in insurable self-employment in the week immediately before the date on which their self-employment income ceased or reduced. It is a long-standing feature of social welfare legislation that individuals who are engaged in employment or self-employment are liable to pay PRSI on those activities. In those circumstances, persons claiming the Pandemic Unemployment Payment should have no difficulty satisfying these conditions.

In the case of employees, the Department uses earnings data supplied by the Revenue Commissioners for 2019 and 2020 in the case of employees, and 2018 and 2019 in the case of self-employed people. Data is updated as often as practicable, and in the case of employees on a daily basis.

Where the Department cannot find any record of contributions or earnings in the reference period (for example because returns have not been filed with Revenue or are filed late) it contacts the people concerned and asks them to submit evidence of employment in the form of recent payslips etc. When this is received and verified, claims are put into payment as soon as possible. Dedicated teams are in place to follow up on replies as quickly as possible.

I can assure the Deputy that my Department is doing everything in its power to process payments efficiently and quickly and, since Level 5 restrictions were introduced, has processed and paid over 100,000 new claimants.

It is always the case when processing such a large volume of claims in such a short period that there will be some cases where claims are not paid due to incomplete or missing informa-

tion or because a person does not satisfy the eligibility criteria.

In general, the numbers concerned are relatively low. This week, for example, 330,000 claims were paid while just 8,600 (just under 3%) were held where the Department could not validate entitlement using Revenue records or where the information provided by the applicant was incomplete or where it is clear that the applicant does not meet the eligibility criteria. As I have outlined, the Department has contacted the people concerned and asked them to submit evidence of employment or other information required.

I hope that this clarifies the matter for the Deputy.

### **Guardian's Payment**

90. **Deputy Eoin Ó Broin** asked the Minister for Social Protection the financial supports to grandparents that have direct responsibility for caring for their grandchildren as guardians. [33982/20]

**Minister for Social Protection (Deputy Heather Humphreys):** Guardians Payment is made to a person caring for a child who satisfies the definition of an “orphan” under social welfare legislation. A child is considered an orphan if they are under age 18 (or up to age 22 if in full time education) and both parents are deceased; or one parent is either dead or unknown or has abandoned and failed to provide for the child and the other parent is unknown or has abandoned and failed to provide for the child.

Child Benefit may also be payable to a person caring for a child where the child normally lives and is supported by them.

Guardian's Payment is not payable in respect of a child for whom Foster Care Allowance is being paid.

Further information and an application forms for Guardians Payment can be downloaded directly from the government website at [www.gov.ie/guardians](http://www.gov.ie/guardians)

I hope this clarifies the matter for the Deputy.

### **Personal Public Service Numbers**

91. **Deputy Niall Collins** asked the Minister for Social Protection the reason there are such lengthy delays in issuing PPS numbers; and if she will make a statement on the matter. [33994/20]

**Minister for Social Protection (Deputy Heather Humphreys):** The SAFE registration process, which my Department uses to authenticate a person's identity when they apply for a PPSN is a face-to-face process, carried out in PPSN Centres across the country.

At the outbreak of the COVID-19 pandemic in March 2020, my Department temporarily postponed the SAFE registration process. This decision was taken to comply with HSE and WHO guidelines in respect of social distancing.

To help ensure that those who required a PPSN could get one, my Department introduced an email and postal service through which applications could be made.

My Department has received, and continues to receive, significant volumes of email and

post in relation to PPSN applications from people living in and outside the State. Data on the processing times of these applications are not currently available.

The Level 5 restrictions currently in place mean a full resumption of the PPSN allocation service in local offices is not possible at this time.

The Deputy will appreciate that my Department has had to re-allocate significant resources to dealing, in particular, with the huge volume of claims for the Pandemic Unemployment Payment over the past months and that this priority work will have had an effect on other areas of work. Nonetheless, additional resources are also being assigned to deal with the PPSN applications on hands and I expect this will result in an improved service for PPSN applicants.

I trust this clarifies the matter for the Deputy.

### **Rural Social Scheme**

92. **Deputy Claire Kerrane** asked the Minister for Social Protection the reason the rural social scheme has a reduced allocation for 2021; the effect this will have on the scheme; and if she will make a statement on the matter. [34068/20]

**Minister for Social Protection (Deputy Heather Humphreys):** The 2021 Budget Estimate for the Rural Social Scheme is €52.2m. While this represents a reduction of €1.9m on the 2020 Revised Estimate, it is in line with the 2020 emerging outturn which is now estimated to be of the order of €52.3m.

The Rural Social Scheme is paid on a Thursday and there are 53 Thursdays in 2020. As there will be 52 Thursdays in 2021, this will result in expenditure in 2021 being some €0.85m lower than that in 2020.

In 2020, the scheme is expected to have an average of 3,160 participants. The 2021 estimate is providing for a similar number of participants in 2021, having regard to the expected demand for the scheme.

### **Parental Leave**

93. **Deputy Marian Harkin** asked the Minister for Social Protection if she will consider bringing forward the date parents can access the extra three weeks parents leave which is due to commence in April 2021; and if she will make a statement on the matter. [34124/20]

**Minister for Social Protection (Deputy Heather Humphreys):** Parent's Leave and Benefit will be extended from 2 weeks for each parent to 5 weeks as announced in Budget 2021. This extension will be made available retrospectively to parents in respect of children born or adopted on or after 1st November 2019. The period during which this leave can be taken will be extended from 12 to 24 months so it can be taken up to a child's second birthday or within two years following adoption.

There is a necessary lead-in time following the announcement of this extension to facilitate its implementation. Firstly, legislative change is required by the Department of Children, Equality, Disability, Integration and Youth which has responsibility for parents leave policy. This legislation needs to be carefully prepared and drafted before being brought through the Oireachtas, given that it extends a statutory leave entitlement that, in addition to benefitting workers, has implications for employers.

It will also be necessary for parallel amendments to the Social Welfare Consolidation Act 2005 (as amended) to be drafted and brought through the Oireachtas to provide the legislative basis for the extended payment of benefit.

In addition, significant changes are required to the Department's systems to administer this extension, including the provision of retrospective entitlement. This work needs to be undertaken in such a way that it does not compromise existing supports in an environment where there are unprecedented levels of demand on the Department's services due to Covid-19.

The extra weeks of leave will be made available as soon as the necessary legislation which is being drafted by the Department of Children, Equality, Disability, Integration and Youth is enacted.

Once the new application and payment system goes live in April, my Department will then process and issue benefit payments - to include backdated payment of benefit as appropriate - in respect of Parents Leave taken from the date of enactment.

I trust this clarifies the position for the Deputy.

### **Covid-19 Pandemic Unemployment Payment**

94. **Deputy Seán Haughey** asked the Minister for Social Protection the current position regarding self-employed persons such as taxi drivers working and claiming the pandemic unemployment payment; the changes announced Budget 2021 in respect of this situation; when these new provisions will be implemented; and if she will make a statement on the matter. [34131/20]

**Minister for Social Protection (Deputy Heather Humphreys):** Budget 2021 provides measures for the self-employed so that they can engage in limited self-employment and retain income support.

The Budget provided that recipients engaging in self-employment can earn up to €480 over a rolling four week period and continue to maintain entitlement to the Pandemic Unemployment Payment. The €480 limit is based on gross income, before tax and PRSI, minus expenses. This measure is already in place.

Where a self-employed person exceeds this threshold and works up to 24 hours per week they may be eligible for support under the Part Time Job Incentive scheme which, as part of Budget 2021, has been extended to the self-employed who transition from the Pandemic Unemployment Payment. The weekly rate of payment for a person transferring from the Pandemic Unemployment payment is €128.60.

It should be noted that a person also has the option of applying for means tested jobseeker's allowance where they are engaged in regular employment depending on their individual circumstances. The maximum weekly personal rate is €203 and increases may be paid for qualifying adults and children.

A self-employed person may also be eligible for support under my Department's COVID-19 Enterprise Support Grant which provides support of up to €1,000 with business re-start costs where a person transitions from the Pandemic Unemployment Payment back into employment. Further information on these supports are available on [www.gov.ie](http://www.gov.ie)

I trust that this clarifies the matter for the Deputy.

## Covid-19 Pandemic Unemployment Payment

95. **Deputy Thomas Pringle** asked the Minister for Social Protection the reason the eligibility criteria for the Covid-19 pandemic unemployment payment has changed to only include those that have paid PRSI contributions; her views on whether this has negatively affected self-employed persons and small businesses; and if she will make a statement on the matter. [34132/20]

**Minister for Social Protection (Deputy Heather Humphreys):** The Covid-19 Pandemic Unemployment Payment (PUP) was introduced as a statutory social welfare benefit scheme on 5 August 2020 to continue to mitigate the adverse economic effects of the Covid-19 pandemic.

To facilitate customers, streamline processes and improve payment integrity the Department has, since PUP was first introduced in an emergency manner last March, implemented system checks to validate a person's prior employment and earnings using PAYE and self-employment returns made to the Revenue Commissioners. The Department checks Revenue records to validate prior employment and to assess earnings for the purpose of establishing the correct earnings-related PUP payment rate. The vast majority of claims can be assessed quickly, and payment issued promptly, using this process.

In cases where there are no earnings data available, which represent a small percentage of the overall claims, the Department contacts the people concerned and asks them to submit any evidence that they may have attesting to their employment and earnings. In cases where supplementary information is provided the issue is generally resolved with payment issuing within a week of the information being received. Financial support is available via the Community Welfare Service under the means tested supplementary welfare allowance to any person facing an urgent income need during this period.

I trust this clarifies the position for the Deputy.

### Early Years Sector

96. **Deputy Jennifer Whitmore** asked the Minister for Children, Equality, Disability, Integration and Youth the provisions in budget 2021 for the establishment of new pre-schools in response to current demand for pre-school places; and if he will make a statement on the matter. [34067/20]

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O'Gorman):** My Department operates an annual capital funding programme for which €8.3 million has been allocated for 2021 for Early Learning and Care (ELC) and School Aged Child-care (SAC) services.

The purposes for which this funding can be used are determined on an annual basis by my Department.

I will announce details of the 2021 capital programme in the coming months.

My Department funds a national network of County Childcare Committees (CCCs) who provide support and advice to parents and childcare providers with all aspects of my Department's funding programmes.

The contact details for all CCCs can be found on [www.myccc.ie](http://www.myccc.ie)

## **International Protection**

97. **Deputy Thomas Pringle** asked the Minister for Children, Equality, Disability, Integration and Youth if work will commence on the recommendations of the Report of the Advisory Group on the Provision of Support including accommodation to persons in the international protection process before this portfolio is transferred; the way in which these recommendations will be progressed in 2021; and if he will make a statement on the matter. [34123/20]

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman):** Responsibility for the provision of accommodation for applicants for International Protection transferred to my Department from the Department of Justice on 14 October, 2020.

On 21 October 2020 I published the report by the Advisory Group on the Provision of Support, including Accommodation, to Persons in the International Protection Process. The report had been submitted to Government the previous day and the Government accepted the Advisory Group’s conclusion that the current system of Direct Provision is not fit for purpose and must be replaced.

The Programme for Government contains a commitment to ending the Direct Provision system and replacing it with a new International Protection accommodation policy, centred on a not-for-profit approach. The Government has also committed to the development of a White Paper which will set out how this new system will be structured and the steps to achieving it.

My Department is currently developing the White Paper which I expect to publish by the end of the year. The recommendations of the Advisory Group will inform the White Paper. We will also consider a number of other relevant reports including the Inter-Departmental Working Group Report on Direct Provision (November 2019) and the Oireachtas Joint Committee on Justice & Equality, Report on Direct Provision (December 2019). Consultations will be undertaken with relevant Government Departments and agencies, with the Ombudsman, the Ombudsman for Children, the Irish Human Rights and Equality Commission, NGOs, housing bodies and with residents of Direct Provision centres.

## **Mother and Baby Homes Inquiries**

98. **Deputy Denis Naughten** asked the Minister for Children, Equality, Disability, Integration and Youth the dates and topics discussed at meetings of the Mother and Baby Home Collaborative Forum in 2020; when the details of the Commission of Investigation (Mother and Baby Homes and certain related Matters) Records, and another Matter, Bill 2020 was outlined and discussed with the forum; when the issues raised in the sixth interim report of the mother and baby home commission was outlined and discussed with the forum; and if he will make a statement on the matter. [33985/20]

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman):** The Collaborative Forum process was established by my predecessor as a representative body to advise on the issues of priority for former residents of the institutions under investigation by the Commission.

The Collaborative Forum last met formally in December 2019. The process was unfortunately interrupted by the general election and subsequent change in Government. In addition, it was necessary to put these meetings on hold from March 2020 in the context of the restrictions introduced in an effort to reduce the spread and impact of COVID-19. A number of members

travel from outside the jurisdiction and, given the age profile involved, some members would also be categorised as being in the ‘at risk’ groups identified by public health authorities.

From our experience to date, it is evident that remote meetings based on the use of technology would present additional challenges for an engagement process as sensitive as this one.

However, throughout 2020, the members of the Forum have been apprised of developments and updated on any matters related to the Commission of Investigation by the Secretariat to the group. It is the practice and policy of my Department to issue updates and announcements to the Forum and other relevant stakeholders before they are issued more generally. With regard to the Commission of Investigation (Mother and Baby Homes and certain related Matters) Records, and another Matter, Act 2020, the Forum and other stakeholders were the first to receive news of the Government’s support for the development of legislation to address the difficulties and opportunities raised by the Commission, and the subsequent news of the publication of the Bill.

The Commission of Investigation into Mother and Baby Homes and certain related Matters has now submitted its final report, and I recognise the importance of consultation and dialogue with those who have lived experiences of these institutions. I have commenced direct engagement with Forum members and other former residents and their advocates.

The Commission investigated the lived experiences of mothers and children in Mother and Baby institutions and I am acutely aware that this is not simply a historical or legal matter, but that these experiences continue to impact the lives of many women, children and their families today. I am committed to effective stakeholder engagement on all matters that impact former residents of these institutions.

The Deputy may wish to note that a copy of the Collaborative Forum’s report was provided by my Department to the Commission of Investigation for its appropriate attention and consideration in the context of its statutory investigation. Now that the Commission has submitted its final report, the Government will be in a position to examine its findings and conclusions and engage with former residents and their advocates in formulating an appropriate State response. The significant work of the Collaborative Forum to identify the priority concerns of those most centrally involved will greatly assist to inform this process. It will also be possible to reconsider the question of publishing the Forum’s report, subject to any further advices of the Attorney General.

## **Programme for Government**

99. **Deputy Patrick Costello** asked the Minister for Children, Equality, Disability, Integration and Youth the progress made by his Department to give legislative effect to the children and family support section of the programme for Government; and if he will make a statement on the matter. [33986/20]

**Minister for Children, Equality, Disability, Integration and Youth (Deputy Roderic O’Gorman):** The children and family support section of the Programme for Government contains a range of commitments which I will continue to progress. The majority of these will not require legislation in order to be implemented. In relation to those that will require a legislative measure, the position is as follows.

My Department has commenced preliminary legislative work in respect of preparing the Heads of a Bill to provide for amendments to the Parent’s Leave and Benefit Act 2019. The proposed legislative amendments will make provision for an additional period of parental leave and benefit in line with the commitment in the Programme for Government 2020.

Further work will be required to amend and extend existing legislation in relation to the regulation of the Early Years Sector in order to implement some Programme for Government Commitments. This includes the extension of regulation to non-relative childminders and the streamlining of regulatory requirements for early years services while continuing to improve quality. This work is complex and may take time to address. In relation to accelerating access to subsidies for non-relative childminders, a report is due to be published by year end.

### **Young Farmers Scheme**

100. **Deputy Niamh Smyth** asked the Minister for Further and Higher Education, Research, Innovation and Science if a person (details supplied) received the certificate required to complete their young farmer scheme application from Dundalk IT; and if he will make a statement on the matter. [33969/20]

**Minister for Further and Higher Education, Research, Innovation and Science (Deputy Simon Harris):** The Higher Education Institutions (HEIs) are governed by the Universities Act 1997, the Institutes of Technologies Acts 1992 to 2006 and the Technological Universities Act 2018. Within the meaning of these Acts, HEIs are autonomous with regard to the management of their academic affairs and retain the right to determine their own policies and procedures in this area. Decisions on how courses and campus services will operate, including graduations and the awarding of qualifications, are made by each institution, in line with public health advice, and arrangements will vary between institutions and between courses. As a result of current circumstances, HEIs have had to alter graduation dates in order to ensure the wellbeing of the student body.

Questions on or issues arising from arrangements for a specific institution or course should be directed to the institution in question, as I do not have a function in this regard.

However, my Department has been informed by the Department of Agriculture that, for the purposes of the Young Farmer Scheme, where a graduation has not yet taken place, a letter from the HEI and a transcript of results will be accepted. They have further confirmed that the applicant should then upload a copy of the qualification once it is available following graduation.

### **Student Accommodation**

101. **Deputy Brendan Griffin** asked the Minister for Further and Higher Education, Research, Innovation and Science his views on a matter (details supplied) regarding student accommodation; and if he will make a statement on the matter. [33993/20]

**Minister for Further and Higher Education, Research, Innovation and Science (Deputy Simon Harris):** On 25th September intensified protective measures in third level were announced, in line with public health advice. On-site activity in further and higher education will be minimised so long as these measures are in place. Campuses will remain open to facilitate learners and researchers in accessing laboratories, practicals and apprenticeship training, scheduled library attendance and small group activity on a prioritised basis. With the country being placed on Level 5 of the Plan for Living with COVID for a period of six weeks, it is clear that this will be the case for the remainder of the first semester.

I appreciate that this is disappointing for students who had hoped to have as much time on campus as possible, however these measures are very important from a public health perspective in controlling the spread of the Coronavirus.

Responding to these issues is a significant matter of concern for myself and for my colleague the Minister for Housing, Local Government and Heritage and we are examining how accommodation providers can be encouraged to show greater flexibility to students during this challenging time.

The Deputy will be aware that the university sector is already engaging with these issues. I will be continuing to liaise with the sector through the Irish Universities Association to encourage the availability of fair solutions to students in university-owned student accommodation. The majority of universities have confirmed that students who choose not to take up their accommodation will receive a refund and I have made it clear that I wish to see this principle applied by all universities.

For students in the private rental market, I am urging providers to be flexible in finding solutions given the circumstances in which students find themselves. There are, however, no powers available to me under the current legal framework to direct any particular course of action. Refund or cancellation policies in student accommodation should be set out in the license agreement signed at the beginning of the academic year. In the first instance students should engage with their accommodation provider to see if an arrangement can be reached. If this is not possible, students have access to the Dispute Resolution Services of the Residential Tenancies Board.

I have asked my Department to continue to engage with the Department of Housing, Local Government and Heritage to monitor and report to me on developments on student accommodation issues in order to ascertain whether any further policy response is feasible.

### **Springboard Programme**

102. **Deputy Rose Conway-Walsh** asked the Minister for Further and Higher Education, Research, Innovation and Science the number of free or subsidised places on short, modular courses that were being offered through Springboard+ prior to the July stimulus package; the number of additional places were added as part of the July stimulus package; the number of places that are currently being offered; and the number of places that remain unfilled; and if he will make a statement on the matter. [34057/20]

**Minister for Further and Higher Education, Research, Innovation and Science (Deputy Simon Harris):** Under the July Stimulus, funding was announced for short modular courses to be offered in a flexible manner, allowing people to gain important skills without taking a considerable period away from the labour market.

Each module will be stand-alone so that participants can gain skills and put them into practice immediately in the workplace, but modules are also accredited in such a way as to provide building blocks to a full qualification should the student so wish.

11,597 places are being funded on these courses during this academic year. The full allocation of 11,597 places are currently available and Higher Education Institutions are currently taking applications on these courses. All courses will commence in Q1 2021 and early Q2 2021. As applications are currently being taken for these programmes, fill rates are not available.

Springboard+ provides free and heavily subsidised upskilling and reskilling higher education opportunities in areas of identified skills need. Courses are generally of one year duration.

11,514 Springboard+ part-time one year courses are available for the academic year 2020/2021. The application system has been live since June 2020 and courses commence at

various points between Autumn 2020 and Spring 2021. While at this point it is not possible to give an exact figure of how many of the places are filled as registrations are currently live, it is estimated to be approximately 80%.

It should be noted that the Springboard+ part-time courses do not overlap with provision of modular courses announced as part of the July Stimulus package.

### Inquiries into Garda Activities

103. **Deputy Martin Kenny** asked the Minister for Justice if an end date can be provided to persons (details supplied). [33954/20]

104. **Deputy Martin Kenny** asked the Minister for Justice if an enquiry into the death of a person (details supplied) is continuing during lockdown [33955/20]

105. **Deputy Martin Kenny** asked the Minister for Justice the number of extensions of the end date made to an inquiry (details supplied); the reason; and if she will make a statement on the matter. [33956/20]

106. **Deputy Martin Kenny** asked the Minister for Justice if she will meet a family in relation to the death of a person (details supplied); and the inquiry into their death; and if she will make a statement on the matter. [33957/20]

**Minister for Justice (Deputy Helen McEntee):** I propose to take Questions Nos. 103 to 106, inclusive, together.

I would like to offer my deepest sympathies to the family of Shane Tuohy and I am very conscious of the hurt and pain caused to them by the loss of Shane.

In May 2017, Judge Donagh McDonagh was appointed by the then Minister to undertake an Inquiry into the conduct and adequacy of the investigations conducted by An Garda Síochána into the death of Mr Tuohy in February 2002 in Clara, County Offaly.

This was one of five Inquiries established by the Minister at that time following a recommendation from the Independent Review Mechanism (IRM). While the original timeframe for this work was six months, it was not possible for the Judge to conclude the Inquiry in that time. In light of this, specific extensions have been granted to the Judge, as outlined below, with the most recent granted by my predecessor as Minister on 16 June 2020 until 31 December 2020.

Date of Minister's Decision	Extension Granted
16/06/2020	Extension granted until 31/12/2020
04/10/2019	Extension granted until 30/06/2020
27/06/2019	Extension granted until 31/12/2019
28/01/2019	Extension granted until 30/06/2019
03/07/2018	Extension granted until 31/12/2018
23/01/2018	Extension granted until 30/06/2018
November 2017	The then Minister extended the deadline for submission of the final report without specifying a revised date and asked for an updated report in order to determine a revised date.

I am informed that Judge McDonagh continues to work on the Inquiry though I understand that the COVID pandemic has delayed his work, in that the Judge has been unable to hold any further interviews for the time being.

I hope to be able to receive the report from Judge McDonagh as soon as he has completed his work.

## Charities Regulation

107. **Deputy Steven Matthews** asked the Minister for Justice if her Department is considering legislation that exists in other jurisdictions that is colloquially referred to as the “good samaritan” law in which those that donate food in good faith are prevented from potential liability and that this may include organisations and individual donations. [33984/20]

**Minister for Justice (Deputy Helen McEntee):** The Law Reform Commission Report on the Civil Liability of Good Samaritans and Volunteers (LRC 93-2009) made a number of recommendations for reform in this area.

Part IVA of the Civil Liability Act 1961 (inserted by Part 3 of the Civil Law (Miscellaneous Provisions) Act 2011) provides statutory protection to Good Samaritans and Volunteers, subject to the provisions of the Act.

While the interpretation of the law is a matter for the courts, no issues of concern with regard to charitable food donations of the type referred to by the Deputy have been brought to my Department’s attention. In the circumstances, I have no plans to bring forward amendments to the Act but will, of course, keep the matter under review.

## Garda Recruitment

108. **Deputy Peadar Tóibín** asked the Minister for Justice the number of members of the Traveller community that have applied to become members of An Garda Síochána; and the number of members of the Traveller community that have graduated as a member of An Garda Síochána. [34013/20]

**Minister for Justice (Deputy Helen McEntee):** The Deputy will be aware that the Garda Commissioner is, by law, responsible for the management and administration of An Garda Síochána, including personnel matters and deployment of resources.

The Public Appointments Service (PAS) run the national competitions for Trainee Garda in An Garda Síochána on behalf of the Garda Commissioner. The Garda authorities understand that there is a section on the application form for ethnicity but that it is not compulsory to complete this section. The PAS do not as a matter of course share this information with An Garda Síochána.

I am informed that An Garda Síochána is examining ways of gathering information in relation to the diversity of their personnel on a voluntary basis and in compliance with GDPR principles.

The Programme for Government commits to increasing the diversity within An Garda Síochána, prioritising the identification and removal of barriers to recruiting and retaining people from diverse and minority backgrounds.

## Garda Recruitment

109. **Deputy Peadar Tóibín** asked the Minister for Justice if the Shelta or Cant language can meet the requirement of a second language within the Garda recruitment application process in circumstances in which a person is applying to become a member of An Garda Síochána has an exemption in the secondary school system from other languages except English. [34014/20]

**Minister for Justice (Deputy Helen McEntee):** The Deputy may be aware that entry to An Garda Síochána is governed by the Garda Síochána (Admissions & Appointments) Regulations, 2013 and Statutory Instrument 470/2013. There are no exemptions granted in relation to any of the regulations contained therein.

Subject to the provisions of these Regulations, a person is eligible to apply for admission as a trainee where, on the closing date specified in the advertisement for the competition for the vacancy to which the admission relates, -

The Public Appointments Service may verify the validity of qualifications other than the Leaving Certificate with Quality and Qualifications Ireland (QQI).

The Deputy may wish to note that an Expert Review Group has been established to examine the issue of Garda Recruitment, Entry Pathways and Recruit Education. This is a commitment under *A Policing Service for the Future*, the Government's Implementation Plan for the recommendations in the Report of the Commission on the Future of Policing in Ireland. The Group will examine a variety of matters including the entry requirements for recruitment to An Garda Síochána. The Group operates in an advisory capacity and will submit a report to the Garda Commissioner within 12 months.

### Residential Property Sales

110. **Deputy Noel Grealish** asked the Minister for Justice her plans to reform the conveyancing process in view of the delays being encountered of up to ten weeks; and the steps her Department is taking to address the problem. [34104/20]

111. **Deputy Noel Grealish** asked the Minister for Justice her plans to reform the conveyancing process in view of the number of property sales failures that have happened as a result of Covid-19; and if she will make a statement on the matter. [34105/20]

112. **Deputy Noel Grealish** asked the Minister for Justice her plans to reform the conveyancing process in view of the many cases of gazumping and gazundering in the residential property market. [34106/20]

113. **Deputy Noel Grealish** asked the Minister for Justice if her attention has been drawn to a recent survey (details supplied) which reveals that 79% of auctioneers are experiencing conveyancing delays from the time a property is deemed sale agreed to when the sale eventually closes; and if she will make a statement on the matter. [34107/20]

**Minister for Justice (Deputy Helen McEntee):** I propose to take Questions Nos. 110 to 113, inclusive, together.

There are no plans at present to introduce or amend legislation in this area. However, as with other policy and legislative reforms, interested parties are welcome to make submissions on this matter.

The position with regard to gazumping is that instances normally arise where a non-enforceable agreement for the sale of property at a particular price is reached between a vendor and intending purchaser but subsequently the vendor refuses to complete a formal contract and sells the property to another purchaser for a higher price. The non-enforceable relationship between the original parties is preserved by use of the term "subject to contract".

The problems associated with gazumping were examined in detail by the Law Reform Com-

mission in its 1999 “Report on Gazumping” (LRC 59-1999). The Commission noted that delays arising between the conclusion of negotiations and completion of the formal contract were usually for the benefit of the intending purchaser, e.g. to ensure the availability of funding for that property, or to ascertain if there were any legal difficulties in relation to the title. The Commission concluded that the only practicable reforms were to improve the information available to intending purchasers and to regulate the terms according to which booking deposits are paid and accepted. It did not recommend any specific legislative reforms to the legal framework within which gazumping occurs.

The Property Services Regulatory Authority, which was established under the Property Services (Regulation) Act 2011, published a detailed “Guide for Users of Property Services Providers in Ireland” which explains the legal position in relation to gazumping and related matters such as payment of deposits and signing of contracts. The Guide is available on the Authority’s web site ([www.psr.ie](http://www.psr.ie)).

I would also like to advise the Deputy that the Property Registration Authority (PRA) is responsible for registering ownership of land in the State. This statutory function is conferred on the PRA under the Registration of Deeds and Title Acts 1964 and 2006. These Acts make provision for the making of more detailed statutory rules setting out the procedures to be followed when registering land. Statutory responsibility for the PRA, and land registration policy, now rests with the Minister and Department of Housing, Local Government and Heritage.

### **Refugee Status**

114. **Deputy Thomas Pringle** asked the Minister for Justice the number of applicants under the Irish Refugee Protection Humanitarian Admissions Programme in each year; the number of applications which were successful, rejected and still in process; the reason for rejections; and if she will make a statement on the matter. [34122/20]

**Minister for Justice (Deputy Helen McEntee):** The Irish Refugee Protection Programme Humanitarian Admission Programme (IHAP), announced in May 2018, is part of the Government’s plan to realise the full commitment of 4,000 persons agreed under the first phase of the IRPP in September 2015.

The programme allows holders of an international protection status in Ireland, (i.e. refugees with Convention or Programme Refugee status), holders of Subsidiary Protection grants, and Irish citizens, to make a proposal to me to bring to the State their family members who are nationals of one of the top ten major source countries of refugees as identified by the UNHCR Annual Global Trends Report.

IHAP received proposals for inclusion in the programme within defined periods or ‘windows for submissions’. The first window for accepting proposals ran from 14 May 2018 to 30 June 2018. Processing of the proposals from this first window was completed in 2018. A second window for the submission of proposals ran from 20 December 2018 until 8 February 2019.

The first IHAP round granted permission to 165 beneficiaries. To date, the second round of the IHAP has granted permission to 556 beneficiaries.

When the IHAP was announced in May 2018, it was envisaged that there would be approximately 530 beneficiaries. In December 2019, the allocation was increased to approximately 740 beneficiaries, of whom 721 have already been approved under the IHAP. It is expected that between the pending applications and review requests, that the revised allocation of 740 beneficiaries will be reached, or possibly exceeded.

There are currently around 15 pending applications in respect of approximately 60 beneficiaries and it is expected that these pending applications will include both grants and refusals. The processing of these applications is ongoing however the COVID-19 restrictions have impacted the delivery of normal services to date this year.

694 proposals in respect of 1672 beneficiaries were deemed incomplete under the first round. Some of those refused under the first round would have made successful proposals under the second round. 552 applications in respect of 1157 beneficiaries have been rejected under the second round as they did not meet the criteria set out in establishing the programme.

### **Commissions of Investigation**

115. **Deputy Martin Kenny** asked the Minister for Justice if it has been established the personal information in relation to the Hickson Commission was on a USB key as reported in the media recently; and if her Department has notified the survivors or their legal team of its loss and contents; and if she will make a statement on the matter. [34138/20]

116. **Deputy Martin Kenny** asked the Minister for Justice the reason personal information relating to the investigation into allegations of sexual abuse by a person (details supplied) known as the Hickson Commission was stored on a USB key; the circumstances of the reported loss of this USB key; if the use of USB keys for the retention of sensitive data is common practice in her Department; and if she will make a statement on the matter. [34139/20]

**Minister for Justice (Deputy Helen McEntee):** I propose to take Questions Nos. 115 and 116 together.

It should be noted that the Hickson Commission is an independent body and I, as Minister for Justice, have no role in the conduct of its investigation.

I am informed by my officials that, in May 2019, having been made aware of the loss of the USB stick containing personal data in relation to the Hickson Commission, my Department notified the Data Protection Commission (DPC), as required under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. I am further informed that the Data Protection Officer in my Department investigated the circumstances surrounding the missing USB stick and the outcome of that investigation was subsequently notified to the DPC.

The investigation found that:

- Despite a thorough search of both premises the missing USB stick was not located.
- An Post indicated that no USB stick was identified in their Recovery/Reclaim Unit.
- The USB stick in question was an INTEGREL Courier USB key with hardware encryption. The encryption used with this device is AES 256-bit, which is ISO27001 compliant.
- The data contained on the USB stick had been uploaded to the Commission's secure system prior to the stick being mislaid.

As the data contained on the USB stick continued to be available to the Commission and the missing USB stick was encrypted to industry standard, the risk to individuals whose personal data was on the USB stick was evaluated, as required by data protection legislation, and found to be low. Any third party finding the USB stick would be unable to access any information contained therein. In circumstances where the USB stick's technical protection measures (i.e. encryption) rendered the data unintelligible, there was no reason to notify the data subjects. I

understand that the details of the investigation were notified to the DPC and that, in mid-June 2019, the DPC notified my Department that the breach was closed.

I regret the upset and anger caused by the breach and in particular I regret that those concerned found out about it through the media. To avoid this occurring and as a courtesy, those concerned should have been notified of the data breach at the time that it occurred. I have written to them to express my regret about what happened.

In relation to the Deputy's question regarding the use of USB keys by my Department, I wish to inform you that my Department's policy in relation to the use of USB sticks is strictly controlled and it is not common practice for sensitive data to be stored in such a manner. In exceptional circumstances where they must be used, my Department uses dedicated encrypted USB keys.

### **Nursing Home Accommodation**

117. **Deputy Jim O'Callaghan** asked the Minister for Health the measures in place to provide for the staffing of nursing homes in which existing staff are required to self-isolate; and if he will make a statement on the matter. [33953/20]

**Minister of State at the Department of Health (Deputy Mary Butler):** Nursing homes have been particularly impacted by COVID-19 both in Ireland and internationally. The central focus of the response to COVID-19 has been to control the spread of the virus in so far as possible to protect those who are most vulnerable from infection, as well as protecting against causes, situations, circumstances, and behaviours that may lead to the spread of COVID-19.

Sustained communication and interagency cooperation also remain central to the response to COVID-19. The State's responsibility to respond to the public health emergency created the need for the HSE to set up a structured nursing home support system in line with NPHET recommendations. This package of supports has been a critical intervention in supporting the resilience of the sector in meeting the unprecedented challenges associated with COVID-19. Guidance, PPE, staffing, serial testing, infection prevention and control training, accommodation and financial support have been provided to the nursing home sector, both public and private. In addition, multi-disciplinary clinical supports are in place at CHO level through 23 COVID-19 Response Teams as well as outbreak control teams responding to outbreaks.

It remains a legal obligation that every provider ensures that the number and skill mix of staff within its nursing home is appropriate having regard to the needs of the residents and the size and layout of the nursing home concerned. HIQA has published a regulatory assessment framework of the preparedness of designated centres for older people for a COVID-19 outbreak. Under this framework the provider should ensure that they have contingency plans in place, that their contingency plan is based on national guidance from the HSE, HPSC and Government and that it is reviewed regularly to include clear contingency arrangements, including, to establish surge capacity and arrangements to address potential staffing shortage.

In addition, as part of a package of support measures for nursing homes, a COVID-19 Temporary Assistance Payment Scheme was established. This opened for applications on 17th April 2020. The core concept of the scheme is that the State will provide additional funding to those nursing homes that require it, to contribute towards costs associated with COVID-19 preparedness, mitigation and outbreak management. Eligible costs include both additional payroll and non-payroll COVID-19 related costs. The scheme was originally devised to operate for a 3-month period to the end of June, this scheme was extended to the end of September. The

scheme is now being further extended to the end of 2020 and for the first 6 months of 2021 (end June 2021).

### Hospital Appointments Status

118. **Deputy Danny Healy-Rae** asked the Minister for Health when an urgent operation will be scheduled for a person (details supplied); and if he will make a statement on the matter. [33961/20]

**Minister for Health (Deputy Stephen Donnelly):** It is recognised that waiting times for scheduled appointments and procedures have been impacted as a direct result of the COVID-19 pandemic.

In response to the Covid-19 pandemic the HSE had to take measures to defer most scheduled care activity in March, April, and May of this year. This was to ensure patient safety and that all appropriate resources were made available for Covid-19 related activity and time-critical essential work. This decision was in line with the advice issued by the National Public Health Emergency Team (NPHE) in accordance with the advice of the World Health Organisation.

Patient safety remains at the centre of all hospital activity and elective care scheduling. To ensure services are provided in a safe, clinically-aligned and prioritised way, hospitals are following HSE clinical guidelines and protocols.

The HSE continues to optimise productivity through alternative work practices such the use of alternative settings including private hospitals, community facilities and alternative out-patient settings.

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 is a standardised approach used by the HSE to manage scheduled care treatment for in-patient, day case and planned procedures. It sets out the processes that hospitals are to implement to manage waiting lists and was developed in 2014 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.

In relation to the particular query raised, as this is a service matter, I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible.

### Covid-19 Pandemic

119. **Deputy Jim O'Callaghan** asked the Minister for Health if churches can be reopened to enable parishioners that wish to attend mass to do so whilst observing social distance guidelines under level 5 restrictions as mass to many is an essential service and conducive to their mental health and wellbeing; and if he will make a statement on the matter. [33962/20]

**Minister for Health (Deputy Stephen Donnelly):** As the Deputy is aware, the *Resilience and Recovery 2020-2021: Plan for Living with COVID-19* which was published by the Government sets out Ireland's approach to managing and living with COVID-19 in a range of areas over the next 6 - 9 months.

The Plan sets out five levels of response, each with a number of measures designed to help us all lower COVID-19 transmission and setting out what is permitted at that moment in time. It aims to allow society and businesses to be able to operate as normally as possible, while continuing to suppress the virus. The Plan is framed to account for periods during which there is a low incidence of the disease, with isolated clusters and low community transmission, through to situations where there is a high or rapidly increasing incidence, widespread community transmission and the pandemic is escalating rapidly in Ireland and globally. It recognises the need for society and business to be allowed to continue as normally as possible and is designed so that either national or county level restrictions can be applied. Each level outlines what is permitted for social or family gatherings, work and public transport, bars, hotels and restaurants, exercise activities and religious services.

As I am sure the Deputy can appreciate, COVID-19 spreads when individuals and groups come into close contact with one another, enabling the virus to move from one person to another. COVID-19 is infectious in a person with no symptoms, or for the period of time before they develop symptoms. For this reason, we are all asked to be extra careful when socialising and working with others. For now, we must act like we have the virus to protect those around us from infection.

The number of people allowed to gather in different scenarios in the Government Framework are based on a review of international practice and the judgment of public health experts. It seeks to balance the risks of different types of gatherings against the desire to allow normal activities to proceed in so far as possible.

It is advised to socialise safely and within the capacity limits. These various limits in the Levels are all designed to reduce the number of households mixing with each other and cut down the virus's chances of spreading into more homes.

The Deputies should note, that the numbers should not be considered a target - they are the maximum recommended number. It's always safer to meet less people, less often, for less time. If we do this, we have a better chance of keeping to the lower Levels in the Framework, and continuing to keep businesses, schools, and healthcare services open, while also protecting the most vulnerable.

The 'Framework for Restrictive Measures in Response to COVID-19' in the Living with Covid Plan provides for restrictions on gatherings of people indoors given the higher risk associated with these types of activities and sets out when it is considered that religious services can take place with protective measures (Levels 1 and 2) and when they must move online (Levels 3,4 and 5). Weddings and funerals are exceptions and can continue at every level with limited numbers.

Churches and other places of worship can remain open for private prayer. It is also important to note that at all levels, Ministers of Religion are permitted to travel to perform a service on-line, to minister to the sick, and conduct a funeral or wedding ceremony. The relevant regulations relating to Level 5 restrictions are S.I. 448 of 2020 (Health Act 1947 (Section 31A - Temporary Restrictions) (COVID-19) (NO. 8) Regulations 2020).

Throughout the pandemic, the Government has sought to implement these measures on the basis of guidance as opposed to regulations wherever possible. It should be noted that holding a religious gathering is not a penal offence.

I and my Cabinet colleagues recognise the immense sacrifices that are being made by people across the country at this difficult time. I know that that includes many people who are affected by their inability to attend church in the way they have been used to. However, there has been

significant engagement and solidarity from the Catholic Church and other Faiths at all stages throughout this pandemic to ensure the protection of individuals and communities from COVID-19. Indeed, as the Deputies will be aware, the Taoiseach met with the leaders of the Catholic Church last week to consider the range of issues relating this matter.

Finally, the Deputies will wish to note that comprehensive guidelines are in place to ensure that religious services can take place safely when they recommence: [https://www.hpsc.ie/a-z/respiratory/coronavirus/novelcoronavirus/guidance/religioussettingsguidance/COVID\\_religious%20settings.pdf](https://www.hpsc.ie/a-z/respiratory/coronavirus/novelcoronavirus/guidance/religioussettingsguidance/COVID_religious%20settings.pdf)

### **Mental Health Services**

120. **Deputy Mark Ward** asked the Minister for Health the funding available for community mental health services that do not receive funding through the HSE or other Government Departments; and if he will make a statement on the matter. [33967/20]

**Minister of State at the Department of Health (Deputy Mary Butler):** There are several mechanisms whereby community voluntary organisations can seek funding. Organisations can apply to HSE Mental Health Services for national lottery grant funding through the relevant local Community Health Organisation. Details can be found at: <https://www2.hse.ie/services/national-lottery-grants/national-lottery-grants.html>.

In addition, organisations provide mental health services to or on behalf of the HSE at both local and national level, under a variety of supply arrangements, such as section 39 funding. Under Section 39 of the Health Act 2004, the HSE may support any person or body that provides or proposes to provide a service similar or ancillary to a service that the HSE may provide. Details can be found at: <https://www.hse.ie/eng/services/publications/non-statutory-sector/section-39-documentation.html>

The Government Covid Stability Fund was launched in May this year. It provided €35 million to assist community and voluntary organisations, charity and social enterprises which are experiencing financial difficulties due to a reduction in their fundraising or trading income as a direct result of Covid-19. Mental health organisations have been granted approximately €400,000 so far from the fund. Budget 2021 announced an additional €10m to be made available for the fund. Allocation of this has yet to be decided, but it will be dispersed by the Department of Rural and Community Development.

Pobal administers a number of funds on behalf of other Departments. Details of these can be found at: <https://www.pobal.ie/programmes/>

### **Hospital Appointments Status**

121. **Deputy Robert Troy** asked the Minister for Health when a person (details supplied) will be called for an appointment with a doctor (details supplied) at the Midland Regional Hospital Mullingar. [33970/20]

**Minister for Health (Deputy Stephen Donnelly):** It is recognised that waiting times for scheduled appointments and procedures have been impacted as a direct result of the COVID-19 pandemic.

In response to the Covid-19 pandemic the HSE had to take measures to defer most scheduled care activity in March, April, and May of this year. This was to ensure patient safety and that

all appropriate resources were made available for Covid-19 related activity and time-critical essential work. This decision was in line with the advice issued by the National Public Health Emergency Team (NPHE) in accordance with the advice of the World Health Organisation.

Patient safety remains at the centre of all hospital activity and elective care scheduling. To ensure services are provided in a safe, clinically-aligned and prioritised way, hospitals are following HSE clinical guidelines and protocols.

The HSE continues to optimise productivity through alternative work practices such the use of alternative settings including private hospitals, community facilities and alternative outpatient settings.

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 is a standardised approach used by the HSE to manage scheduled care treatment for in-patient, day case and planned procedures. It sets out the processes that hospitals are to implement to manage waiting lists and was developed in 2014 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.

In relation to the particular query raised, as this is a service matter, I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible.

### **Covid-19 Pandemic**

122. **Deputy Carol Nolan** asked the Minister for Health if there is provision for healthcare workers that have had to temporarily leave employment to reclaim medical expenses incurred as a result of contracting Covid-19; and if he will make a statement on the matter. [33973/20]

**Minister for Health (Deputy Stephen Donnelly):** In line with the Guidance and FAQs document for Public Service Employers in relation to working arrangements during Covid-19 prepared and circulated by the Department of Public Expenditure and Reform, provision is made for public health sector employees to receive Special Leave with Pay should they contract Covid-19 and need to remain absent from the workplace.

According to the HSE website, Covid-19 tests and GP assessments are free of charge. This includes GP out-of-hours services.

### **National Carers' Strategy**

123. **Deputy Eoin Ó Broin** asked the Minister for Health the supports in place for grandparents of children with special needs in circumstances in which the grandparents are the primary guardian of the children. [33983/20]

**Minister for Health (Deputy Stephen Donnelly):** As reflected by the National Carers' Strategy, the needs of family carers encompass a wide range of areas and involve a number of Government departments.

In relation to my own role as Minister for Health, I am committed to listening to family

carers including grandparents who are carers together with their representative organisations. I am therefore working with my Government colleagues to ensure that we are providing the most appropriate supports to help sustain carers in their caring role. To this end, my colleague Minister Butler in her capacity as Minister of State with responsibility for Mental Health and Older People, held a roundtable with family carers on 15th September to hear about their experience as carers and how we can best support them in their caring role, in particular, given the challenges associated with the COVID-19 pandemic.

It should be noted that under the existing National Carers' Strategy, a range of measures have been introduced or extended by my Department to support family carers in recent years. Since September 2018, free GP visit cards have been extended to persons in receipt of the Carer's Allowance. The Programme for Government commits to further extending this service to recipients of the Carer's Support Grant.

The Programme for Government also commits to delivering a 'Carers Guarantee' that will provide a core basket of services to carers across the country, regardless of where they live. This commitment is consistent with the National Carers' Strategy, which seeks to support family carers to care with confidence through the provision of adequate information, training, services and supports. In line with this commitment, €2 million has been allocated in Budget 2021 to provide a more standard package of supports to family carers in every region. The specific measures to be introduced will be determined through service level agreements between the HSE and relevant service providers.

Financial supports for family carers such as Carer's Allowance fall under the remit of the Department of Employment Affairs and Social Protection. In the region of €1.2 billion is expected to be provided to family carers in 2020 through Carer's Allowance, Carer's Benefit, Carer's Support Grant and Domiciliary Care Allowance payments.

The HSE and disability representative bodies recognise that people with disabilities want their services resumed as quickly as possible. However, it may not be possible to restore services in exactly the same way as they operated previously, because of the unpredictable nature of COVID-19 and the need to continue to protect people from infection risk. The HSE's *A Safe Return to Health Services* outlines a three phased approach to the return of health and social care services. This plan has ensured that short-stay residential and emergency/residential respite have begun to re-open since July and August. Activity will increase further in the next two phases, i.e., September – November and December 2020 to February 2021.

In line with the Governments Resilience & Recovery Framework (2020 – 2021), the HSE regards the provision of disability services as essential to maintaining a response to people with a disability, in the same way that schools and creches are. It is important to note that Government's intention is that disability services will remain open at each level of the Resilience and Recovery Framework, subject to public health guidance.

The additional funding secured by my Department for disability specialist services in Budget 2021 will include provision for additional respite services for people with a disability and their families next year, which will be of assistance to grandparents who are carers of children with special needs.

To address the health-specific needs of family carers themselves, the HSE has developed a family carer's support page on its website at <https://www.hse.ie/eng/services/list/3/carerssupport/>. In addition, Family Carers Ireland, which receives funding from the State, operates a freephone helpline for family carers (1800 24 07 24).

## **Covid-19 Pandemic**

124. **Deputy Steven Matthews** asked the Minister for Health if he will provide clarity regarding the most recent update to the Covid-19 tracker application in relation to the new feature that allows users to pause contact tracing; the reason for this feature; and the circumstances in which it would be appropriate to pause the functionality of the application. [33988/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a service matter, I have asked the Health Service Executive to respond to the deputy directly, as soon as possible.

## **Health Services**

125. **Deputy Jackie Cahill** asked the Minister for Health if a venue has been sourced in Thurles, County Tipperary for the recommencement of podiatry and physiotherapy services for older persons in Thurles and its hinterland; and if he will make a statement on the matter. [33995/20]

**Minister of State at the Department of Health (Deputy Mary Butler):** As this is an operational matter, I have asked the Health Service Executive to respond to the deputy directly, as soon as possible.

## **Covid-19 Pandemic**

126. **Deputy Pádraig O’Sullivan** asked the Minister for Health when a person (details supplied) will be allowed to trade; and if he will make a statement on the matter. [34000/20]

**Minister for Health (Deputy Stephen Donnelly):** Firstly, I would like to assure you that the Government is committed to ensuring a balanced and proportionate response to COVID-19 by finding ways to implement public health measures in response to the pandemic in a way that is fair, reasonable and proportionate.

As you will be aware, in response to the rapidly deteriorating epidemiological situation across the country, Ireland has moved to level 5 of the Government’s medium-term strategy for dealing with COVID-19, *Resilience and Recovery 2020-2021: Plan for Living with COVID-19*

This 5 level Framework reflects a careful consideration of the impact of the introduction of restrictions on employment and livelihoods, keeping as many businesses open as possible at different stages, while acknowledging that some businesses and services are critical.

Any measures introduced at any level of the Plan are aimed at limiting the spread and damage of COVID-19, and are necessary to protect our key priorities of supporting and maintaining health and social care services, keeping education and childcare services open and protecting the most vulnerable members of our communities.

As I’m sure you can appreciate, COVID-19 spreads when individuals and groups come into close contact with one another, enabling the virus to move from one person to another. COVID-19 is infectious in a person with no symptoms, or for the period of time before they develop symptoms. The number of people allowed to gather in different scenarios in the Government’s Framework are based on a review of international practice and the judgment of public health experts. It seeks to balance the risks of different types of gatherings against the desire to allow normal activities to proceed in so far as possible.

At level 5 of the Plan, unfortunately, this means closing many businesses and amenities to reduce the person-to-person contacts which allow the virus to spread. At Level 5 essential retail and essential services will remain open. Further information on essential retail and essential services at Level 5 can be found at: <https://www.gov.ie/en/publication/2dc71-level-5/#retail-and-services-for-example-hairdressers-beauticians-barbers>

Further information on all levels of *Resilience and Recovery 2020-2021: Plan for Living with COVID-19* is available at: <https://www.gov.ie/en/campaigns/resilience-recovery-2020-2021-plan-for-living-with-covid-19/>.

The Deputy should note that the Christmas trees are not a matter for my Department and are under the remit of the Minister for Agriculture Food and Marine.

### **Hospital Appointments Status**

127. **Deputy Sean Sherlock** asked the Minister for Health when a child (details supplied) will be allocated a bed for an MRI. [34002/20]

**Minister for Health (Deputy Stephen Donnelly):** It is recognised that waiting times for scheduled appointments and procedures have been impacted as a direct result of the COVID-19 pandemic.

In response to the Covid-19 pandemic the HSE had to take measures to defer most scheduled care activity in March, April, and May of this year. This was to ensure patient safety and that all appropriate resources were made available for Covid-19 related activity and time-critical essential work. This decision was in line with the advice issued by the National Public Health Emergency Team (NPHE) in accordance with the advice of the World Health Organisation.

Patient safety remains at the centre of all hospital activity and elective care scheduling. To ensure services are provided in a safe, clinically-aligned and prioritised way, hospitals are following HSE clinical guidelines and protocols.

The HSE continues to optimise productivity through alternative work practices such the use of alternative settings including private hospitals, community facilities and alternative outpatient settings.

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 is a standardised approach used by the HSE to manage scheduled care treatment for in-patient, day case and planned procedures. It sets out the processes that hospitals are to implement to manage waiting lists and was developed in 2014 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.

In relation to the particular query raised, as this is a service matter, I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible.

### **Covid-19 Pandemic**

128. **Deputy Richard O'Donoghue** asked the Minister for Health the position regarding dancing at weddings; and if he will make a statement on the matter. [34015/20]

129. **Deputy Richard O'Donoghue** asked the Minister for Health the position regarding hair and make-up professionals services for wedding parties only; and if he will make a statement on the matter. [34016/20]

**Minister for Health (Deputy Stephen Donnelly):** I propose to take Questions Nos. 128 and 129 together.

The Government's medium-term strategy *Resilience and Recovery 2020-2021: Plan for Living with COVID-19*, sets out Ireland's approach to managing and living with COVID-19 in a range of areas over the next 6 - 9 months.

The Plan sets out five levels of response, each with a number of measures designed to help us all lower COVID-19 transmission and setting out what is permitted at that moment in time. It aims to allow society and businesses to be able to operate as normally as possible, while continuing to suppress the virus. Each level outlines what is permitted for social or family gatherings, work and public transport, bars, hotels and restaurants, exercise activities and religious services.

The Government has provided guidelines for weddings taking place at Level 5 of the *Resilience and Recovery 2020-2021: Plan for Living with COVID-19*.

25 guests may attend the wedding ceremony and wedding reception and this 25 does not include the persons getting married or persons attending in a professional capacity.

Guests are permitted to travel to attend the wedding and a minister of religion or priest is permitted to travel to conduct wedding services.

Hotel accommodation may be provided for 25 guests and the persons getting married.

Personal services such as hair and make-up services are not permitted at Level 5 in any setting and wedding dress shops are closed to the public.

It is permitted to have a baker provide a cake and it is permitted to have a photographer provide their services.

Live music and dancing are not permitted at Level 5 and the wedding reception must be fully seated. Novelty supplies and acts are also not permitted.

The wedding guidelines are available here: <https://covid19.failteireland.ie/industry-updates/government-update-on-wedding-guidelines-october-21-2020/>

The Government's guidelines for weddings at all levels of the Plan are available at: <https://www.gov.ie/en/campaigns/resilience-recovery-2020-2021-plan-for-living-with-covid-19/> .

### **Covid-19 Pandemic**

130. **Deputy John Brady** asked the Minister for Health the measure the HSE management have taken in the past eight months to increase the hospital capacity for Covid-19 patients both in terms of ICU and regular care; and if he will make a statement on the matter. [34030/20]

**Minister for Health (Deputy Stephen Donnelly):** The Programme for Government, Our Shared Future, commits to continuing investment in our health care services in line with the

recommendations of the Health Service Capacity Review and the commitments in Project Ireland 2040.

The Health Service Capacity Review 2018 found that the net requirement in combination with health system reform is for an additional 2,590 hospital beds by 2031 (2,100 inpatient, 300 day case and 190 critical care). The National Development Plan provides for the addition of the full 2,590 beds by 2027.

In the context of the current COVID-19 Pandemic response, the HSE advised on 22 June 2020 that an additional 324 acute beds have opened since March, bringing the current total of acute beds in the system to 11,597.

In addition, the National Treatment Purchase Fund (NTPF) agreed to support the marginal costs of funding additional beds to the end of December 2020 at a cost of €24 million. The HSE confirmed 197 of those beds had opened as planned.

This winter is expected to be particularly challenging due to the presence of Covid-19 and the uncertainty around the level of Covid-19 and non-Covid-19 healthcare demands. The Department of Health is working with the HSE to increase acute capacity in hospitals throughout the country to meet this and other health demands. Government allocated €236 million revenue and €40 million capital expenditure as part of Budget 2021 to fund additional acute beds on a permanent basis. This funding will provide, by the end of 2021, an additional 1,146 acute beds.

A proportion of these beds will be funded as part of the HSE's Winter Plan 2020/21. The Winter Plan aims to provide additional health service capacity across a range of services. Initiatives comprise additional acute and community beds to increase acute capacity, help reduce admissions and facilitate egress.

At the start of the year, permanent adult critical care capacity in Ireland stood at 255 beds, according to the National Office of Clinical Audit. This included 204 Level 3 ICU beds and 51 Level 2 HDU beds. As part of the initial response to the pandemic, funding was provided for an additional 40 adult critical care beds in March 2020 as well as two paediatric beds. The HSE has advised that between 280 and 285 critical care beds are currently open, with the number open any given day subject to fluctuation in respect of available staff and other operational considerations.

Where necessary, the number of critical care beds can surge beyond the baseline of 280-285 as part of an emergency response. However, it is essential to understand that the use of surge capacity for critical care is necessarily tied to a reduction of services in other areas of the hospital. Moreover, the clinical advice is clear that the greater the reliance on surge ICU capacity, the greater the clinical risk with potential impact on patient outcomes.

Our critical care units have coped well so far, largely due to the fact that the curve was flattened successfully in early stages. As a result, our outcomes for Covid patients in ICU have compared well with other jurisdictions including the UK.

Budget 2021 will allocate funding totalling €52m in 2021 to critical care. This will retain, on a permanent basis, the 42 critical care beds put in place on a temporary basis this year and add significant new capacity. Funded adult critical care beds will increase to 321 by end 2021, an increase of 66 over the baseline number of 255 funded beds in 2020. Funding for 2021 will also include money to allow for the development of a workforce plan as well as education initiatives to grow the critical care workforce.

This represents a significant step towards achieving the recommendations in the 2018 Health Service Capacity Review which found that an additional 2,100 inpatient acute beds were re-

quired, in a reform scenario, by 2031.

In relation to the particular query raised, as this is a service matter, I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible.

### **Covid-19 Tests**

131. **Deputy John Brady** asked the Minister for Health the measures the HSE has established for testing and tracing in relation to Covid-19; and if he will make a statement on the matter. [34031/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a service matter, I have asked the Health Service Executive to respond to the deputy directly, as soon as possible.

### **Covid-19 Pandemic**

132. **Deputy John Brady** asked the Minister for Health if targets have been established for the provision of ICU care for Covid-19 infection cases; and if he will make a statement on the matter. [34032/20]

133. **Deputy John Brady** asked the Minister for Health the metrics established in order to measure the progress and performance of the HSE towards achieving targets for the provision of ICU care for Covid-19 infection cases; and if he will make a statement on the matter. [34033/20]

**Minister for Health (Deputy Stephen Donnelly):** I propose to take Questions Nos. 132 and 133 together.

Critical Care occupancy, particularly regarding Covid-19 patients, is closely monitored by the Department of Health and the HSE, with reports published on a daily basis on the HSE's website.

At the start of the year permanent adult critical care capacity in Ireland stood at 255 beds, according to the National Office of Clinical Audit. This included 204 Level 3 ICU beds and 51 Level 2 HDU beds. As part of the initial response to the pandemic, funding was provided for an additional 40 adult critical care beds in March 2020 as well as two paediatric beds. The HSE has advised that between 280 and 285 critical care beds are currently open, with the number open any given day subject to fluctuation in respect of available staff and other operational considerations.

Our critical care units have coped well so far, largely due to the fact that the curve was flattened successfully in early stages. As a result, our outcomes for Covid patients in ICU have compared well with other jurisdictions including the UK.

Budget 2021 will allocate funding totalling €52m in 2021 to critical care. This will retain, on a permanent basis, the 42 critical care beds put in place on a temporary basis this year and add significant new capacity. Funded adult critical care beds will increase to 321 by end 2021, an increase of 66 over the baseline number of 255 funded beds in 2020.

In relation to specific metrics and targets for the monitoring of intensive care units, this is a service matter and so I have asked the HSE to respond to the Deputy directly.

## **Hospital Services**

134. **Deputy Alan Dillon** asked the Minister for Health the status of the male unit within the Ballina District Hospital; the planned actions the HSE are undertaking to avoid closure of this male unit; and the recruitment campaign being undertaken to get more nursing staff. [34034/20]

**Minister of State at the Department of Health (Deputy Mary Butler):** As this is an operational matter, I have asked the Health Service Executive to respond to the deputy directly, as soon as possible.

## **Hospital Appointments Status**

135. **Deputy Robert Troy** asked the Minister for Health if an urgent appointment will be expedited for a person (details supplied). [34035/20]

**Minister for Health (Deputy Stephen Donnelly):** It is recognised that waiting times for scheduled appointments and procedures have been impacted as a direct result of the COVID-19 pandemic.

In response to the Covid-19 pandemic the HSE had to take measures to defer most scheduled care activity in March, April, and May of this year. This was to ensure patient safety and that all appropriate resources were made available for Covid-19 related activity and time-critical essential work. This decision was in line with the advice issued by the National Public Health Emergency Team (NPHE) in accordance with the advice of the World Health Organisation.

Patient safety remains at the centre of all hospital activity and elective care scheduling. To ensure services are provided in a safe, clinically-aligned and prioritised way, hospitals are following HSE clinical guidelines and protocols.

The HSE continues to optimise productivity through alternative work practices such the use of alternative settings including private hospitals, community facilities and alternative outpatient settings.

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 is a standardised approach used by the HSE to manage scheduled care treatment for in-patient, day case and planned procedures. It sets out the processes that hospitals are to implement to manage waiting lists and was developed in 2014 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.

In relation to the particular query raised, as this is a service matter, I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible.

## **Vaccination Programme**

136. **Deputy Jennifer Carroll MacNeill** asked the Minister for Health the measures in place to ensure all that need the flu vaccination can receive it; the way in which it is being distributed, the level of supply and supports available if pharmacies or general practitioners have

low supply; and if he will make a statement on the matter. [34038/20]

**Minister for Health (Deputy Stephen Donnelly):** The Government has expanded the provision of seasonal influenza vaccination without charge to all of those in the HSE-defined at-risk groups and to all children aged from 2 to 12 years. Vaccines are being administered via GPs and pharmacists, as in previous years.

This season, 1.95 million doses of influenza vaccine have been purchased, double the amount administered last season. The HSE has procured 1.35 million doses of the Quadrivalent Influenza Vaccine (QIV), made available to all persons in an at-risk group and aged from 6 months up. In addition, the HSE has purchased 600,000 doses of the Live Attenuated Influenza Vaccine (LAIV), which is delivered via nasal drops rather than by injection and is being made available to all children aged from 2 to 12 years old inclusive.

This expanded programme will ensure that those most vulnerable to the effects of influenza will have access without charges. This is in line with the advice of the National Immunisation Advisory Committee and represents a significant step forward in providing vaccination without charges.

International markets for influenza vaccine are extremely tight this year, and in Ireland this resulted in deliveries from the manufacturer taking longer than intended. However, the full quantity of vaccine ordered has now been received. Vaccines are distributed in two-week cycles. 950,000 doses of the injected vaccine have already been distributed to GPs, pharmacists, and healthcare settings. This is 10% more than the amount distributed at the same time in 2019 and is equal to almost the full amount administered in the 2019/20 season. The quantities distributed to GPs and pharmacists has been based on the orders from the same sources last year, in order to ensure an equitable distribution. The remaining 400,000 doses will be distributed to GPs and pharmacists in the coming weeks.

Given the difficult international market for flu vaccines this year, it is unlikely that any further increase in supply will be possible. Demand for vaccination this year is unprecedented. This is the case across Europe and beyond. Given the finite supply available, it is important that even the increased quantities available in Ireland are targeted where they will have the greatest impact.

The new nasal (LAIV) influenza vaccine programme for children is well underway across the country. A high uptake of the vaccine in children has been shown to reduce the spread of influenza, helping to protect others in the community. The full quantity of LAIV ordered has also now been received and is being distributed to GPs and pharmacists.

Given the importance of increasing the level of uptake of the flu vaccine this year, GPs and pharmacists are incentivised not only to deliver vaccination to the expanded groups, but to actively seek out relevant patients and deliver vaccinations in a programmatic way, such as through dedicated flu vaccination clinics. The fees payable by the HSE to GPs and pharmacists for vaccine administration have been set in recognition of logistical challenges and possible need to establish vaccination clinics.

### **Covid-19 Pandemic**

137. **Deputy Niall Collins** asked the Minister for Health the position regarding an activity (details supplied); and if he will make a statement on the matter. [34048/20]

**Minister for Health (Deputy Stephen Donnelly):** As the Deputy is aware, Ireland is cur-

rently at Level 5 of Resilience and Recovery 2020-2021 - the Plan for Living with COVID-19. At Level 5, only essential retail outlets and essential services are allowed to open to the public.

The list of essential services that can remain open during Level 5 includes therapy services provided by a member of a designated profession within the meaning of section 3 of the Health and Social Care Professionals Act 2005 (No. 27 of 2005). There are seventeen professions designated under the 2005 Act, which are encompassed in the list of essential services. These are: Dietitians, Dispensing Opticians, Medical Scientists, Occupational Therapists, Optometrists, Physiotherapists (which includes Physical Therapists), Radiographers, Radiation Therapists, Social Workers, Speech and Language Therapists, Clinical Biochemists, Counsellors, Orthopodists, Podiatrists, Psychologists, Psychotherapists and Social Care Workers.

### **Mental Health Services**

138. **Deputy Steven Matthews** asked the Minister for Health his plans to extend the funding streams that are available for trainee clinical psychologists to include those that choose to study counselling and educational psychology in view of the fact that at present the latter receive no payment during their traineeship or assistance with the cost of their studies. [34052/20]

**Minister for Health (Deputy Stephen Donnelly):** I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible

### **Vaccination Programme**

139. **Deputy Michael Healy-Rae** asked the Minister for Health if he will address a matter (details supplied) regarding the flu vaccine; and if he will make a statement on the matter. [34059/20]

**Minister for Health (Deputy Stephen Donnelly):** The Government has expanded the provision of seasonal influenza vaccination without charge to all of those in the HSE-defined at-risk groups, including healthcare workers, and to all children aged from 2 to 12 years. Vaccines are being administered via GPs and pharmacists, as in previous years.

This expanded programme will ensure that those most vulnerable to the effects of influenza will have access without charges. This is in line with the advice of the National Immunisation Advisory Committee and represents a significant step forward in providing vaccination without charges.

This season, 1.95 million doses of influenza vaccine have been purchased, which is approximately double the amount administered last season. The HSE has procured 1.35 million doses of the Quadrivalent Influenza Vaccine (QIV) for the forthcoming winter. This vaccine is being made available to all persons in an at-risk group and aged from 6 months up. In addition, the HSE has purchased 600,000 doses of the Live Attenuated Influenza Vaccine (LAIV), which is delivered via nasal drops rather than by injection and is being made available to all children aged from 2 to 12 years old inclusive.

International markets for influenza vaccine are extremely tight this year, and in Ireland this resulted in deliveries from the manufacturer taking longer than intended. However, the full quantity of vaccine ordered has now been received. 950,000 doses of the injected vaccine have already been distributed to GPs, pharmacists, and healthcare settings. This is 10% more than the amount distributed at the same time in 2019 and is equal to almost the full amount

administered in the 2019/20 season. The quantities distributed to GPs and pharmacists has been based on the orders from the same sources last year, in order to ensure an equitable distribution. The remaining 400,000 doses will be distributed to GPs and pharmacists in the coming weeks. Given the difficult international market for flu vaccines this year, it is unlikely that any further increase in supply will be possible.

The new nasal (LAIV) influenza vaccine programme for children is well underway across the country. A high uptake of the vaccine in children has been shown to reduce the spread of influenza in the community. Maximising uptake of LAIV in children will also help protect others against influenza in the community. The full quantity of LAIV ordered has also now been received and is being distributed to GPs and pharmacists.

### **Medical Aids and Appliances**

140. **Deputy Matt Shanahan** asked the Minister for Health if he will address a matter (details supplied) regarding continuous glucose monitoring equipment; and if he will make a statement on the matter. [34071/20]

**Minister for Health (Deputy Stephen Donnelly):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Medical Aids and Appliances**

141. **Deputy Matt Shanahan** asked the Minister for Health if he will address a matter (details supplied) regarding funding for medical devices; and if he will make a statement on the matter. [34072/20]

**Minister for Health (Deputy Stephen Donnelly):** Under the Health (Pricing and Supply of Medical Goods) Act 2013, the HSE has statutory responsibility for the administration of the community drug schemes; therefore, the matter has been referred to the HSE for attention and direct reply to the Deputy.

### **Health Services**

142. **Deputy Thomas Gould** asked the Minister for Health the number of complaints made to SouthDoc in counties Cork and Kerry in each of the years 2015 to 2019 and to date in 2020, by year. [34077/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a service matter, I have asked the Health Service Executive to respond to the Deputy directly, as soon as possible.

### **Covid-19 Tests**

143. **Deputy Sean Sherlock** asked the Minister for Health if he will open testing centres in north and east County Cork in view of the fact that two centres are operating in Cork city. [34079/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a service matter, I have asked the Health Service Executive to respond to the deputy directly, as soon as possible.

### **Hospital Charges**

144. **Deputy Colm Burke** asked the Minister for Health if he will remove the venesection charge of €80 per treatment for haemochromatosis patients charged by some hospital groups; and if he will make a statement on the matter. [34108/20]

**Minister for Health (Deputy Stephen Donnelly):** Where venesection is classed as a day case procedure and is not carried out in an out-patient setting, the public in-patient charge applies.

The issue of the provision of therapeutic phlebotomy services for hereditary haemochromatosis patients, including the issue of charges, is under consideration by my Department and the HSE.

It is agreed that such services should be provided at the lowest level of complexity that is clinically and operationally feasible. In time it is envisaged that the majority of this work will be done in a primary care setting.

Meanwhile, the Irish Blood Transfusion Service is now accepting hereditary haemochromatosis patients who are eligible to donate blood at their fixed and mobile donation clinics nationwide.

Patients can attend a maximum of four times a year with a minimum of ninety days between phlebotomies. The patient's hereditary haemochromatosis will continue to be managed by their physician, including the monitoring of ferritin levels.

### **Hospital Procedures**

145. **Deputy Colm Burke** asked the Minister for Health the procedures in place for haemochromatosis patients that cannot access their essential venesection treatments in hospitals in view of the fact that many patients have had their venesection treatments cancelled or postponed indefinitely; and if he will make a statement on the matter. [34109/20]

**Minister for Health (Deputy Stephen Donnelly):** The treatment for the management of Hereditary Haemochromatosis is therapeutic phlebotomy (i.e. having your blood taken). It is agreed that such services should be provided at the lowest level of complexity that is clinically and operationally feasible. In time it is envisaged that the majority of this work will be done in a primary care setting.

Hereditary haemochromatosis patients can attend their GP. Under the 2019 GP Agreement on Contract Reform and Service Development, and since the beginning of 2020, GPs are paid by the HSE to provide venesection for GMS patients, patients that hold a medical or GP visit card with haemochromatosis. This means that GMS patients with this condition can now be managed locally by their GP and no longer have to attend hospitals for therapeutic phlebotomy.

The Irish Blood Transfusion Service accepts hereditary haemochromatosis patients who are eligible to donate blood at their fixed and mobile donation clinics nationwide. Patients can attend, free of charge, a maximum of four times a year with a minimum of ninety days between phlebotomies. The patient's hereditary haemochromatosis will continue to be managed by their

physician, including the monitoring of ferritin levels.

As the provision of venesection treatment in hospitals is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible in relation to the cancellation of treatments.

### **General Practitioner Services**

146. **Deputy Colm Burke** asked the Minister for Health if he will provide a full list of general practitioners that provide venesection services for haemochromatosis patients in view of the fact that haemochromatosis patients that have had their treatment cancelled or postponed in hospitals may have difficulty in accessing a list of general practitioners that provide these services (details supplied); and if he will make a statement on the matter. [34110/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is an operational matter, I have asked the HSE to reply directly to the Deputy.

### **Health Services**

147. **Deputy Colm Burke** asked the Minister for Health if population screening for haemochromatosis will be implemented in Ireland (details supplied); and if he will make a statement on the matter. [34111/20]

**Minister for Health (Deputy Stephen Donnelly):** The National Screening Advisory Committee (NSAC) was established in 2019 and has held four meetings to date. The Committee's role is to undertake an independent assessment of the evidence for screening for a particular condition against internationally accepted criteria and make recommendations accordingly.

As part of its body of work the Committee will implement an agreed methodology for accepting applications to consider new, or revisions to, existing population-based screening programmes in Ireland.

Ireland, has always evaluated the case for commencing a national screening programme against international accepted criteria – collectively known as the Wilson Jungner criteria. The evidence bar for commencing a screening programme should and must remain high. This ensures that we can be confident that the programme is effective, quality assured and operating to safe standards.

The addition of any new population-based screening programmes, or modifications to existing programmes, will be incorporated as part of the Committee's work programme following a robust, methodologically sound and detailed analysis of the evidence in each and every case against internationally accepted screening criteria.

Updates in relation to screening will be posted on the NSAC website (<https://www.gov.ie/en/campaigns/nsac/>)

### **Chronic Disease Management Programme**

148. **Deputy Colm Burke** asked the Minister for Health if haemochromatosis will be added to the list of chronic illnesses; and if he will make a statement on the matter. [34112/20]

**Minister for Health (Deputy Stephen Donnelly):** The Long Term Illness Scheme was established under Section 59(3) of the Health Act 1970 (as amended). The conditions covered by the LTI are: acute leukaemia; mental handicap; cerebral palsy; mental illness (in a person under 16); cystic fibrosis; multiple sclerosis; diabetes insipidus; muscular dystrophies; diabetes mellitus; parkinsonism; epilepsy; phenylketonuria; haemophilia; spina bifida; hydrocephalus; and conditions arising from the use of Thalidomide. Under the scheme, patients receive drugs, medicines, and medical and surgical appliances directly related to the treatment of their illness, free of charge.

Haemochromatosis was not included on the above list and there are no plans to extend the list of conditions covered by the scheme at this time. However, a review of the current eligibility framework, including the basis for existing hospital and medication charges, will be carried out under commitments given in the Sláintecare Implementation Strategy.

For people who are not eligible for the LTI Scheme, there are other arrangements which protect them from excessive medicine costs.

Under the Drug Payment Scheme, no individual or family pays more than €114 a month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals with ongoing expenditure on medicines.

People who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the HSE can take into account medical costs incurred by an individual or a family.

People who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of GP consultations.

### **Programme for Government**

149. **Deputy Colm Burke** asked the Minister for Health when work on the establishment of the national medicines agency is due to commence as committed to in the programme for Government; and if he will make a statement on the matter. [34113/20]

150. **Deputy Colm Burke** asked the Minister for Health the details of the design of the national medicines agency as committed to in the programme for Government; the person or body that will be tasked with establishing and running it; and if he will make a statement on the matter. [34114/20]

151. **Deputy Colm Burke** asked the Minister for Health the remit and function of the national medicines agency as committed to in the programme for Government; the way in which this will be distinct from existing agencies such as the National Centre for Pharmacoeconomics and the medicines management programme; and if he will make a statement on the matter. [34115/20]

152. **Deputy Colm Burke** asked the Minister for Health the way in which the national medicines agency, as committed to in the programme for Government, will engage with key stakeholders such as patient groups and the pharmaceutical industry to improve access to medicines for patients; and if he will make a statement on the matter. [34116/20]

**Minister for Health (Deputy Stephen Donnelly):** I propose to take Questions Nos. 149 to 152, inclusive, together.

The Programme for Government includes a commitment to establish a National Medicines

Agency, promoting national prescribing to reduce the cost of medicines, including via generic prescription, where appropriate, and to set a fair price for drug reimbursement.

The establishment of a National Medicines Agency would require a significant body of work to be undertaken, to map out an integrated pharmaceutical policy function for the Agency and to consider the resources necessary for its establishment.

That work has yet to commence, with the priority and focus on tackling the Covid-19 pandemic.

### **Medicinal Products**

153. **Deputy Colm Burke** asked the Minister for Health the status of a review (details supplied) into the medicines access programme as outlined in the Sláintecare Action Plan; when it will be published; the actions that will arise from its recommendations; and if he will make a statement on the matter. [34117/20]

**Minister for Health (Deputy Stephen Donnelly):** In 2019, following a tender by the Office of Government Procurement, Mazars conducted a review of the governance structures around the HSE's drug reimbursement process. The report was submitted to my Department in January 2020.

The review made recommendations in respect of the HSE's systems, structures, processes, governance arrangements and use of specialist resources in respect of the drug reimbursement process.

The report was under consideration by officials earlier this year, however the focus of the Department of Health changed to the immediate public health considerations of the COVID-19 pandemic and the preservation of life. This meant that this work stream was temporarily suspended to reallocate resources to support essential services.

My Department aims to complete its consideration of the report's recommendations in the near future.

### **Covid-19 Tests**

154. **Deputy Marian Harkin** asked the Minister for Health the number of amplification cycles being used for PCR testing; if this is a static number used for every test; and if the number has remained constant from March to October 2020. [34126/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a service matter, I have asked the Health Service Executive to respond to the deputy directly, as soon as possible.

### **Covid-19 Tests**

155. **Deputy Marian Harkin** asked the Minister for Health the standard the PCR tests are being compared against; the person or body that set the standard; and the way in which it was decided that the chosen genetic sequence was definitively from SARS-CoV-2 and could not be confused with another coronavirus. [34127/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a service matter, I have asked

the Health Service Executive to respond to the deputy directly, as soon as possible.

### **Nursing Staff**

156. **Deputy Michael Healy-Rae** asked the Minister for Health if he will address a matter (details supplied) regarding employment opportunities for psychiatric nurses; and if he will make a statement on the matter. [34128/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a service matter, I have asked the Health Service Executive to respond directly to the Deputy, as soon as possible.

### **Community Intervention Teams**

157. **Deputy Verona Murphy** asked the Minister for Health the progress made on the provision for community intervention team services for County Wexford; and if he will make a statement on the matter. [34135/20]

**Minister for Health (Deputy Stephen Donnelly):** As this question relates to a service issue, the Health Service Executive has been asked to reply directly to the Deputy on the matter.

### **Child and Adolescent Mental Health Services**

158. **Deputy Verona Murphy** asked the Minister for Health the current status of the recruitment of a child psychologist to the CAMHS unit in County Wexford; and if he will make a statement on the matter. [34136/20]

**Minister of State at the Department of Health (Deputy Mary Butler):** As this is a service matter I have asked the Health Service Executive to respond directly to the Deputy as soon as possible.

### **Departmental Contracts**

159. **Deputy Richard Boyd Barrett** asked the Minister for Health the details of the contract awarded to a company (details supplied) for recruitment during Covid-19; and if he will make a statement on the matter. [34153/20]

**Minister for Health (Deputy Stephen Donnelly):** As this is a matter for the Health Service Executive, I have asked them to respond directly to the Deputy, as soon as possible.

### **Covid-19 Pandemic**

160. **Deputy Brendan Griffin** asked the Minister for Agriculture, Food and the Marine his views on a matter (details supplied) regarding riding stables; and if he will make a statement on the matter. [33959/20]

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** The Sport Horse industry is an industry that has been supported by respective Governments down through the years. I am very much aware of its importance to the economy and the desire for all

involved to resume all activities as soon as possible.

It is clear that Covid 19 is having a major effect on all sports, including Equine Sports. Ireland is currently at Level 5 in the fight against the disease. Whilst endeavouring to manage risk and repair the damage it has inflicted on society, the country must be informed and guided by public health professionals, the advice of NPHE and relevant Government decisions. A Framework for Restrictive Measures has been developed to help us to go about our daily lives as much as possible, while managing the behaviour of the virus (reference: 'Recovery 2020-2021: Plan for Living with COVID-19').

It is regrettable that equestrian events are not to open at present, however, as you are aware the actions taken to protect public health are understandably paramount at this time.

### **Covid-19 Pandemic**

161. **Deputy Joan Collins** asked the Minister for Agriculture, Food and the Marine if fox-hunting with hounds and all related activities have been stopped during level 5 restrictions; and if a ban will be introduced due to the cruelty to foxes and the public health concerns associated with large groups of hunters gathering and traversing the countryside. [34036/20]

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** The Government has issued a list which is available on gov.ie which sets out, among others things, guidance/direction as to purposes for essential travel (beyond 5Km), essential retail outlets, essential services, essential wholesale and retail trade and support activities which is available here: [https://www.gov.ie/en/publication/c9158-essential-services/..](https://www.gov.ie/en/publication/c9158-essential-services/) Fox hunting with hounds does not appear on this list.

On the general matter of hunting, the Deputy will be aware that detailed debate was held around the issue during the passage of the Animal Health and Welfare Act 2013 and the Dail voted overwhelmingly to allow the continuation of fox hunting in accordance with an appropriate Code of Conduct. The Animal Health and Welfare Act 2013 specifically prohibits the hunting of animals which have been released in an injured, mutilated or exhausted condition.

The Act also allows for the establishment of codes of practice and for the adoption of codes published by other persons for the purposes of providing practical guidance relating to any aspect of the Act, including fox hunting. Voluntary codes of practice have been established by The Hunting Association of Ireland which detail the conduct to be adhered to in respect of the hunting of foxes and the treatment of the animal during the hunt. The Code prohibits the hunting of foxes where the animal is injured and advocates the humane disposal of a fox when captured. The code also takes into account local concerns and the concerns of the landowner(s) on whose land hunting takes place.

My Department has no plans to change the existing legislation.

### **Forestry Sector**

162. **Deputy Alan Dillon** asked the Minister for Agriculture, Food and the Marine when a decision will be made on a forestry application lodged by a person (details supplied) in County Mayo; the reason for the delay in making a decision on the application; and if he will make a statement on the matter. [34063/20]

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** The

contract specified was approved under the Afforestation Grant and Premium Scheme with two grant payments and annual premiums to be paid across the lifetime of the contract, subject to compliance with scheme Terms and Conditions.

The first instalment grant application has been received by my Department, but payment could not be made so far because several shortcomings on the plantation were identified during a routine inspection by the relevant District Inspector. These shortcomings have been communicated to the person named as part of a remedial works request letter. The District Inspector as well as my Department's Engineering staff are currently in the process of assessing the additional information received from the person named following issuing of this request and a decision will be communicated as soon as this assessment is complete.

### **Fisheries Protection**

163. **Deputy Jennifer Whitmore** asked the Minister for Agriculture, Food and the Marine the steps he is taking to ensure the reintroduction and implementation of the six-mile ban on large trawlers in Irish waters; and if he will make a statement on the matter. [34066/20]

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** In December 2018, following a public consultation process in which over 900 submissions were received, the then Minister for Agriculture, Food and Marine announced that vessels over 18m will be excluded from trawling in inshore waters inside the six nautical mile zone and the baselines from 1 January 2020. A transition period of three years for vessels over 18m targeting sprat was allowed to enable adjustment for these vessels, as the sprat fishery is concentrated inside the six nautical mile zone.

A Policy Directive was issued by the Minister to the independent Licensing Authority for Sea Fishing Boats under Statute and was intended to give effect to the measures announced by the then Minister. As stated above, this Policy Directive provided that vessels over 18m LOA (Length Overall) will be excluded from trawling activity inside six nautical miles, including inside the baselines, from 1 January 2020. The Policy Directive directed the Licensing Authority to insert a condition to this effect into the licences of affected vessels.

A Judicial Review was taken by two applicant fishermen challenging the validity of the Policy. An unapproved judgement was issued on 31 July 2020 and the key points to come out of that Judgement is that while the applicants did not succeed on four of the five grounds of challenge, the challenge was made against the entire Policy Directive 1 of 2019 and was successful.

The findings on the grounds of challenge were:

1. The Policy Directive 1 of 2019 was not ultra vires,
2. The Directive did not impinge the applicants constitutional rights.
3. Given the impact on the applicants there was a particular duty on the Minister to provide a fuller explanation and engage in further talks with the applicants. On this ground the applicants succeeded.
4. The policy directive was not disproportionate to what was to be achieved.
5. The Policy directive did not breach EU law.

On 6 October 2020, the Judge held in summary that the Court's final order should be, among other matters, a declaration that Policy Directive 1 of 2019 was made in breach of fair proce-

dures and is void and/or of no legal effect.

The breach of fair procedures as referenced above related to a failure with obligations to consult with the applicants in accordance with, and to the extent required by, the consultation process and in particular by failing to consult with them once a preferred option had been identified.

I am currently considering, on an urgent basis, the implications of the judgment in consultation with my legal advisors.

I should advise the Deputy that I am committed to the sustainability of fishing in Irish waters and the commitment made in our Programme for Government that inshore waters continue to be protected for smaller fishing vessels and pair trawling be prohibited inside the six-mile limit.

### **Basic Payment Scheme**

164. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine if he will address a matter regarding the case of persons (details supplied); and if he will make a statement on the matter. [34143/20]

**Minister for Agriculture, Food and the Marine (Deputy Charlie McConalogue):** The person named submitted an application for the Basic Payment Scheme (BPS) on 6 May 2020.

As part of the standard processing of the application, two issues were identified. The first of these issues was a dual claim arising with another applicant. This issue has been resolved.

The second issue relates to an overlap on claimed land with another applicant. With regard to this issue, further information has been requested from the third party involved. Officials from my Department have directly contacted this third party in order to expedite the matter. As soon as this information is received, the persons named will be contacted by my officials to finalise this matter at the earliest date possible.

### **LEADER Programmes**

165. **Deputy Thomas Gould** asked the Minister for Rural and Community Development the allocation provided to towns, villages and organisations in Cork under the LEADER programme in 2019 and to date in 2020, in tabular form. [34120/20]

**Minister for Rural and Community Development (Deputy Heather Humphreys):** LEADER is a multi-annual programme with a budget of €250 million over the period 2014-2020. €225 million of this budget is allocated to Local Action Groups (LAGs), who deliver the programme and approve projects at local level in accordance with their Local Development Strategy (LDS). County Cork is divided into three sub regional areas for the purposes of LEADER.

The total allocation for the county is €14,438,823. The allocation for each sub-regional area is provided for the duration of the programme rather than on an annual basis. This provides greater flexibility to the LAGs in managing their resources.

The funding provided supports the preparation of the Local Development Strategy for each area, project activity, and the administration costs of the LAGs including their engagement with potential promoters to develop LEADER projects.

Table 1 below provides details of the budget allocations to each of the Cork LAGs under the LEADER 2014-2020.

Details of individual project approvals are available on my Department's website at: <https://www.gov.ie/en/publication/b849be-local-action-groups-approved-projects-2014-2020/> .

**Table 1: LEADER Allocations by sub regional area for County Cork**

LEADER sub-regional area	Allocation
Cork North	€5,591,846
Cork South	€3,831,303
Cork West	€5,015,674
Total	€14,438,823

### Departmental Funding

166. **Deputy Thomas Gould** asked the Minister for Rural and Community Development the funding available to towns, villages and rural community groups; and the way in which community groups apply for funding. [34121/20]

**Minister for Rural and Community Development (Deputy Heather Humphreys):** In the present COVID environment the supports provided by my Department to assist communities are more important than ever to assist the economic and social recovery of these areas.

Below is a list of the primary funding streams available to rural communities from my Department.

**The Rural Regeneration and Development Fund** was established as part of Project Ireland 2040 and will support a coherent suite of capital investment schemes so that rural towns (with populations of less than 10,000), rural villages and outlying areas can benefit from investment over the coming years. The four headings funded through the Rural Regeneration and Development allocation are (i) RRDF major projects (ii) RRDF Seed Funding (iii) Town and Village Renewal and (iv) the Outdoor Recreational Infrastructure Scheme.

**RRDF Major Projects (Category 1)** supports ambitious and strategic projects that can drive sustainable rural regeneration and development. Funding is awarded through a competitive assessment process. All projects must be collaborative, involving more than one body, and with clear community support and engagement. Grants awarded have been in the range of €0.5 million to €10 million, enabling large scale investment with long term benefits for rural economies and communities.

**RRDF Seed Funding (Category 2)** generally provides smaller grant funding to enable the development of project proposals suitable for future applications to the RRDF Major Projects strand. Funding can be provided towards the cost of project development, including for technical or expert assistance. Issues that may need to be addressed could include land ownership/title, planning and design work, value for money assessment, and procurement. This funding aims to ensure that early stage project ideas generated at local level can progress into fully developed and costed proposals.

**The Town and Village Renewal Scheme** covers a range of projects to support and rejuvenate rural towns and villages. It is administered by Local Authorities on behalf of my Department and projects are developed in consultation with town/village community and business interests.

Funding can be provided for a wide range of interventions including public-realm projects, town centre enhancements, encouraging town centre living, and economic development projects. Applications for funding are submitted to DRCD by local authorities. The scheme has an annual budget of €15m, with €25m available in 2020 due to an additional €10m from the July Stimulus Package.

**LEADER Programme:** Under the LEADER Programme, €250 million in grant aid is available to rural communities and businesses. This is provided to projects focused on economic and enterprise development, job creation, social inclusion and supporting the rural environment. Funding is allocated to 28 sub-regional areas based on administrative or county boundaries. Interested parties should contact their Local Action Group (LAG) through its Implementing Partner to discuss the eligibility of the project and the funding that may be available. A full list of LAGs is available on <https://www.gov.ie/en/publication/c33028-list-of-local-action-groups/>

**The Outdoor Recreation Infrastructure Scheme (ORIS)** provides funding for the development of new and existing outdoor recreational infrastructure in rural areas such as cycleways, walking trails, blueways and mountain access routes.

Other Rural Supports:

**The Community Enhancement Programme** provides small capital grants to community groups to enhance facilities in disadvantaged areas. The CEP is administered by Local Community Development Committees (LCDCs), with support from the local authorities.

**The Local Improvement Scheme** provides funding for improvements to private and non-publicly maintained roads. Such roads can lead to multiple residences, farmland or amenities like lakes, rivers or beaches.

**CLÁR** is an investment programme for small-scale infrastructural projects in depopulated rural areas. CLÁR supports the development of identified areas by attracting people to live and work there .

**The Community Services Programme** provides local social, economic and environmental services through a social enterprise model, providing a contribution towards the cost of staff in these organisations. It meets local service gaps and provides services and facilities that would not be available otherwise. The Expression of Interest (EOI) application process is currently closed but it is expected that the Programme will open targeted calls to address identified gaps in service delivery in 2021.

My Department has also provided funding for Tidy Towns groups and Agricultural Shows in recent years.

All programmes delivered by my Department are open to applications from eligible parties during the relevant application timeframes set for each programme. Public Participation Networks and Local Community Development Committees are useful first ports of call for community groups interested in accessing community development funding. It is anticipated that these funding streams and supports will continue and will be available in 2021 and full details of how to register or apply for financial assistance under these programmes can be obtained on my Department's website [[www.gov.ie/drcd](http://www.gov.ie/drcd)] together with more detailed information on all programmes delivered by my Department.

## Local Development Companies

167. **Deputy Brendan Smith** asked the Minister for Rural and Community Development the level of funding that will be provided for the 35 local development companies to prepare and deliver a two-year national rural development programme; and if she will make a statement on the matter. [34133/20]

168. **Deputy Brendan Smith** asked the Minister for Rural and Community Development if she will ensure that funding is provided for new projects under LEADER in 2021 in view of the importance of the programme for rural areas; and if she will make a statement on the matter. [34134/20]

**Minister for Rural and Community Development (Deputy Heather Humphreys):** I propose to take Questions Nos. 167 and 168 together.

The LEADER programme is co-funded by the European Commission under the Common Agricultural Policy (CAP). The current 2014-2020 LEADER programming period concludes in December 2020.

Proposals for new regulations for the CAP 2021-2027 were launched in June 2018 by the European Commission. However, given the protracted nature of discussions on the post-2020 CAP and on the wider EU Budget at EU level, there has been a delay in adopting these proposals. This means that the next LEADER programme will not commence until January 2022 at the earliest.

The Programme for Government includes a commitment to prioritise a State-led programme to bridge the gap between the current LEADER programme and the next EU programme. The objective of this commitment is to allow local-led rural development projects to be delivered under a Transitional Programme until the new EU programme commences.

The European Commission has published proposals for transitional measures to allow for continuity between the programming periods. The Commission's proposals are still under discussion at EU level and there are a number of issues yet to be resolved, including the duration of the transitional period.

Nonetheless, I hope to be in a position shortly to announce the details of a Transitional LEADER Programme for Ireland, to come into effect in 2021. Details of the funding available to the Local Action Groups which implement LEADER locally will be made available when the Transitional Programme is announced.

An extra €4 million has been provided for LEADER in Budget 2021, to bring the total allocation for next year to €44 million. The allocation will be used to fund a combination of existing projects as they come to completion, as well as for new projects to be approved under the Transitional Programme and to support the administration costs of Local Action Groups in closing out the existing programme and delivering the Transitional Programme.

It is important to recognise that LEADER is a multi-annual programme and that payments in respect of projects which are approved in any given year are generally not drawn down until subsequent years, depending on the nature and scale of the projects concerned. In this context, costs related to projects under the Transitional Programme are also likely to be met from the provision in my Department's Vote in 2022 and 2023.