

Income, Support and Finance

Social Welfare Reviews and Appeals

Many people are refused a disability related or caring payment (e.g. Disability Allowance, Carers Allowance, Domiciliary Care Allowance) by the Department of Employment Affairs and Social Protection. A refusal may be as a result of a person not meeting the PRSI criteria or not meeting the means test or the medical or caring eligibility.

Lack of Information

A lack of information in the application is a very common reason for an application to be refused. If you are refused a payment you will be advised of your right to a review or an appeal. Reviews and appeals have a very high success rate.

Review

Always seek a review first. A review is quicker than an appeal. You can then ask for an appeal if the review is unsuccessful.

Apply for the review straight away in writing. This is an internal review of your application in the Department of Employment Affairs and Social Protection. You can send in any additional information to support your case at this point.

Extra information such as recent reports, treatment plans, individual education plans or care plans can be sent in now to support your application. You can also include a letter of support from your occupational therapist, social worker, specialist nurse, teacher, carer, child minder, support worker or personal assistant.

A **daily care diary** can be a useful way to record and demonstrate extra care and attention needs. Begin the diary in the morning and continue right through to night time, including any waking during the night. Use the diary to record all care needs over a few days and include it with your

application. Be very detailed, noting every single instance of care or supervision. When carrying out any task ask yourself would you be doing this for a typically developing person of the same age.

Appeals

Oral appeals are independent of the Department of Employment Affairs and Social Protection. You must appeal on the 'Appeal Form' within 21 days of receiving your refusal letter. Your application and any additional information will be examined by a senior civil servant. You will also meet with them to discuss your case. Again, you can submit any additional information at this point.

The appeal meeting is not an adversarial meeting and the appeal officer has more flexibility when looking over your case. There is a very high success rate for reviews and appeals.

Timescale

Reviews and appeals can take a very long time. In 2018 the average time for an appeal ranged from 17 to 25 weeks.

Back Dating

In general, most payments are back dated to the date of application. Domiciliary Care Allowance is awarded from the month after application.

A person may apply for the payment to be backdated by up to 6 months. There must be good reason for the payment to be backdated such as a very long wait for an Assessment of Need under the Disability Act.

The Carers Support Grant is a yearly payment and can be backdated for up to 2 years.

Useful Contacts

[An Introduction to the Social Welfare Appeals Office](#)

[Department of Employment Affairs and Social Protection](#)

[Citizens Information Services](#)

[Inclusion Ireland](#)