



## **Request for Quotations for Services to Support the Review of the compliance of the Disability Act 2005 with the UN Convention on the Rights of Persons with Disabilities**

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The Irish Human Rights and Equality Commission is Ireland's National Human Rights Institution,<sup>1</sup> and the National Equality Body.<sup>2</sup> The Commission is an independent public body, with a mandate established under the Irish Human Rights and Equality Commission Act 2014. The Commission is also the Independent Monitoring Mechanism for Ireland under the United Nations Convention on the Rights of Persons with Disabilities ('UNCPRD').<sup>3</sup> The Commission accounts directly to the Oireachtas, with its fifteen members, one of whom is the Chief Commissioner, appointed by the President.

The overall statutory functions of the Commission are:

- › to protect and promote human rights and equality,
- › to encourage the development of a culture of respect for human rights, equality, and intercultural understanding in the State,
- › to promote understanding and awareness of the importance of human rights and equality in the State,
- › to encourage good practice in intercultural relations, to promote tolerance and acceptance of diversity in the State and respect for the freedom and dignity of each person, and

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<sup>1</sup> National Human Rights Institutions ('NHRIs') are independent State bodies with a constitutional and/or legislative mandate to protect and promote human rights. The Commission holds "A" status accreditation from the United Nations, which is only awarded to institutions that are fully compliant with [Paris Principles](#). The Paris Principles are the international standards for effective, credible NHRIs, requiring independence in law, membership, operations, policy and control of resources.

<sup>2</sup> [Equality bodies](#) are public organisations assisting victims of discrimination, monitoring and reporting on discrimination issues, and contributing to an awareness of rights and a societal valuing of equality. They are legally required to do so in accordance with EU equal treatment legislation.

<sup>3</sup> Section 103 of the Assisted Decision-Making (Capacity) (Amendment) Act 2022 designated IHREC the Independent Monitoring Mechanism for the UNCPRD.



- › to work towards the elimination of human rights abuses, discrimination and prohibited conduct.

The Commission now invites responses from suitably qualified providers for the provisions of services to support a review of the Disability Act 2005 (as amended) ('the 2005 Act') to assess its compliance with the UNCRPD.

## **UN Convention on the Rights of Persons with Disabilities**

The UNCRPD is an international human rights treaty, which exists to promote and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all disabled persons. The Convention was adopted by the UN in 2006 and ratified by Ireland in 2018, over a decade after the commencement of the 2005 Act. The remit of the 2005 Act intersects with several articles of the UNCRPD, including, but not limited to, the following:

- › Article 5 – Equality and non-discrimination
- › Article 6 – Women with disabilities
- › Article 7 – Children with disabilities
- › Article 9 – Accessibility
- › Article 12 – Equal recognition before the law
- › Article 13 – Access to justice
- › Article 19 – Living independently and being included in the community.
- › Article 23 – Respect for home and the family
- › Article 24 – Education
- › Article 25 – Health
- › Article 28 – Adequate standard of living and social protection



## Background

### Independent Monitoring Mechanism on UNCPRD

Article 33 of the UNCPRD provides that State Parties must designate an independent mechanism to promote, protect and monitor implementation of the Convention.<sup>4</sup>

The Commission was designated the Independent Monitoring Mechanism ('IMM') for CRPD by an amendment to its legislation provided by Section 103 of the Assisted Decision-Making (Capacity) (Amendment) Act 2022.<sup>5</sup> Section 10(2) of the IHREC Act, providing the Commission's functions, was subsequently amended by the insertion of the additional functions to 'promote and monitor the implementation in the State of the Convention on the Rights of Persons with Disabilities.'<sup>6</sup>

The role of the IMM includes:

- › Promoting the UNCPRD through awareness raising, capacity building, legislative review and collaborating with international and regional human rights groups and other national institutions.
- › Protecting rights by conducting inquiries, taking part in judicial proceedings, considering individual and group complaints, and issuing reports on complaints received.

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<sup>4</sup> UNCPRD, Article 33 provides that State Parties must designate a focal point in Government for matters relating to the implementation of the Convention, at least one independent mechanism to promote, protect and monitor implementation and must also ensure the involvement and full participation of civil society, in particular people with disabilities and their representative organisations.

<sup>5</sup> Assisted Decision-Making (Capacity) (Amendment) Act 2022, Section 103(a)(ii) by the insertion of the following paragraph after paragraph (h): "(ha) without prejudice to the generality of the paragraph (b) or (h), to promote and monitor the implementation in the State of the Convention on the Rights of Persons with Disabilities done at New York on 13 December 2006."

<sup>6</sup> Irish Human Rights and Equality Commission Act 2014, Section 10(2)(ha).



- › Monitoring the implementation of the UNCPRD by developing benchmarks and indicators, carrying out impact assessments of relevant laws and policies and gathering information on State activity.
- › Preparing independent reports on the State's performance implementing the UNCPRD and level of compliance achieved.

## **Disability Act 2005**

The 2005 Act provides that the Government, Departments, and public bodies must work to improve the quality of life for people with disabilities. Part 2 of the 2005 Act establishes a statutory basis for:

- › An independent assessment of individual health needs and education services for persons with disabilities over age 18 years.
- › The provision of a “service statement” specifying the health or education services or both which will be provided to an individual who has undergone an assessment of need.
- › The exchange of information between public bodies for the purposes of assisting the individual to apply for the services they require.
- › A complaints mechanism to allow individuals engaged in or seeking to engage the Assessment of Need process to complain about the provision of and outcomes resulting from an assessment.
- › A system of complaints officers who investigate the merits of complaints, consider possible avenues of resolution and report their findings, providing recommendations to the Executive where a complaint is upheld.
- › A system of appeals officers who hear appeals against a finding or recommendations made by a complaints officer or against the non-implementation of a recommendation made by a complaints officer and provide determinations affirming, varying, or setting aside the recommendations concerned.



- › The power of the Minister to make regulations for the purpose of giving full effect to the Act in relation to applications and procedures for assessments, service statements and complaints and appeals procedures.
- › Leave to appeal to the Courts for an enforcement order in the event the Executive has been demonstrated to have failed in its obligations under the Act.

Part 3 of the 2005 Act establishes obligations on public bodies regarding access to building, services and sectoral plans, including access to information, services, cultural or heritage services and courts.

## Government measures

In the Programme for Government 2025, the Government commits to “reform the Disability Act 2005 in consultation with stakeholders.”<sup>7</sup> The recently published Review of the Education for Persons with Special Education Needs (‘EPSEN’) Act 2004 recommended, as part of wider legislative changes, that “consideration should be given to a review of the Disability Act 2005 and the legal framework governing Assessments of Need.”<sup>8</sup> Further comments by Government officials have indicated that the review will consider alignment with the UNCPRD,<sup>9</sup> and that it will be undertaken as one stream in a broader planned review of disability legislation that will also encompass the Irish Sign Language Act 2017 and the Assisted Decision-Making (Capacity) (Amendment) Act 2022.<sup>10</sup>

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<sup>7</sup> Government of Ireland (2025) [Programme for Government 2025: Securing Ireland’s Future](#), pg. 92

<sup>8</sup> Department of Education and Youth (2025) [Review of the education for Persons with Special Educational Needs \(EPSEN\) Act 2004](#), pg. 92.

<sup>9</sup> Dáil Éireann, Written answers – [Department of Children, Equality, Disability, Integration and Youth: Disabilities Assessments](#) (12 June 2025).

<sup>10</sup> Dáil Éireann, Written answers – [Department of Children, Equality, Disability, Integration and Youth: Departmental Strategies](#) (17 June 2025).



The Department of Children, Disability and Equality has indicated that it is currently assessing potential legislative changes to the 2005 Act to improve the efficacy of the Assessment of Need Process.<sup>11</sup>

## **IHREC Commentary on the 2005 Act**

Ireland became party to the UNCRPD in 2018. It has consistently been the position of the Commission that all measures and mechanisms concerning the rights of disabled people must be compliant with UNCRPD. However, the 2005 Act, which is an important part of the State's infrastructure with regard to protecting the rights of disabled people, predates the adoption of the UNCRPD and significantly predates Ireland's ratification of the UNCRPD in 2018.

The Commission has previously issued recommendations relating to the 2005 Act across a variety of different publications and outputs including monitoring reports to international human rights mechanisms, legal observations on legislative proposals, statements on public policy measures, letters to senior department officials and members of Government, submissions to Oireachtas Committees, oral statements before the Oireachtas and research reports. For example:

- › The Commission has recommended that the State undertake a modelling study using best, current data to quantify and then adequately resources the Assessment of Need process, under part 2 of the 2005 Act, to ensure that reports are completed within the statutory timeframes.<sup>12</sup>

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<sup>11</sup> "In the meantime at the direction of Government, officials in my Department are currently examining potential targeted legislative changes to Part Two of the Disability Act, in consultation with the Office of the Attorney General, to support the effectiveness and efficiency of the Assessment of Need (AON) process.....My Department has been working with HSE senior management and experienced clinicians to identify those changes, with the intention of bringing forward legislation in the latter half of this year" – Dáil Éireann, [Written answers – Department of Children, Disability and Equality: Legislative Reviews](#) (15 July 2025)

<sup>12</sup> IHREC (2023) [Submission on the Review of the Education for Persons with Special Educational Needs \('EPSEN'\) Act 2004](#), pg. 70.



- › The Commission has recommended that the human rights model of disability should be fully integrated across all other relevant legislation, including the 2005 Act and the Education for Persons with Special Education Needs Act 2004, to ensure harmonisation.<sup>13</sup>
- › The Commission has recommended that the HSE reassess both its interpretation of the Assessment of Needs process under the 2005 Act, and their Standard Operating Procedure, in order to ensure the timely provision of services and supports to disabled children.<sup>14</sup>
- › The Commission has recommended that the 2005 Act be reviewed and subsequently aligned with the UNCPRD to ensure access to services and supports noting that services provided are often inadequate, inaccessible or their provisions so delayed they do not address the range of issues arising.<sup>15</sup>
- › The Commission has recommended that the State address chronic deficiencies in the AON process to ensure a move away from the litigious approach and to ensure the timely provision of critical services and supports to disabled children.<sup>16</sup>

The Commission has also extensively critiqued the provision of inclusive educational, health services, disability services and supports to live independently for disabled people.<sup>17</sup>

In 2025 the Commission submitted a List of Issues Report to the UNCPRD Committee as part of the UNCPRD reporting process. This report sought to influence the Committee's future evaluation of the Commission under the Convention by providing a baseline assessment of

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<sup>13</sup> IHREC (2021) [Recommendations on the Review of the Equality Acts](#), pg. 24; IHREC (2022) [Ireland and the Rights of the Child](#), pg. 61.

<sup>14</sup> IHREC (2022) [Ireland and the Rights of the Child](#), pg. 62; IHREC (2025) [Ireland and the United Nations Convention on the Rights of Persons with Disabilities](#), pg. 100.

<sup>15</sup> IHREC (2025) [Ireland and the United Nations Convention on the Rights of Persons with Disabilities](#) pg. 99

<sup>16</sup> IHREC (2025) [Ireland and the United Nations Convention on the Rights of Persons with Disabilities](#) pg. 29.

<sup>17</sup> For example: IHREC (2024) [Ireland and the International Covenant on Economic, Social and Cultural Rights](#), pg. 146; IHREC (2023) [Submission on the Review of the Education for Persons with Special Educational Needs \('EPSEN'\) Act 2004](#), pg. 70, 85; IHREC (2025) [Ireland and the International Convention on the Elimination of All Forms of Discrimination Against Women](#), pg. 167.



rights compliance across the State, highlighting areas of concern and providing evidence of possible rights breaches.<sup>18</sup>

The Commission has also recently appeared before the Joint Oireachtas Committee on Disability Matters to discuss the delivery of disability policy and services.<sup>19</sup>

### Third-party research

Some recommended sources of further information of relevance to this research include:

- › List of Issues Submissions made by Disabled Persons Organisations ('DPOs') and other civil society organisations to the UN CRPD Committee in 2025.
- › The repository of information provided by the National Disability Authority, which has a statutory mandate to monitor elements of the Act of 2005, specifically parts 3 and 5 and develops publications on the Act as part of this work.<sup>20</sup>
- › Publications and commentary by the Ombudsman for Children's Office on issues related to children with disabilities.<sup>21</sup>
- › Publications and commentary of Disabled Persons Organisations and wider civil society groups individually publish research on their issue areas.
- › Academic literature.
- › Publications and commentary of the European Disability Forum and other international and regional civil society organisations.<sup>22</sup>

Please note the above list is not intended to be exhaustive. It is our expectation that the successful tenderer will identify and consider relevant academic analysis, legal analysis and

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<sup>18</sup> IHREC (2025) [Ireland and the United Nations Convention on the Rights of Persons with Disabilities](#)

<sup>19</sup> Joint Oireachtas Committee on Disability Matters, [Debate: Progressing Delivery of Disability Policy and Services – Discussion](#) (9 July 2025) – Issues raised included; non-alignment with UNCRPD, provision for persons with psychosocial disabilities, waiting lists for assessments of need and the nature of the review committed to, among others.

<sup>20</sup> National Disability Authority – [Monitoring the Disability Act 2005](#).

<sup>21</sup> Ombudsman for Children – [Policy & Research Library](#)

<sup>22</sup> European Disability Forum – [Publications](#)





relevant domestic case law. It is our expectation that they will also review and consider relevant international analysis, and in particular guidance, recommendations and commentary of the UNCRPD.

## **Public Sector Equality and Human Rights Duty**

Under Section 42 of the Irish Human Rights and Equality Commission Act, 2014, IHREC has a statutory obligation, in the performance of its functions, to have regard to the need to eliminate discrimination, promote equality of opportunity and treatment of its staff and the persons to whom it provides services and to protect the human rights of its members, staff and the persons to whom it provides services (Public Sector Equality and Human Rights Duty). Further detail is available at <https://www.ihrec.ie/public-sector-duty>.

Public procurement is a functional area of IHREC. In accordance with its Public Sector Duty obligations, IHREC requires that tenderers confirm their commitment to have regard to the need to eliminate discrimination, promote equality of opportunity and treatment of its staff and the persons to whom it provides services and to protect the human rights of its members, staff and the persons to whom it provides services. IHREC may request information on the manner in which this requirement has been met and the successful contractor shall comply with this request.

## **Data Protection**

The protection and security of an individual's personal data is of the utmost importance to the IHREC. All suppliers of service should have in place policies, procedures and processes that comply with their obligations under the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (EU 2016/679). Where the supplier is acting as a data processor, the supplier will be expected to enter a data processor agreement with IHREC.

Tenderers are required to confirm their compliance in this regard.



## Specification of Requirements

IHREC is seeking proposals and quotations from suitable qualified individuals or organisations who wish to be considered to provide a legal analysis of the Disability Act 2005, to include:

- › An analysis of the 2005 Act's compliance with the UNCRPD;
- › A comparative analysis against international best practice;
- › An analysis of whether the Act has achieved its original purpose, as specified by its drafters; and,
- › Recommendations that would inform policy makers to reform the 2005 Act to bring it into alignment with international human rights standards, in particular into compliance with UNCRPD.

The final report would provide robust analysis and recommended actions which will support IHREC to engage with government regarding legislative reform, to inform the public on matters related to human rights and equality and to fulfil its role in reporting to international human rights mechanisms.

To effectively communicate and disseminate the findings of the final report, the successful Tenderer will be required to present the report's findings to IHREC staff and civil society stakeholders. This event could take the form of a workshop or information dissemination presentation and should be accompanied by an information note that communicates the overarching findings and recommendations arising from the legal analysis. The event can take place at IHREC's event space and costs associated with running the event (such as event space fees, catering and ISL interpretation) will be covered directly by IHREC. These expenses do not need to be included in Tenders.

Responding Tenderers should have a strong track record in providing the required services, preferably to organisations working in equality and human rights and/or public sector bodies with specific statutory mandates.



Proposals must address all of the following matters in the order in which they are set out.

## Award Criteria

Marks will be awarded according to the award criteria outlined in the Table below. The total number of marks available is one thousand (1,000). Marks will be rounded to the nearest whole number. Tenderers who do not meet the minimum marks per criterion will be eliminated.

Award Criteria	Maximum Marks Available	Minimum Marks per Criterion
A. Cost	400	N/A
B. Timing of Completion	50	20
C. Relevant experience, expertise and samples of previous work	250	100
D. Approach & Methodology to Service Delivery	250	100
E. Public Sector Equality and Human Rights Duty	50	N/A
Total	1,000	N/A

### A. Cost Criteria (400 marks)

A detailed cost schedule, with a detailed breakdown of the following rates for the proposed individual/individuals is required. Failure to provide all rates requested below will result in your elimination from the competition.



Resource	Daily rate	Half-day rate	Estimated No. of Days Required
Proposed Individual			

Tenderers must include the daily/half-day rates for the proposed individual/s and may add new rows for additional individuals if required. Tenderers should include the specific title for each proposed team member.

Tenderers should state a total fixed cost for providing all of the required services (including a daily rate, if appropriate). Submitted quotations should confirm that quoted costs hold good for 90 days after the closing date for receipt of quotation.

Specifically, tenders should state the fixed cost for carrying out all of the work required to satisfy the requirement specification. This sum shall include all costs e.g. the daily rate and number of days being charged in respect of each individual to be involved in the project.

IHREC reserves the right to evaluate the pricing based on a blended rate or any combination of the pricing table supplied using the cost criterion formula below. Pricing will be evaluated in the same manner across all submissions received.

Tenderers should note the following:

- › The costs must be in euro.
- › Travel costs, travel time, subsistence and other incidental expenses are not reimbursed by IHREC.
- › The costs shall be exclusive of all taxes including VAT. VAT and other appropriate taxes shall be quoted separately where appropriate and at the appropriate rate. Where VAT is not applicable this should be explicitly stated.
- › Unquantified costs will not be accepted.
- › Tenderers should indicate clearly any discounts to which the Commission may be entitled, including:
  - Public sector discounts



- Any other discounts
- › Tenderers should provide an itemised breakdown of the cost of any options being proposed beyond the minimum requirements.
- › IHREC will not be responsible for any errors on the calculation of the costs provided in response to this Request for Quotation. It is the responsibility of bidders to ensure that the costs quoted are correct and properly calculated.

Please note, IHREC will not cover over a maximum of 10% of the total value of the award to cover institutional overheads.

### **Cost Criteria Scoring**

The following formula will be used:

**Lowest tendered cost x Max number of marks available (400)**

### **Cost under Evaluation**

### **Qualitative Criteria (600 marks)**

#### **B: Timing of Completion (50 marks)**

Tenderers should set out how they plan to deliver the required outputs in the required timeframe. We anticipate delivery of this project **November 2025-January 2026**. Tenderers should also provide a detailed breakdown of allocated time. Risks and mitigants should also be considered.

#### **C: Relevant experience, expertise and samples of previous work (250 marks)**

Tenderers should provide comprehensive detail regarding their suitability for this project and subject matter expertise. This should include setting out relevant expertise, skills and experience in matters related to disability law and policy. Tenderers are required to demonstrate a strong understanding of the UNCPRD. Demonstrable familiarity with the



Disability Act 2005 and previous experience conducting legal analysis in matters related to disability law and policy is essential and acquaintance with the Irish disability landscape is preferred. Tenderers are asked to provide CVs and should reference relevant examples of previous work particularly work which has culminated in the publication robust analysis and policy recommendations.

### **D: Approach & Methodology to Service Delivery (250 marks)**

Tenderers are asked to provide comprehensive detail as regards their Proposed Approach & Methodology to the delivery of the project outlined to the IHREC from inception to completion. Proposals should outline the proposed approach to project planning, literature and evidence review review, stakeholder engagement and the preparation of the final report.

### **E: Public Sector Equality and Human Rights Duty (50 marks)**

Tenderers are asked to provide information on their commitment to the need to eliminate discrimination, promote equality of opportunity and treatment of its staff and the persons to whom it provides services and to protect the human rights of its members, staff and the persons to whom it provides services.

Tenderers will be evaluated based on the quality of the proposed approach.

### **Qualitative Criteria Scoring**

Scoring of the Qualitative Award Criteria will be based on an assessment of the information provided by the Tenderer in their response document. The Evaluation Panel will assess the information provided for each criteria and marks will be awarded using the following scoring methodology:



## Scoring Methodology Award Criteria B,C,D & E:

Weighting	Meaning
91% - 100%	An excellent response with very few or no weaknesses, that demonstrates a complete understanding of requirements and provides comprehensive and convincing assurance that the Tenderer will deliver to an excellent standard.
80% - 90%	A very good response that demonstrates real understanding and fully meets the requirements and assurance that the Tenderer will deliver to a high standard.
60% - 79%	A satisfactory response which demonstrates a reasonable understanding of requirements and gives reasonable assurance of delivery to an adequate standard but does not provide sufficiently convincing assurance to award a higher mark.
30% - 59%	A response where reservations exist. Lacks full credibility/convincing detail and there is a significant risk that the response will not be successful.
1% -29%	A response where serious reservations exist. This may be because, for example, insufficient detail is provided, and the response has fundamental flaws, or is seriously inadequate or seriously lacks credibility with a high risk of non-delivery.
0%	Response completely fails to address the criterion under consideration.

## Application Process

Tenderers must include the following with their response:

1. Proposal for providing the service, including a response to each award criteria as outlined above.
2. Tax clearance information.

Failure to provide the above may result in your elimination from this competition.

Please forward an application before **12 noon on Thursday 23<sup>rd</sup> October 2025** by email to [procurement@ihrec.ie](mailto:procurement@ihrec.ie) with “RFQ Disability Act Review” in the subject line.

Requests for clarification can be submitted via email to [procurement@ihrec.ie](mailto:procurement@ihrec.ie) before **12 noon on Thursday 16<sup>th</sup> October 2025**.



Coimisiún na hÉireann um Chearta  
an Duine agus Comhionannas  
Irish Human Rights and Equality Commission



**IHREC**  
Monitoring Mechanism  
Independent Monitoring Mechanism  
under the United Nations Convention on  
the Rights of Persons with Disabilities

An acknowledgement email will be issued within 48 hours for all RFQ submissions received.

If you do not receive an acknowledgement of your RFQ submission, please telephone the procurement office on 01 859 2655/ 2642 to ensure your submission has been received.

This procurement competition (the “Competition”) will be conducted in accordance with Circular 05/2023 of the Department of Public Expenditure NDP Delivery and Reform.

## **Publication of Contract**

IHREC is required to publish certain contracts to the eTenders platform. IHREC reserves the right to award the contract subject to the successful tenderer completing the acceptance process through eTenders.