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**“BENEFITS FOR PERSONS WITH DISABILITIES AS A PUBLIC
ADMINISTRATION TASK – SELECTED ADMINISTRATIVE AND LEGAL
ISSUES”**

SUMMARY

(„ŚWIADCZENIA NA RZECZ OSÓB NIEPEŁNOSPRAWNYCH JAKO ZADANIE
ADMINISTRACJI PUBLICZNEJ – WYBRANE ZAGADNIENIA
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Persons with disabilities have many problems with various difficult conditions. Some of those problems have been noticed by government and address in administrative law. My doctoral dissertation touches the benefits in favour of persons with disabilities as a task of public administration. I have analyzed selected administrative and legal issues. I am describing in my doctoral dissertation problems about the polish system of cash benefits and services channelled to the persons with various disabilities. Depending on the degree of disability each person has different problems in social life. The definition of disability concluded in Convention on the rights of persons with disabilities says that persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. Persons with disabilities have different needs depending on the age of a person. Children with disabilities need parents or guardians to guarantee appropriate care for their needs.

On the other hand, elders have problems of their own health. To ensure elder people basic social needs, they need to have a possibility to buy medicaments and social services. An infrastructure of administration needs to be efficient especially in the area of social policy. Social service needs to be specially organized for the purpose of a variable scale of aid that persons with disability need to live in a society on equal rights with other people.

The main part of my doctoral dissertation is divided into five chapters that focus on mentioned problems. In the first chapter, I illustrate basic characteristics of disability. Definition of disability is described in the international and national law. Domestic legislation describes disability by symbols of disability (currently there are eleven symbols of disability) and degrees of disabilities for persons over 16 years old. For children under 16 years old, there are no degrees of disability. Adjudication of disability or adjudication of a degree of disability is administrative decision. People with this administrative decision can benefit from statutory powers. Social rehabilitation helps people with disabilities to include in society thanks to rehabilitation batch. Rehabilitation batch helps with integration with other people especially during the social and medical rehabilitation in groups with other people with similar disabilities. Other services help persons with disabilities and provide them with the protection of their rights to independent life.

In the second chapter, I characterize public administration and its role in social infrastructure which helps disabled persons. Public administration is divided between government administration and self-government administration. In the area of government administration, the very important subject of administrative law that provides financing of

many expediency programs for disabled persons is named as State Fund for Rehabilitation of Disabled Persons. In the area of government administration, the main organ of government is Prime Minister. A foremost minister who supervises issues of disabled persons and their caregivers is named Minister of Family, Labour and Social Policy. In the area of self-government administration municipality self-government and district self-government provides the most of the benefits and social services for disabled persons and their caregivers.

In the third chapter, I write about the system of social benefits for disabled persons and their caregivers. The most of the social benefit is in form of periodic cash benefits. Depending on the level of disability of the persons and the level of their income persons with disabilities may receive cash benefits. The higher level of disability of persons and the lower level of income the more cash benefits may receive disabled persons and their caregivers. The most of the family benefit and family allowance depends on the level of income in the family. Only few care allowances may receive caregiver of a disabled person.

In the fourth chapter, I write about rehabilitation accessories and social services for disabled persons. I divide social services for disabled persons into three kinds of services: protection services, activity services and security services. The first kind of services – protection services helps a disabled person to provide them support for providing minimum existence. In this kind of service, a disabled person has ensured the basic needs, as for example by living in a care home. A care home is most desired by disabled people and most expensive protection service. Activity service helps disabled persons to increase their activity in social life. This kind of services enables disabled person inclusion in society by living on equal rights with other people. The last kind of services – security services preserve the rights of disabled persons. Other social services disabled person may receive at home or in sheltered housing provided by municipality self-government or district self-government.

In the fifth chapter, I describe the tasks Commissioner for Human Rights of the Republic of Poland in the area of rights of disabled persons. This constitutional organ in the system of legal protection in Poland helps persons in legal issues. This organ helps in the security of the rights of disabled persons and their caregivers in Constitutional Court, Supreme Administrative Court and administrative court of the first instance. Commissioner for Human Rights of the Republic of Poland promote and protect the rights of disabled persons contained in Convention on the rights of persons with disabilities. Also, Commissioner for Human Rights of the Republic of Poland is an independent constitutional body and he monitor implementation of present Convention on the rights of persons with disabilities. My doctoral dissertation describes the situation of disabled persons and their

caregivers in the sphere of cash benefits and social services through the prism of the requirements of the Convention on the rights of persons with disabilities. Measures are currently being taken to improve the situation of people with disabilities.

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