



# Voice

## Influencing Social Policy

The Citizens Information Board aims to 'influence policy developments by highlighting the concerns of service users as to the effectiveness of social and civil services'

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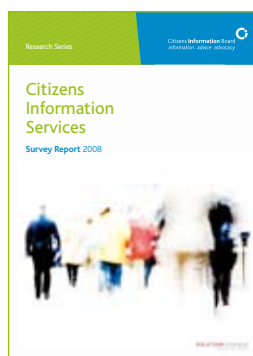
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### Citizens' Information Services Survey



The Survey is a snapshot of activity in Citizens Information Services (CISs) in 2008 and provides a range of data with regard to the people who use CISs, the type of queries presented and the ways in which these queries are processed. Survey data sheets were completed for 5,811 clients across 10 CISs selected from the 42 CISs nationwide. Overall, in 2008 CISs dealt with almost 670,000 clients.

Income support issues were the primary concern of callers. 23% of clients surveyed were migrants. Social Welfare was the most frequent query category (39% of queries), followed by Employment Rights (9%), then Health Services, Housing and HSE

Payments (all 7%). These top five query categories accounted for more than two-thirds (69%) of the total number of queries. The four highest subcategories of Social Welfare queries were Invalidity/Disability Payments (13%), Free Schemes (9%), One Parent Family Payments (9%) and Jobseekers Benefit (9%). Medical Card queries were the most frequent Health Service subcategory.

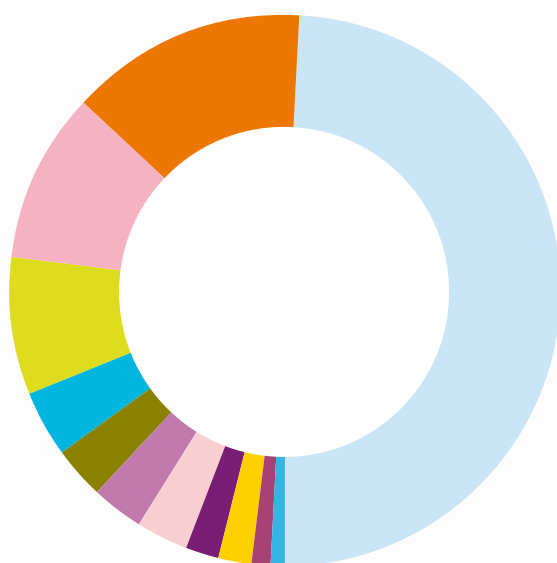
There is a good deal of data in the Survey which it is hoped will be of value in understanding trends and demands on information, advice and advocacy services. CISs around the country are reporting growing numbers of callers experiencing job loss through redundancy or who have experienced reductions in their working hours.

A new microsite created by the Citizens Information Board, [www.losingyourjob.ie](http://www.losingyourjob.ie) contains very valuable information for those facing redundancy and job loss.

## Social Policy Issues reported by CIsSs

Citizens Information Services (CIsSs) and the Citizens Information Phone Service (CIPS) record issues of concern to callers that have social policy implications. These are fed back to the Citizens Information Board (CIB) and compiled into Social Policy Quarterly Reports for use by CIB in making submissions to government. More than 1,740 Social Policy Returns were made in 2008, up over 22% on 2007. As in previous years, social welfare issues made up almost 50% of the returns with employment issues (14%), health (10%) and housing (8%) also featuring prominently.

Social Policy Records by Type of Query 2008



- Social Welfare 49%
- Employment 14%
- Health 10%
- Housing 8%
- Consumer 4%
- Migration 3%
- Education 3%
- Law/Justice 3%
- Tax 2%
- Family 2%
- Driving Transport 1%
- Miscellaneous 1%

Among the issues that require further attention or close monitoring in the year ahead arising from the 2008 returns are the following:

### (a) Poverty and People with Disabilities

The issue of the additional costs of disability has been highlighted by CIB on a number of occasions. Returns from centres regularly refer to the additional transport, heating and health care costs incurred by older people and people with disabilities which cause them financial hardship. The vision set out in *Towards 2016* is that every person with a disability should have access to an income which is sufficient to sustain an acceptable standard of living. However, in 2007, as many as 37% of households headed by a person who was not at work due to illness or a disability were at risk of poverty and as many as 16% were living in consistent poverty (EU SILC 2007). This means that many people with a disability did not have an adequate income to sustain an acceptable standard of living.

According to the 2006 Census, 93,841 people with a disability in Ireland were participating in the labour force out of a total of 360,529 persons aged 15 and over who had a disability. This is a participation rate of just 26% and falls well short of the EU average of 40% (ILO) and far short of the Irish government's target to raise the employment rate of people with disability to 45% by 2016.

An OECD report, *Sickness, Disability and Work: Breaking the Barriers (Vol. 3): Denmark, Finland, Ireland and the Netherlands* (2008), recommends exploring the possibility of a partial return to work for recipients on short-term disability benefits (Illness Benefit in particular), e.g. by broadening the exemption scheme so as to include jobs with the previous employer, in combination with a reduced illness benefit payment rate.

### (b) Employment Rights

Employment rights were the second highest category of social policy issues in the returns in 2008. Citizens Information Services (CIsSs) reported that workers, many of them migrant workers, were laid off without any notice or redundancy payment and that employers were failing to issue P45s or pay holiday entitlements.

It is to be hoped that the new Employment Law Compliance Bill 2008 will secure better compliance with employment legislation in 2009. Employers who

breach employment legislation could face fines of up to €250,000 or three years in prison. The new legislation will also provide protection for “whistle-blowers” who report breaches of employment law.

### (c) Unemployment among the Self-employed

A particular issue reported by information centres is the precarious position of those who were self-employed and are now out of work. Most self-employed pay PRSI Class S contributions which does not entitle them to Jobseekers Benefit (JB), although they may be eligible for a means-tested Jobseekers Allowance (JA). The self-employed are not entitled to Illness Benefit, Invalidity Pension, Carer's Benefit or Family Income Supplement (FIS) either. Neither can the self-employed benefit from any Class A contributions they paid in a previous employment if it is more than two years since they paid these contributions. In the light of the difficulties now being experienced by this group, it may be necessary to examine the possibility of the self-employed paying insurance contributions in order to qualify for benefits.

However, in a small number of cases dealt with by CISs, some clients were registered as self-employed when in fact they should have been classified as employees. Those involved worked mainly in the construction industry and were unaware of the implications of this until they found themselves out of work, often without notice. There is an onus on employers to establish and apply the correct class of PRSI from the outset and if an employee ends up paying less than he or she owes, the employer is liable to pay the difference. Employers who fail to meet their obligations face fines of up to €12,697.38, or imprisonment for up to three years, or both.

In a case referred by the Citizens Information Phone Service (CIPS) to the Scope section of the Department of Social and Family Affairs (DSFA) for investigation as to the appropriate PRSI class, Scope found that the client, although registered as self-employed, was in fact in a contract of service with his employer and therefore deemed to be an employee and eligible for JB. The Scope Section of DSFA or Revenue can make a determination if it is not clear whether one is an employee or is self-employed. (See the DSFA's publication, *Employed or self-employed? A Guide for Tax and Social Insurance*).

An employee has rights in relation to redundancy and dismissal, which are not generally available to the self-employed. The key to determining whether one is an employee or self-employed is whether the individual works under a contract of service (employee) or a contract for services (self-employed). Under a contract of service, a person is expected to do the work personally and cannot subcontract it, the employer is obliged to offer work to the person who is obliged to carry it out, and it is the employer who controls what work is done, when, where, how and with what equipment.

The *Code of Practice on Employment Status* by the Employment Status Group set up under the *Programme for Prosperity and Fairness* sets out the criteria for determining who is employed under a contract of service and who is employed under a contract for services. [www.revenue.ie/en/tax/it/leaflets/code-of-practice-on-employment-status.pdf](http://www.revenue.ie/en/tax/it/leaflets/code-of-practice-on-employment-status.pdf)

Further information on “Types of Employment in Ireland” and “Self-employed and Unemployment” is available on the Citizens Information website, [www.citizensinformation.ie](http://www.citizensinformation.ie).

### (d) Medical Cards

The issue of the Over 70s medical card received a lot of attention following the Budget in October 2008 but there are many more people without a medical card who are facing financial hardship. The Medical Card income guidelines for those under 70 were last increased in October 2005. Thus, the threshold for eligibility is below the lowest means tested social welfare rate, e.g. the medical card income threshold for a couple with 2 children aged under 16 is €342.50, whereas the rate of Jobseeker's Allowance for this family is €391.90. Cases reported by CISs highlight the difficulties faced by people who are dependant on a social welfare payment who fail to qualify for a medical card. There are many people on low income with high medical expenses who fail to qualify. According to the Combat Poverty Agency, over 30% of households at risk of poverty do not qualify for a medical card.

In establishing income guidelines, the Department of Social & Family Affairs has a mechanism for determining eligibility for FIS based on the minimum household income required for various household types to maintain an acceptable standard of living. For the sake

of consistency in means-testing, the HSE could follow these same guidelines in determining medical card eligibility. Discretion however should continue to apply to hardship cases, particularly where medical expenses are a recurring feature of household expenditure.

### **(e) Waste Charges**

The issue of waste charges was raised by callers on a number of occasions over the past year as many pensioners and other low income families did not have access to waivers because they live in areas where bin collections are operated by private companies. Different rates too were reported in different areas, while in some rural areas there may be no collection at all. Those in self-contained rented accommodation who are in employment also lose out on tax relief for service charges in situations where the landlord pays the charges and recoups the costs from the tenants.

The current system lacks standardisation and the inequity that exists between those who are serviced by private operators and those serviced directly by local authority operators needs to be addressed. A report by the Ombudsman on the operation by local authorities of waiver schemes for refuse collection charges is being given consideration by the Department of the Environment, Heritage and Local Government.

### **(f) Information Deficits**

It was evident from the Social Policy Returns from Citizens Information Services in 2008 that some people lost out on benefits they were entitled to because they were unaware of their entitlements. Centres reported clients in their 70s who only became aware of their entitlement to the Household Benefits Package after contacting the Department of Social & Family Affairs or a CIS with an unrelated query. Some of these clients were eligible for benefits since they were 66, others were returning emigrants who had entitlements in Ireland but did not realise that they were eligible. On-going and targeted publicity about various schemes is required, particularly for those accessing public services for the first time.

## **Policy Submissions**

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### **(a) Department of Health and Children on a Strategy for Rehabilitation Services**

The Citizens Information Board in its submission welcomed the intention of the Department of Health and Children and the HSE to develop a national policy for the provision of rehabilitation services and the establishment of a working group accordingly. The submission drew on the experience of Citizens Information Services and community and voluntary sector advocacy projects in providing information, advice and advocacy on social services. The submission recognises developments and innovation in recent years in the provision of rehabilitation services and the emphasis on co-ordinated multidisciplinary rehabilitation. Some of the key issues identified are lack of a common definition of rehabilitation and a tendency sometimes to view rehabilitation in isolation from other services and supports required for independent living. Other issues identified include uneven services distribution and different practices in different parts of the country, a lack of step down facilities regionally for people discharged from rehabilitation, the shortage of community-based physiotherapists, occupational therapists and speech therapists and an absence of rehabilitation services in some residential services and nursing homes.

### **(b) NESF Review of Implementation of Home Care Packages**

The CIB in its submission to the National Economic and Social Forum's Review of Home Care Packages acknowledged the importance of the initiative in enhancing the quality of life for older people and people with a high level of dependency living in the community. Issues identified in the submission include: difficulties in getting a home care package in the first instance; the package provided being inadequate to meet need; difficulty in getting information about home care options and eligibility; waiting lists for home help services; general shortages of community based services; people being inappropriately placed in nursing homes; the difficulties many people have in taking on an employer role when they are offered a cash grant and the need for carers to have supports in their own right.

### (c) Forum on End of Life

The Forum on End of Life in Ireland was launched in Dublin in March by the Irish Hospice Foundation to engage with the public on end-of-life issues. The objective is to develop a vision of how modern Ireland can address the challenges of dying, death and bereavement.

In its written submission to the Forum, CIB supported the work of the Hospice Friendly Hospitals Programme in developing a high quality end of life care system in acute hospitals and acknowledged the need for additional community-based services and hospices to support the Programme. The CIB believes that people should have supports available at all stages of the end of life process to make it easier to access benefits and entitlements and to access advocacy services. There is also a need to enhance bereavement support in the community. Training in information provision in relation to death and dying should be an integral part of training for all health services personnel.

## Publications

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### (i) Lone Parents and Employment

A new report from One Family, *Lone Parents and Employment: What are the Real Issues?* presents the results of a survey carried out in 2008 of a nationally representative sample of approximately 1,500 lone parents in receipt of the One-Parent Family Payment (OFP) and examines the factors that influence their labour market participation. Though highly motivated to work, lack of childcare is a major barrier preventing lone parents accessing employment. Low educational qualifications and insufficient information on career options are also barriers to participation.

At the launch of the report, Minister Mary Hanafin TD announced that a new programme is to be put in place by 2010 which will do away with the current situation where one of the conditions of receiving a lone-parent payment is that you cannot be cohabiting. The new system will incorporate both the OFP and the Qualified Adult Allowance into a household means-tested Parental Allowance (PA) to assist all low income families. It will also require that the recipient be available for work when the youngest child reaches a certain age.

In many European countries, the parent is obliged to get involved in the workforce when the child is five or younger. In the UK, from October 2008, lone parents are required to seek work when their youngest child reaches 12. From October 2009, the minimum age will be reduced to 10 and from October 2010 it will be reduced to 7.

According to the CSO, there are over 189,000 lone parent families in Ireland, representing about 1 in 6 families. Over 85,000 (98% of whom are women) receive OFP and of these about two-thirds are working, but generally in low paid, part time work.

One Family recommends that the Government should continue with its plans for activation, but rather than pursuing a compulsory approach, recommends that this activation process be voluntary and that it be accompanied with a package of supports including greater access to affordable, quality childcare, the removal of the Rent Supplement poverty trap and support for greater access to education, training and qualifications.

[www.onefamily.ie](http://www.onefamily.ie)

### (ii) Prison Chaplains' Annual Report 2008

The report issued on the 60th anniversary of the Declaration of Human Rights, calls for a 'Restorative' model of justice to be pursued as opposed to the current 'Retributive' model. With the annual average cost of imprisonment running at approximately €100,000 per prisoner per year, the chaplains argue that alternatives could be provided within the same budget which would be more effective.

The Report notes that smaller prisons, situated in local communities, as close to home as possible for those needing to be imprisoned, would facilitate a more humane approach for prisoners and their families. Also a reduction in the number of people sent to prison for the non-payment of fines would significantly reduce numbers. Many prisoners suffer from mental health issues, have limited social skills, poor education, are addicted to drugs and alcohol and were mostly unemployed. Prison, the chaplains say, is not the place to deal with these issues.

[www.catholicbishops.ie](http://www.catholicbishops.ie)

The Citizens Information Board is the statutory body which supports the provision of information, advice and advocacy on the broad range of social and civil services to the public. It provides the Citizens Information website and supports the voluntary network of Citizens Information Services and the Citizens Information Phone Service.

#### Head Office

Ground Floor	t +353 1 605 9000
George's Quay House	f +353 1 605 9099
43 Townsend Street	e <a href="mailto:info@ciboard.ie">info@ciboard.ie</a>
Dublin 2	w <a href="http://www.citizensinformationboard.ie">www.citizensinformationboard.ie</a>

### (iii) Social Portrait of Communities



The social portrait of communities is the fourth in a series from the Office for Social Inclusion. The portrait provides a statistical description and analysis of specific vulnerable groups such as people living in areas of urban and rural disadvantage, migrants and ethnic minorities, Travellers and the homeless. [www.socialinclusion.ie](http://www.socialinclusion.ie)

### (iv) Social Policy, Ageing and Voluntary Action



This book, written by Nicholas Acheson and Brian Harvey, examines the role of voluntary organisations in the welfare of older people in Ireland, North and South. It provides a detailed comparative analysis of policy on ageing in the two jurisdictions and the different approaches taken by voluntary organisations in meeting the needs of older people. [www.ipa.ie](http://www.ipa.ie)

### (v) Where to Complain



*Where to Complain* is a comprehensive guide to redress and enforcement agencies that deal with citizens and consumers rights. The guide, produced by the Citizens Information Board, includes an overview of the various complaints and appeals mechanisms (including alternative dispute resolution)

for establishing rights and entitlements. It also provides descriptions and contact details for organisations at Irish and EU level – in both public and commercial sectors – which facilitate citizens and consumers in enforcing their rights. [www.citizensinformationboard.ie](http://www.citizensinformationboard.ie)

### (vi) Have you lost your job?



This leaflet from the Citizens Information Board accompanies the website [www.losingyourjob.ie](http://www.losingyourjob.ie) and gives a basic overview of what you need to know if you lose your job.

## Volunteering in Citizens Information Services Research

The Citizens Information Board has initiated research on the role and contribution of volunteers in Citizens Information Services (CISs). Over 1,000 volunteers provide some 2,700 hours of direct service to the public weekly.

The research will profile these volunteers and how they are deployed in CISs, identifying any barriers to recruitment and retention of volunteers and exploring ways volunteers can enhance the services' three-channel approach to information (online, telephone and face-to-face).

This commissioned research is being carried out on behalf of the Citizens Information Board by the Centre for Non Profit Management in Trinity College Dublin. The study will include desk research on volunteering in Ireland and volunteering as an aspect of social inclusion and active citizenship and will review comparative models of volunteer involvement in information, advice and advocacy services. Along with a survey of all volunteers, the research will include focus groups and consultation with a wide range of stakeholders.

# Citizens Information

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