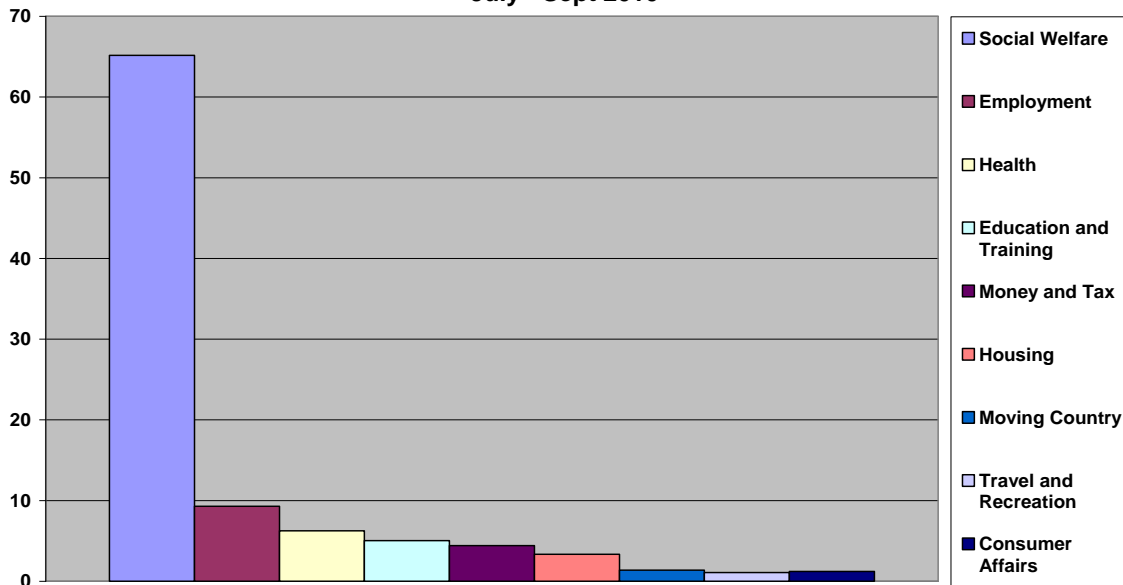


Social Policy Quarterly Report July – September 2010

This quarterly report, covering the period **July to September 2010**, highlights issues of concern to public service users. It is based on **702** cases submitted to CIB from Citizens Information Services (CISs) and the Citizens Information Phone Service (CIPS).¹

**Social Policy Returns by Category
July - Sept 2010**



Categories	%
Social Welfare	65
Employment	9
Health	6
Education and Training	5
Money and Tax	4
Housing	3
Moving Country	1
Travel and Recreation	1
Consumer Affairs	1
Other	5
Total	100

¹ In the third quarter of 2010, Citizens Information Services dealt with over 266,000 queries from some 180,000 callers. 47% of these queries related to Social Welfare, 10% to Employment, 8% to Health, 5% to Education and Training, 5% to Housing, 4% to Money and Tax, 4% to Justice. 6% were local queries.

Social Welfare

Under the Social Welfare category, 26% of these relate to Family & Children – including Child Benefit, One Parent Family Payments and Family Income Supplement (FIS). 14% relate to Supplementary Welfare Schemes – including Rent Supplement and Mortgage Interest Supplement. 13% relate to social welfare payments for unemployed people – Jobseeker’s Allowance and Jobseeker’s Benefit. 8% relate to claiming a social welfare payment and 7% to appeals. (See Appendix 2)

As in previous quarters, the Social Welfare category relating to Family and Children has seen the highest number of social policy returns. This is mainly due to the large number of complaints received about Child Benefit payments being stopped and clients being unable to contact the section of the Department of Social Protection that deals with Child Benefit.

Issues in relation to the Back to School Clothing and Footwear Allowance were high this quarter with applicants encountering problems receiving their payment on time before children resumed school in September.

There were also a number of concerns raised about the Appeals process, mainly regarding the length of time it takes to process appeals.

A growing problem being reported to CISs is delays across all public services. Delays can result in financial hardship. While individuals have recourse to the Supplementary Welfare Allowance scheme administered by Community Welfare Officers, there are indications that this service is under intense pressure.

Back to School Clothing & Footwear Allowance

Every year complaints are received about delays in the BTSCFA scheme. While efforts were made this year to speed up processing times by assigning additional staff when the backlog of claims developed, the delays meant that not everyone received a payment before the schools re-opened or payments arrived too late to allow parents adequate time to buy the necessary items without having to take out loans or turn to the St. Vincent de Paul for help. Contributing to the problem overall was the significant increase in the numbers applying for the allowance and the delay in issuing application forms on time at the beginning of May. Approximately 180,000 applications were received this year, up 40,000 on last year. If the scheme was opened up for applications a month earlier some of these delays may have been avoided.

A criticism of the scheme in general is that there are no graduated payments of BTSCFA, resulting in those just above the income threshold not receiving any support while those just below the threshold receive the same support as those who fall well below the income threshold for the scheme.

Disability Allowance (DA)

Among the issues reported in relation to those who were unsuccessful in their application for DA were difficulties substantiating their level of disability. A number of applicants failed on medical grounds, but some applicants felt that a proper medical assessment was not carried out. Sometimes the fault was attributed to the GPs' reports being inadequate. Others who were deemed fit for work complained that their prospect of finding work was negligible because of their disability.

Other difficulties encountered with DA were delays in processing applications and documentation going missing. It is a concern that some people who are in contact with health services in relation to their disability are not being informed about DA which is paid by the Department of Social Protection.

Rent Supplement

The exclusion of those who work more than 30 hours a week from eligibility for Rent Supplement can cause hardship for those whose income is very low.² Delays in processing applications and carrying out housing needs assessments also cause hardship for those who are eligible but who still have to pay rent while waiting for their application to be processed. There is no back-payment beyond the date the payment is actually approved.

There is little evidence to suggest in the cases CISs are dealing with that landlords are reducing rents for Rent Supplement tenants which puts them in a difficult financial situation as their supplement was reduced in the last budget.

Benefit traps

While there are some welfare supports for people on low income in employment, the eligibility criteria for accessing some of these supports are complex. There is no equivalent to Family Income Supplement, paid to low earners, for the self-employed. Full income from self-employment is assessed against a partner's if he/she is applying for JA, unlike earnings from employment where a disregard applies. Rent Supplement or SWA is not paid if one is working more than 30 hours a week, even if one's income is very low. And, despite being on a low income, unless someone is in receipt of a welfare payment, they cannot meet the criteria for the Back to School Clothing and Footwear Allowance.

Loss of benefits can be an issue for people considering temporary work opportunities. The loss of Rent Supplement can be a key determining factor. A delay getting back on a welfare payment after taking up temporary employment is also an issue. The fact that one's unemployment record would be broken by

² Proposed reforms of Mortgage Interest Supplement, as recommended by both the Department of Social Protection's Review Group and the Mortgage Arrears and Personal Debt Review Group, include the removal of the rule preventing payment of MIS to couples where one person is working in excess of 30 hours.

taking up temporary work affects eligibility for other welfare or educational supports which are dependant on long-term unemployment.

Those on JA may be reluctant to take up part-time employment working 5 days a week as they would then not be eligible for any JA, whereas if they worked the same number of hours over 3 days they could get JA for the remainder of the week they are off work.

The risks associated with self-employment and the perceived lack of adequate welfare support for the low income self-employed can discourage entrepreneurship.

Employment

Work Placement Programme

The Work Placement Programme provides up to 9 months work placements to unemployed individuals, including graduates, which offers them the opportunity to gain work experience while retaining their social welfare payment (if already getting a qualifying social welfare payment for at least 3 months). Initial uptake of the programme was slow and feedback from CISs suggests that out-of-pocket expenses is a major concern. These expenses cannot be covered by employers and participants do not receive any training allowance or any accommodation allowance for taking part in the programme, unlike other FÁS training courses.

CE

The limitation of the CE scheme to persons on a social welfare payment prevents those who have exhausted their Jobseeker's Benefit and are only signing on for credits from participating.

Redundancy

If an employee wishes to make a claim for outstanding wages or holiday entitlements, a Rights Commissioner won't investigate claims going back more than 6 months. However, a labour inspector can examine payments going back 3 years. In certain where an employer ceases trading it can be very difficult for an employee to have a EAT determination against the employer enforced.

Education

Education Grants

From September 2010, a person cannot get a Back to Education Allowance and a student maintenance grant. For someone on a One-Parent Family Payment, it may be more beneficial to stay on this payment and forgo the BTEA in order to get the maintenance grant. However, it is not always clear what is the best option.

Housing

Housing grants

A number of complaints were received about the length of time one has to wait for a housing grant before necessary repairs can be carried out. Complaints about contractors were also received. Complainants felt that the local authorities should have a list of approved contractors to choose from, rather than leaving individuals who have no experience in this area to source contractors themselves.

The Warmer Homes Scheme

The Warmer Homes scheme to increase thermal efficiency and reduce heat loss is offered free to those on a Fuel Allowance to upgrade their homes if built prior to 2002. However, there are many households on low income who are just above the threshold for the Fuel Allowance who could benefit from the scheme if a graduated payment in proportion to their income applied.

Health

Medical cards

A serious concern to medical card holders is the reduction in dental services now available. This is affecting the most vulnerable in society who cannot afford to pay for private dental treatment.

Appendix 1

Selected Cases

While every effort is made to check for accuracy, the cases submitted to CIB are largely unedited and reflect the client's experience as recorded by Citizen Information Officers

(July – Sept 2010)

Social Welfare Schemes

Child Benefit

We have many people calling in where their Child Benefit has been stopped. They have either returned correspondence or not received it. In these cases you are informed to contact the department which is almost impossible as you can never get through. They should have dedicated lines for these problems especially after a mail shot. (Co. Wicklow CIS)

A non-national living here 7 years gets a letter every three months from the Child Benefit section looking for confirmation that she is still living here. She collects here Jobseeker's Payment every week in the post office and can't understand why this is not confirmation enough. She forgot to return her form last month, the claim is now under investigation and she cannot get information from the section on how long this investigation is going to go on, even though it was clear from collecting her payment that she was in the country for the last three months. (CIPS)

BTSCFA

We have had a large volume of complaints in the centre relating to delays in payment of The Back to School Clothing and Footwear Allowance. Families are left in difficult situations and many are depending on the local St. Vincent de Paul. (Co. Longford CIS)

Caller was concerned about the delay in processing application under Back to School Clothing and Footwear Allowance scheme as it gets closer to the return to school date. Perhaps if there was some internet-based way of following the progress of applications it would alleviate some anxiety for people who have made applications and it could also have the effect of reducing follow-up calls to government agencies overseeing schemes. (Co. Waterford CIS)

Client was refused Back to School Clothing and Footwear Allowance because she is not in receipt of a social welfare payment. Yet her total weekly income is below the guidelines. Given that this allowance is for families on low income, it seems unfair and this family are suffering undue hardship as a result. (Ballyfermot CIS)

A client was working and receiving Family Income Supplement in respect of his daughter aged 20 attending full-time education. He became ill and has been claiming Illness Benefit for the last few months. His FIS therefore stopped after six weeks. He is not entitled to an increase for a child dependent on Illness Benefit, as he has not been in receipt of it for 156 days. As he is not receiving either FIS or an increase for a dependent child on his weekly payment, he is not entitled to the Back to School Clothing & Footwear Allowance in respect of his daughter, which would be worth €520. The family feel it is very unfair that they have fallen into this gap in entitlement, especially as their income is lower now than when he was working and receiving FIS, yet they would have been entitled to the Back to School Clothing & Footwear Allowance based on that income. (Dublin City Centre CIS)

DA

Client called to CIC seeking help to draft a letter to Deciding Officer seeking a review of DA refusal. Client suffers from numerous chronic conditions. His application for DA was refused on the basis of the medical criteria submitted. He is also waiting the outcome of his appeal to Social Welfare Appeals Office who has advised him that his appeal will be dealt with and that the social welfare services office might wish to have him assessed by their medical assessor before then. The client submitted a medical report from his GP to the Deciding Officer. The report was simply a brief handwritten list of his ailments. There is no history or prognosis given. It is a very scant report and does not state how long he will be incapacitated. The GP has refused to issue another report to the client and has only offered to respond to a telephone query from the Deciding Officer. This is difficult and time consuming for the client. He is a medical card holder and is of the opinion that this is the reason why his GP will not do a more comprehensive report. He feels that the outcome of a review/appeal will depend on the assessment of the Social Welfare Medical Officer and he is worried that his GP may or may not help him to refute any issues and will not give him a further updated report if it is required at that point. (Co. Roscommon CIS)

Rent Supplement

The rule that you cannot claim RS if working over 30 hours is arbitrary and unfair. Household income is €400 per week and has husband and two children. So should be entitled to RS on basis of means test. (Co. Mayo CIS)

Couple on disability payments and in receipt of Rent Supplement. As a result of the change in the Rent Supplement ceiling their supplement has been reduced. The landlord has refused to reduce the rent. They are considering RAS and may be approved by the council, however rents have not reduced and they will have to pay an extra €196 per month in rent in order to get suitable accommodation. It is our experience that landlords are not reducing rents and that tenants are agreeing to pay extra to the landlord in order to secure the tenancy. This is placing a financial strain on people on Social Welfare. (Co. Westmeath CIS)

Benefit traps

Special Needs Assistant offered 16 hours over 5 days. Was on JB for 3 days and working 3 days. Now at a loss of €98.00 per week. This needs to be addressed by government. (Co. Carlow CIS)

The client is applying for JA and lives with her partner. He earns 350pw from self-employment. If he had earned this income as an employee then after the disregards, she would be entitled to €150pw JA. However, the disregard given to employment income is not given to self-employed income and as the €350 is therefore assessed in full, her means would be above the maximum rate for her family size (326.10) and she will not be entitled to any payment. The disregard given to employment income provides an incentive to continue with work. The fact that this disregard is not given to income from self-employment means that this particular couple's income is only 24euro higher than if he gave up work altogether and this is without including any extra benefits they may then qualify for, e.g. Fuel Allowance, Rent Supplement. (Clondalkin CIS)

This is the story of a hard working man and woman rearing three young children. They never looked for support from the state before. They bought their own home and were financially independent. Due to the recession they are now at risk of losing their home. When they did look for support they found they fell through the gaps by failing to meet the criteria governing the supports that are available. The wife works part time 2 days and earns €237 per week. The husband is a self-employed taxi driver. Due to the recession his income is now considerably lower. Last year his income averaged out at €350 per week. This year he is earning even less. Last week he took home €150. This couple are now finding it very difficult to manage and are falling behind with their mortgage and other bills. They applied for and were refused the Back to School Clothing and Footwear Allowance because they are not in receipt of a Social Welfare payment. They do not qualify for Family Income Supplement because she only works 16 hours per week. As her husband is self-employed he is not eligible to apply and they are not allowed to combine their hours to meet the condition of working 19 hours per week as time spent in self-employment does not count. Jobseeker's Allowance is an option if your hours are cut and your income is affected, but the husband has increased his hours of work trying to earn more money. Also as a full time taxi driver he is not considered to be available for work or actively seeking work. Jobseekers Benefit is not an option because he is paying PRSI at class S as he is self-employed. Her normal working week is 16 hours so no loss of earnings there. This family seem to be falling between the gaps and are in serious financial difficulties as a result. This family would be financially better off if the husband and wife stopped working. The husband could claim Jobseeker's Allowance and he would receive €196.00, plus €130.10 for his wife and € 89.40 for the 3 children; total €415.50, plus entitlement to other benefits. Their current income from both working (wife €237.00, husband €150.00) is €387.00. (Ballyfermot CIS)

Client, married with one child, lost his regular employment and was unemployed for three weeks. He signed on and received JB at a rate of €355.90 per week and a Rent Supplement of €112.00. This gave him a combined income of €467.90 with a weekly income after rent of €331.90. Before he became unemployed he was receiving FIS at a rate of €96.00 per week. Client secured new employment in which he is paid €294.10 for 34 hours per week. He also receives €96.00 FIS; FIS payment set for one year from his previous employment. This gives him a total income of €390.10; he pays rent of €136.00 per week, which leaves him with a disposable income of €254.10. The client is €77.80 worse off per week in his new employment as compared to his JB payment and Rent Supplement. As client is working 34 hours per week he cannot claim a Supplementary Welfare Payment, i.e. Rent Supplement. If client could re-apply for FIS based on his new rate of income he would receive a FIS payment of €127.14, combined with his employment income he would have a combined income of €421.24, if we deduct his rent of €136.00 he has a disposable income of €285.24 per week; this is still €46.66 less per week than if he was in receipt of JB and Rent Supplement. Possible solution is that qualifying criteria for Supplementary Welfare should be based on means and not hours worked; 30 hour rule for accessing Supplementary Welfare. (Co. Roscommon CIS)

Employment

Work Placement Programme

Customer is unemployed and has taken up a place on the Work Placement Programme. He had to move to Donegal to take up the place and he has rented an apartment for the duration of the placement. Prior to this he was living with his parents. The customer went to claim Rent Supplement and was advised to make an application to the local authority to establish a "housing need" before he could make his claim. This procedure will take several weeks and will mean that the customer will have to cover his own rent until he is able to claim assistance (assuming he establishes a housing need). The customer has been able to retain his social welfare payment whilst he is on the placement but the scheme does not make any provision for help with rent when a person moves to take up the placement. (Co. Donegal CIS)

CE

A man was successful in coming off JA and delighted to start CE scheme two months ago. He has now discovered that instead of having an extra €20 per week he is out of pocket by €80. This came to light when applying for the Back to School Clothing and Footwear Allowance Scheme. He was refused the higher rate for his 18yr old daughter as she is not a SW dependent but now a dependent on someone on a CE Scheme. (Co. Louth CIS)

Redundancy

Employer closed shop giving one day's notice. Redundancy is being claimed through the social insurance fund. However no employee received correct notice or outstanding holiday pay. Liquidator is not contacting employees with regards to EIP1. In this case 7 months passed by and the ex-employee by chance found out he could claim outstanding holiday pay and minimum notice of redundancy, which amounted to 2.5 months wages. (Blanchardstown CIS)

Education

Back To Education Allowance

Customer is in receipt of BTEA and a third level grant. She is a single parent with one dependent child. Last year she received the special rate of maintenance grant and the household income was below the threshold – at that time she was in receipt of OPFP and this is disregarded where it is payable to the candidate. The customer's grant entitlement is being reviewed and the rules have changed this year so that BTEA is now taken into account as reckonable income for the purposes of the special rate of maintenance grant. This means that she will lose that level of grant and is considering dropping out of college because she will not be able to afford her childcare and travelling expenses if her grant is reduced. If the customer had continued to receive OPFP instead of BTEA this would not have been taken into account as income and she would still be entitled to the "top up" grant. (Co. Donegal CIS)

Client wishes to apply for Back to Education Allowance payment. He is on Jobseeker's Allowance for 6 months. To qualify for 2nd level education he has to be in receipt of JA for 3 months. This qualifying period has been reduced from 6 months (half the original qualifying period). However, as the client wishes to pursue 3rd level education he has to be in receipt of JA for 9 months. Should this qualifying period not be 6 months as this would be half of the old qualifying period of 12 months? (Dublin City North Bay CIS)

Housing

Fuel Poverty

The Warmer Homes Scheme is managed by SEAI to assist householders in or at risk of fuel poverty. The scheme is targeted at those in receipt of the Fuel Allowance payment to help make their home more energy efficient. The measures provided include the following: Attic insulation; Draught proofing; Lagging jackets; CFL bulbs; Cavity wall insulation where available. The above measures were provided at a low cost (typically €100) to householders. The rest of the costs were covered by the Warmer Homes Scheme funding. There are no grants paid directly to householders under this scheme. The €100 fee has now been waived since April 2010 so the service is free for households in receipt of

the Fuel Allowance. There are however many households who do not receive the Fuel Allowance particularly pensioners as they are on the borderline of the means test; they may be living in homes that are not energy efficient and because they are not in receipt of the Fuel Allowance they cannot avail of the Warmer Homes Scheme. In these circumstances the €100 cost could be reinstated for people who are not receiving the Fuel Allowance and who are still on low income and in need of making their homes more energy efficient. (Crumlin CIS)

Health

Health entitlements information

Client's daughter developed serious debilitating illness at 17 but despite constant HSE attendance client was never informed of the daughter's right to apply for DA. Client assumed that since daughter was under 18 and at school nothing would be available. Only when she applied for a medical card in her own right at 21 was it pointed out she could get it easier if she had claimed DA. At some point in any life changing event a state authority should have in place a means to inform clients of their potential entitlements even if it is only an automatic referral to local CIC. (Cork City South CIS)

Dental care

Client is in his 70s and his State Pension is his only income. Client has a full Medical Card. Client attended a dentist under the Medical Card Scheme. Client has two front teeth which are loose, due, he says, to medication and poor diet. The dentist could only offer extraction, because of the new rules governing dental care under the Medical Card scheme. The client refused this. The dentist advised him that removing those teeth would undermine the remaining teeth and he could lose more. The dentist also said that the teeth could be saved with appropriate care. The new rules regarding dental care are a false economy as this client will need a lot more dental care in the future if the current problem is not dealt with. The current situation is creating great hardship to the most vulnerable in our society and needs to be amended urgently. (Co. Clare CIS)

Tax

PRSI

PRSI deductions from pay are much higher for wages marginally over €500 per week. Client earns €502 and pays PRSI of €35 per week. If he earned €499 PRSI would be €15. Wouldn't it be fairer to have progressive increases in PRSI rather than quantum leaps like this? (Co. Mayo CIS)

Consumer Affairs

Eircom

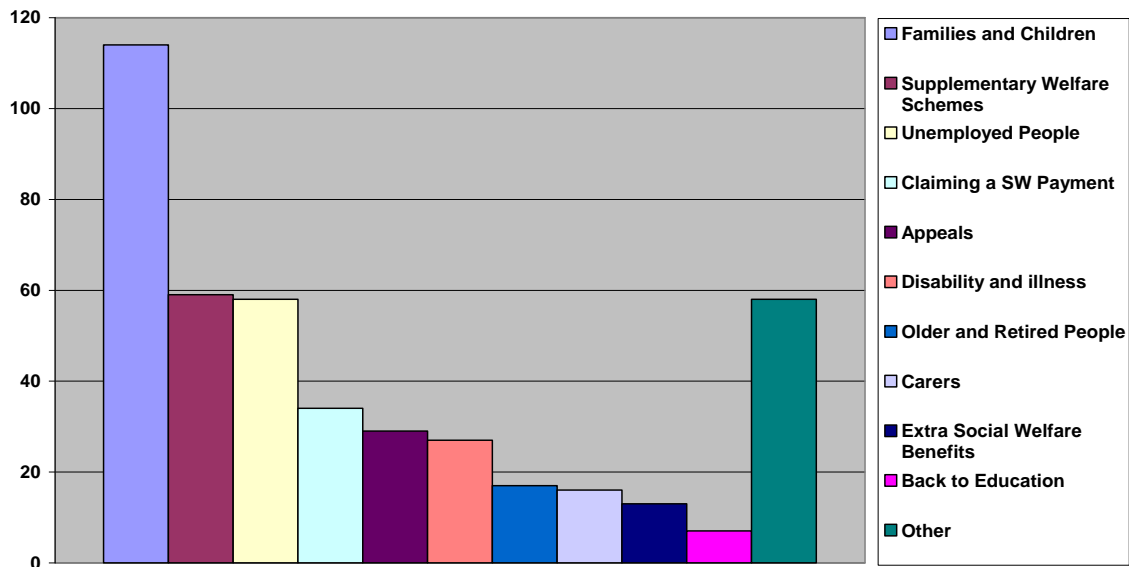
Elderly lady has been paying €10.00 per week off of her Eircom bill but this week due to a change in policy they are only accepting amounts of €20.00. This policy is causing difficulty to elderly people as they are afraid of getting into arrears. People who are trying to pay bills should not be discouraged due to bureaucracy. (Co. Wicklow CIS)

Appendix 2

Social Welfare Category

Of the 702 cases, 65% relate to Social Welfare (approx 456 cases). The breakdown of these is shown below.

Social Welfare Category 2010(3)

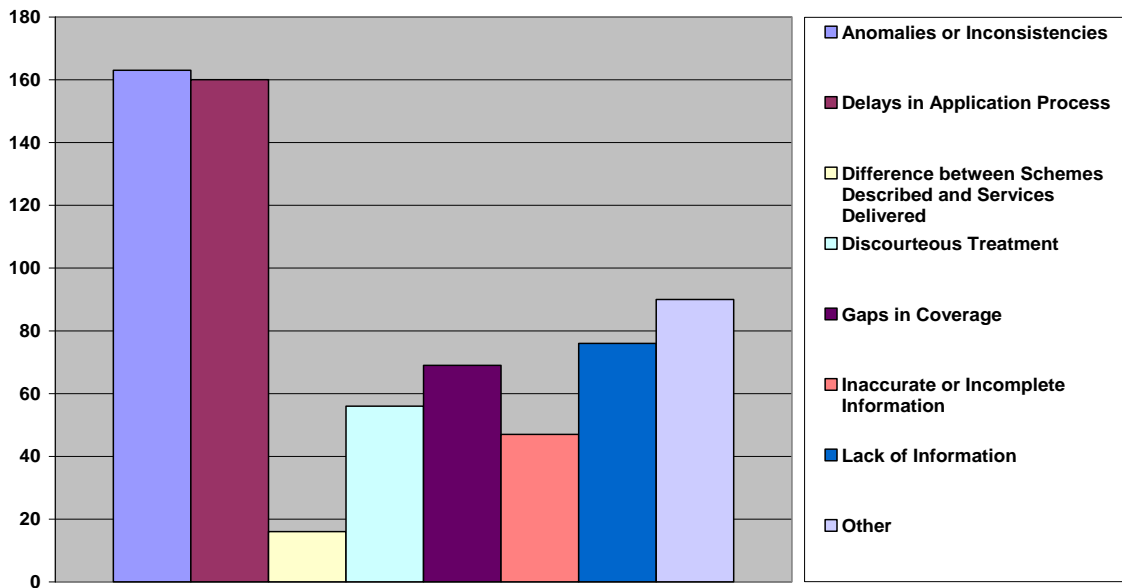


Social Welfare Category	%
Families and Children	26
Supplementary Welfare Schemes	14
Unemployed People	13
Claiming a Social Welfare Payment	8
Appeals	7
Disability and illness	6
Older and Retired People	4
Carers	4
Extra Social Welfare Benefits	3
Back to Education	2
Other	13
Total	100

Nature of Query

The problems experienced by clients of Citizens Information Services are classified under a number of headings which describe the nature of the social policy issues identified. Anomalies or Inconsistencies and Delays in Applications accounted for the highest number of issues identified.

Nature of Query 2010(3)



Appendix 3

Returns by Citizens Information Services

Q1 & Q2 & Q3 (2010)

	Q1	Q2	Q3
Blanchardstown / Dublin 15 CIS	11	7	10
Dublin City Centre CIS	26	19	19
Co Cavan CIS	4	7	7
Co Louth CIS	21	12	12
Co Monaghan CIS	2	1	2
Dublin City North Bay CIS	7	8	13
Dublin North West CIS	15	4	16
Fingal (North County) CIS	16	27	34
Co Meath CIS	29	34	26
Northside CIS	2	4	9
Region 1 (Total)	133	123	148
Ballyfermot CIS	16	7	8
Clondalkin CIS	21	7	13
Co Laois CIS	6	4	3
Co Longford CIS	23	33	31
Co Offaly CIS	44	34	9
Co Westmeath CIS	14	19	33
Crumlin CIS	4	5	5
Dublin 246 CIS	12	6	2
Dublin 8 & Bluebell CIS	9	8	6
North Kildare CIS	7	1	1
South Kildare CIS	13	12	16
Tallaght CIS	0	0	1
Region 2 (Total)	169	136	128

Co Carlow CIS	48	35	39
Co Tipperary CIS	13	9	4
Co Waterford CIS	16	22	8
Co Wexford CIS	34	31	36
Co Wicklow CIS	31	54	23
Dun Laoghaire/ Rathdown CIS	4	2	4
Kilkenny CIS	14	19	15
Region 3 (Total)	160	172	129
Co Clare CIS	32	21	23
Cork City South CIS	36	34	26
Cork City (North) CIS	13	7	5
Kerry CIS	9	20	11
Co Limerick CIS	8	4	6
North & East Cork County CIS	10	18	14
West Cork CIS	6	6	3
Region 4 (Total)	114	110	88
Co Donegal CIS	32	32	20
Co Leitrim CIS	39	26	27
Co Mayo CIS	24	8	47
Co Roscommon CIS	50	55	49
Co Sligo CIS	4	30	18
Galway CIS	27	43	23
Region 5 (Total)	176	194	184
CIPS	39	15	25
Grand Total	791	750	702