



## **Special Oireachtas Committee on Covid 19 Response**

### **A Submission by the Citizens Information Board**

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# Special Oireachtas Committee on Covid-19 Response

## *A Submission by the Citizens Information Board*

### Section One:

#### 1. Introduction

This Submission by the Citizens Information Board (CIB) to the Special Oireachtas Committee on Covid-19 Response describes the range of initiatives taken by the Board in response to the Covid-19 pandemic. It also identifies Covid-19 related matters that were raised by citizens in their queries to and contact with CIB delivery services – Citizens Information Services (CISs), the Money Advice and Budgeting Service (MABS), the National Advocacy Service for People with Disabilities (NAS) and Sign Language Interpreting Services (SLIS). Policy issues that were identified by frontline staff during the course of processing these queries from members of the public and case referrals are outlined as are some issues and challenges likely to emerge following the pandemic.

The experience of CISs and MABS confirmed that many people needed an opportunity to talk through their options with someone who understood how to navigate the system. CISs and MABS played a vital role in this regard and complemented information available from Intreo/social welfare offices and Revenue. NAS played a specific role in supporting people with disabilities who were more isolated than usual because of the lockdown.

In response to the Committee's specific consultation request, CIB has set out, in Section Two of this submission below, *issues relating to health and social care provision* post Covid. NAS is also making a separate submission to the Committee outlining their concerns for health and social care sector clients.

#### 2. Role of the Citizens Information Board

The principal functions of CIB are to support the provision of and, where appropriate, provide directly to the public, independent information, advice and advocacy services in relation to social services. This is done through the nationwide network of Citizens Information Services (CISs), the Citizens Information Phone Service (CIPS) and the Money Advice and Budgeting Service (MABS).

CIB also manages [www.citizensinformation.ie](http://www.citizensinformation.ie) which provides comprehensive information on public, social and health services and which has developed a specific focus on Covid-19 matters relating to health, social welfare and employment.

Covid-19 posed several challenges for CIB delivery services: an unprecedented rise in demand for information, a rapidly changing information environment as new emergency schemes, regulations and legislation came into effect and an inability to meet face-to-face with more vulnerable people requiring advocacy services.

#### 3. CIB initiatives in response to Covid-19

CIB developed a national Covid-19 response across all of its services and introduced a range of additional measures to deal with the situation where local CISs and MABS offices were closed to the public.

A telephone-based citizens' information service

- 1) A national call back information service promoted online
- 2) Additional regularly updated Covid-19 information on the website
- 3) The continuation of the MABS Helpline and telephone supports by local MABS

- 4) An internal centralised back-up Information Discussion Forum to facilitate a nationally oriented approach by information providers to disseminating new information
- 5) The inclusion of new data categories on the electronic data recording systems to cover pandemic related issues

CIPS and local CISs across the country continued to respond to queries by telephone and email in order to meet the most immediate information, advice and advocacy needs of people arising from loss of work and income, closure of businesses and schools, childcare and social isolation. Such information was particularly important during the initial stages of Covid-19 when a wide range of new measures were introduced by Government in response to the crisis.

MABS offices were closed to the public, but remained open for telephone support locally, and are providing support via the MABS Helpline. MABS also initiated a MABS Blog on their website which acts as a COVID-19 Update Hub and is updated on a regular basis with personal money related topics, supports and tips (focussing, for instance, on managing on a reduced income and mortgage payment breaks FAQs). The MABS Helpline is supplemented by advisers working from home, where required. MABS has increased its social media offering to meet demand on Facebook, Instagram and Twitter and has added a new messenger function to the [mabs.ie](https://mabs.ie) website to allow users have a confidential live chat with a money adviser.

The CIB Information Resources Team who manage the development and updating of the Citizens Information website [www.citizensinformation.ie](https://www.citizensinformation.ie) developed a suite of new Covid-19 Pandemic resources across a broad range of subject areas, including social welfare, Revenue, employment rights, employer supports, health services and housing rights. The team also developed a greater online presence across social media channels. This yielded a significant level of queries from the general public outside of the traditional Citizens Information Service phone and email channels. These updates were highlighted further on Twitter and Facebook. The website was viewed over 16.5 million times during the pandemic with over 5 million users to date and over 100,000 referrals from Facebook.

A Covid-19 high-level Query Category was added to the CIB Oyster data collection system on 19<sup>th</sup> March. Within this category, a range of sub-categories were included to reflect key query areas relating to Covid-19.

#### 4. Queries to CISs

CISs deal with over half a million callers and one million queries from the public annually. During the period, from mid-March to end of June, CISs dealt with 82,000 callers and over 167,000 queries and there were over 70,000 calls to the National Citizens Information Phone Service. Specific Covid-19 related queries, e.g., on income supports available on loss of employment, represented a quarter of overall enquiries to CISs during the period while wider social welfare issues accounted for 38% of queries and 17,700 queries referred to employment matters, including employment rights.

COVID-19 related queries related to seeking clarity on particular elements of new schemes, processes and payments. As the pandemic was an evolving crisis and the scale of new income supports was unprecedented, it was, perhaps, inevitable that changing rules, as well as a misinterpretation of information occurred across the system.

The majority of the COVID-19-related queries related to the COVID-19 Pandemic Unemployment Payment (PUP). This is consistent with the high number of applications to the DEASP (658,000) for this emergency payment. Other query categories that featured included employment rights and conditions relating to the pandemic and the COVID-19 Temporary Wage Subsidy Scheme (availed of by over 54,000 employers) administered by Revenue.

## 5. Covid-19 social policy issues identified by CISs

As part of its remit, CIB has responsibility to provide social policy feedback to Government on issues encountered by service users. A range of policy issues were identified by frontline information providers arising from the roll-out of Covid-19 related new payments and schemes. Given the pressure on Government to develop key policy responses to meet the rapidly changing needs within households and businesses, and the significant demands on all public services, it was inevitable that people would experience some gaps, knock-on impacts, anomalies and barriers when trying to access new supports.

Some 40% of all social policy returns (SPRs), i.e. indicative cases illustrating policy concerns reported by CISs during the period were logged under specific Covid-19 categories. The top five most reported issues were Covid-19 related:

1. Pandemic Unemployment Payment
2. Temporary Wage Subsidy Scheme
3. Employment rights
4. Covid-19 (other)
5. Illness Benefit

Other issues identified related to supports available for people who needed to self-isolate, frontier/cross-border workers and child-care issues.

### *Pandemic Unemployment Payment*

#### *Covid-19 payment versus the payment of wages via the Temporary Wage Subsidy Scheme*

A number of CIS clients sought information and advice about the two options relevant to their situation. Both employers and employees recognised that the Covid-19 payment was financially more beneficial to some employees on low income than the Temporary Wage Subsidy Scheme. This was particularly the case for people whose income from work was less than the Covid-19 payment.

There was some lack of clarity around a person's entitlement to the PUP while in receipt of other social welfare payments. The implications for people in applying for and receiving PUP if they were unclear about their eligibility was a cause of concern for some people. While PUP provided additional household income during the crisis, the Guidance clearly stated that where overpayments occurred, these would be deducted from payments at some future point. The issue of the impact of loss of earnings on social insurance contributions was also raised.

Many callers to CISs expressed dissatisfaction with the fact that people aged over 66 years in receipt of the State Pension were not eligible to apply for the PUP. This was regarded as inequitable as they had experienced a genuine loss in individual and/or household income. Age as a barrier to PUP entitlement was also an issue for those aged under 18 years, e.g., people in apprenticeships.

#### **Recipients of other social welfare payments**

- Disability Allowance (DA) recipients who were working part-time and were laid off because of the pandemic were unsure as to what the long-term implications were if they applied for and were given the PUP.
- A number of clients raised the issue of entitlement to a Covid-19 payment where their partner or other family member had a disability or chronic illness and they needed to leave work to lessen the risk of contracting the virus and passing it onto this person.

- There was some confusion initially about eligibility for those on carers' payments for the PUP and a related fear of having their income reduced.

#### *The situation of 'frontier workers'*

Those living in Northern Ireland but working in the Republic of Ireland are not eligible for the PUP.<sup>1</sup> This was reported as resulting in financial hardship for people who were unable to meet the cost of daily living on a significantly reduced income.

#### *Employment rights issues*

Almost 70,000 employment rights queries were handled by CISs last year with a notable increase in enforcement and redress issues and queries relating to the Workplace Relations Commission doubling. Unsurprisingly, Covid-19 specific employment rights related issues featured heavily in the concerns presented to service helplines during the crisis.

There were a number of issues reported by people who continued working, for example,

- Pressure on employees to continue to work in the absence of social distancing provisions in the workplace
- Employers not allowing for flexibility for employees to enable alternative working arrangements in order to facilitate childcare
- Employees not been paid their full wages and feeling that they have to accept these terms or else lose their job
- Employers not topping up wage subsidy - employees working normal hours for a less wage than previously.

In many of the cases reported, levels of work and working hours have remained the same for employees (and were noted to have increased in certain cases) – which would not seem to be consistent with the stipulation that employers had to have experienced a 25% downturn in business in order to be eligible for the payment. Effectively this means that employees were essentially doing the same level of work for which they were receiving a reduced salary, with reports indicating that some employees were left working below the minimum wage rate.

#### *Other issues identified*

- PUP does not allow claimants to return to work on a part-time basis and maintain a portion of the payment – this is a significant welfare trap issue and does not reflect significantly reduced hours available to some employees on return to work.
- There were difficulties for employees who were unable to access Revenue's services online (either with Covid19-related issues or with routine tax queries) as telephone support and local office appointments were severely curtailed. A related issue is that people who required assistance with completion of Revenue Forms could not avail of face to face CIS support.
- Essential and frontline workers not being able to access childcare, and wages being cut as a result.

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<sup>1</sup>Under EU rules, (Reg 883/2004, article 65) cross-border workers who are made completely unemployed should claim unemployment benefit in their country of residence. [Covid19 Supports for Frontier Workers. Borderpeople website](#)

- Some parents reported being asked to continue paying for creches/childcare facilities despite the fact that they were not operating.
- The broader issue of leave entitlement for workers featured regularly in feedback related to employees being required to take annual leave during lockdown, in circumstances where temporary lay-off or reduced hours were not provided; workers from vulnerable households being denied requests for unpaid leave and, for some workers, a forced reduction in annual leave entitlement.

The issues highlighted above point to the need to explore the longer term impact on employment of the crisis, relating in particular to the suitability and adaptability of existing employment policies and legislation in dealing with the new context and in addressing the impact of the pandemic e.g. in relation to flexible and remote working, sick leave measures, employer's responsibilities, WRC functioning.

## 6. Advocacy issues for people with disabilities during crisis

The National Advocacy Service for People with Disabilities (NAS), supported by CIB, provides representative advocacy to people with disabilities and has a particular remit to work with those who live in residential services, live in inappropriate accommodation, attend day services, have communication differences, have limited natural supports or are isolated from their communities. In response to the challenges of providing advocacy during Covid-19, NAS developed new ways of working with services and people, including supporting services to become empowered to advocate; working with people using technology and, in particular, supporting people who were feeling even more isolated due to Covid-19 restrictions.

NAS has encountered a range of issues relating to congregated settings and nursing home care arising from Covid-19 which require attention. In particular, the lack of clarity about the HSE's responsibility and governance in respect of the private nursing homes sector emerged early on as an issue. As is now acknowledged, nursing homes were under-prepared to deal with the pandemic and there was insufficient staff training and retention. A significant issue was the transfer of acute hospital patients to nursing homes without adequate protocols or safeguarding measures.

NAS also delivers the Patient Advocacy Service and 29% of queries to the National Line had a Covid-19 element. It is highly likely that there will be a significantly increased demand for support from the service post Covid-19 as people seek clarification and redress in respect of the way that some matters were handled by acute hospitals, particularly the transfer of people to nursing homes. As indicated earlier, NAS is making a separate submission to the Committee outlining issues arising for health and social care provision post Covid.

## 7. Indebtedness during crisis and likely arrears issues

MABS engagement with clients has been mainly in the context of requests for information and intervention with the banks as well as support for households managing on reduced incomes.

Issues identified by MABS included the switch from managing weekly to two weekly social welfare payments with some low income households running out of money due to factors such as increased household costs arising out of initial bulk buying of food, children in DEIS schools not getting school meals and additional expenditure on heating.

MABS have been asked to make representations to banks on behalf of people who had negotiated alternative payment arrangements to contracted terms, but are unable to maintain the

arrangements as they have experienced job loss or reduced working hours as a result of Covid-19. It is expected that in the months ahead, people will be in contact in connection with dealing with unpaid electricity bills, unpaid rent or mortgages, reliance on money lenders and an inability to maintain a basic standard of living.

The provision by banks and financial institutions for payment breaks for businesses and personal customers was an important initiative. However, the full impact of these breaks on mortgage holders will not be fully known until people are asked to make payments again.

CIB welcomes the Central Bank new regulations for moneylenders to strengthen protections for consumers. Of particular importance is that moneylenders will be required to provide prescribed information that prompts consumers to consider if a moneylending loan is their best option and, where the loan is required for basic needs, signpost consumers to the Money Advice and Budgeting Service. Of continuing concern though is the exorbitant interest rates charged to low income consumers and we await the outcomes of a CIB and MABS submission to Department of Finance deliberations on capping the cost of licensed moneylenders.<sup>2</sup>

On housing costs, whilst the moratorium on notices to leave rental accommodation and on rent increases were important, there were concerns about the capacity of private sector tenants to pay full rental costs during the crisis, the extent of awareness of supports through Rent Allowance/HAP schemes and the potential for arrears accumulation, with few mechanisms for debt resolution. Also, critically important during the crisis was the suspension of domestic disconnections of gas and electricity supplies and the increase in emergency credit levels for prepaid meters from €10 to €100. However the CRU has served notice that this provision will cease from this week which is a cause for concern for MABS given the likely impact on those with very low incomes.

A specific issue identified by MABS related to people becoming involved in Personal Contract Plans (PCP) for the purchase of cars. Notwithstanding the inclusion of PCP debt on the Central Credit Register in June 2019, there is evidence of people with existing debt arrears obtaining PCP contracts despite the arrears and poor credit rating.

## 8. Looking to the future

While the work of CISs has been largely focussed on the present, MABS and Abhaile –free Mortgage Arrears Support - have been looking to the future and planning for the anticipated rise in demand for money advice services, guidance through dealing with problem debt, and mortgage arrears, particularly in the context of the end of the mortgage payment breaks. This new scenario will present major difficulties for many low income households.

The PUP rate of €350 per week, while necessary and very welcome, clearly raises questions about the adequacy of jobseekers' payments overall and into the future. Feedback from CISs and MABS has highlighted a concern that individuals and families already living in poverty will be left struggling even more following the withdrawal of the current income supports.

Despite the difficulties faced, the Covid-19 pandemic has resulted in opportunities to enhance CIB delivery services and some of the enhancements will be continued after the pandemic. CISs and MABS have reinstated face to face engagement with clients for urgent cases from 29<sup>th</sup> June. CIS advocacy services will return to operation, with people supported remotely to the greatest extent possible. With bodies such as the Workplace Relations Commission and Labour Court

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<sup>2</sup> In 2019 CIB made a Submission to the Department of Finance on capping the cost of licensed moneylenders. [Public consultation on capping the cost of licensed moneylenders. A submission by the Citizens Information Board.](#)



recommencing hearings via video conferencing, this poses new technological and operational challenges for CISs in continuing to provide this service.

Traditionally, the most vulnerable and marginalised groups in society have accessed citizens' information via the public drop-in centres. Such groups often lack the language, literacy, technological or financial resources necessary to access a CIS via phone and email. In order to ensure that CISs can continue to support such people, planning is in place to establish new communication channels with relevant support organisations, including homeless services, disability organisations, Direct Provision Centres and services for older people.

## Section Two: Overview of health system capacity for non-Covid-19 healthcare

This section includes the CIB response to the request from the Covid-19 Committee on the overview of health system capacity for non-Covid-19 healthcare. While CIB is not in a position to comment on all of the headings listed, some points relevant to the overall impact on the health and social care systems generally are included.

### 1. Home help and care

During Covid-19, many families took on additional responsibilities for providing care to relatives who required support. As people return to work, much of this support may not be sustainable. It is also very likely that some people will have experienced stress and burn-out from taking on this caring role and would not feel able to continue with it. It is crucially important, therefore, that the level of home care support provided prior to Covid-19 is restored as soon as it is practicable and safe. Also, it is abundantly clear that more resources for home care are required.

There is still no legislative entitlement to or regulatory framework for home care services. New legislation to provide statutory entitlement to home care had been promised by the outgoing Government. Statutory provision should be expedited by the new Government<sup>3</sup>. There is also a need to develop a more integrated care system with a continuum of provision between community and residential and which should include significantly more sheltered/supported housing.

### 2. People with disabilities

Many people with disabilities will inevitably have experienced great difficulty during the pandemic arising from, for example, being locked down; not having access to day care; people in residential care not been able to have physical and personal contact with their loved ones; people with intellectual disability having to grapple with the concept of social distancing; reduced or no access to therapies and personal assistance essential for people's well-being. The outcomes of all of these factors on the well-being of people with disabilities need to be identified and addressed with some urgency by service providers. It is likely that some additional state funding and supports will be required to ensure that this happens.

### 3. Mental health and well-being

During the pandemic, significant challenges were faced by people with mental health difficulties. This was almost certainly exacerbated by limited access to counselling services. While the Mental Health Commission put in place protocols for managing Covid-19 in psychiatric units, these supports may not have extended to the community to a sufficient degree. There was also the potential mental health damage that "cocooning" could have had on some older people and people with disabilities. Additional mental health challenges would have been experienced by some people as a result of fears of infection, not been able to get urgently needed hospital appointments and scans; concerns about relatives living in nursing homes; and, for some, the burden of caring for relatives. Some people with dementia or intellectual disability would undoubtedly have become more stressed due to lack of social interaction and routine. Since people were not able to avail of GP services at the same level as prior to Covid-19, there is a strong possibility that many people did not seek or receive the support and medical advice that they would have needed. There is also the issue of helping bereaved families to come to terms with what for some was undoubtedly a troubling and stressful experience. The stresses experienced by frontline health and social care staff is also a

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<sup>3</sup> A statutory scheme to support people to live in their own homes which will provide equitable access to high quality, regulated home care as well as increased home care hours are flagged in the draft Programme for Government.

matter that needs acknowledgement as we move forward. There will also be mental health challenges for people living in over-indebted households arising from Covid-19. All of the above point to a vital need for a comprehensive and targeted approach to the provision of additional counselling and support services. This is a matter that Government must address

#### 4. Implementation of Sláintecare

The need to fully implement Sláintecare emerged clearly from the experience of the pandemic. Many of the issues that arose in relation to the lack of connectedness between the HSE and the private nursing home sector could be addressed as part of the planning for the six new health and social care regions to be established under the programme. This would provide a better fit for liaison between hospitals, people with health and social care needs living in the community and residential care services (including nursing homes). Sláintecare is underpinned by the principles of integration and a continuum of health and social care services which is particularly vital in dealing with any future pandemics or unusual epidemiological occurrences.

#### 5. Implementing the Assisted Decision-making (Capacity) Act 2015

It is critical that the implementation of this Act proceeds apace in order to ensure that people with reduced decision-making capacity are fully supported in exercising their will and preferences. This is particularly important because of the manner in which it would appear transfers to nursing homes from acute hospitals took place at the beginning of the pandemic. While it is unclear as to what level of consultation took place prior to such transfers, it is very likely that many people ended up in nursing homes without choosing to do so. There is also the matter of ensuring that people have a right of access to independent advocates (which is not currently the case). This needs to be addressed with some urgency.

#### 6. Oversight and governance in nursing homes

As is widely acknowledged, the pandemic highlighted two central aspects of the private nursing home system on which Ireland relies heavily – weak clinical governance and inadequate links between the HSE and the private nursing home sector. These are matters which need to be addressed and additional clinical governance and oversight protocols put in place. The Covid-19 experience also begs the question as to whether the current long-term model generally with its inbuilt bias towards care in private nursing homes is the appropriate model. While it is unclear whether this question is being addressed by the Expert Nursing Home Group established by Government, it is clearly a matter which the incoming Government must engage with.

#### 7. What could have been done differently

Given that Covid-19 was an unprecedented event, the overall response by Government was generally coherent and comprehensive, despite significant issues with testing and PPE. There is the question in hindsight as to whether the major focus on ensuring that acute hospitals were prepared was warranted. The additional social welfare and Revenue supports put in place were extremely valuable and should only be withdrawn on a prudent and phased basis. Specific aspects of the Government response that need further and ongoing consideration are identified:

- The interface between hospital discharges, community care supports and whether or not nursing home care is absolutely required in the case of specific individuals
- Whether non-Covid-19 hospital services could have been maintained
- How the current general health status of the population was affected by the limited availability of GP and other health and social care services during the pandemic
- The impact of the lockdown and the suspension of core support services on older people, people with disabilities and people with mental health difficulties.