

CIC/CIPS Social Policy Records Quarterly Report January – March 2006

Introduction

Citizen Information Services (CISs) and the Citizens Information Phone Service (CIPS) dealt with 800,000 queries in 2005. A social policy record is a report on a particular query recorded by an information worker in a Citizens Information Centre or the Citizens Information Phone Service. Social Policy Records document the effectiveness of current services, gaps in coverage and impediments to exercising rights amongst other indicators of effective service delivery. In all 276 social policy records (SPRs) were received from CISs and CIPS around Ireland referring to the period January to March 2006.

This report contains a selection of some of the cases reported to Comhairle's Social Policy Unit from CISs and the CIPS. Records are categorised under the relevant topics. Some cases straddle more than one topic area but these are included in the category that is deemed to be most suitable. Although all records are relevant to the report it would be unwieldy to publish all of the records received in this quarter. Records are chosen that adequately represent the issues being described. The minimum amount of editing has been done to the social policy records so they appear in the report largely as the information providers have written them. To illustrate the extent of the problems documented the number of cases recorded under particular subheadings appears to the right of a topic subheading.

A table outlining the number of social policy records returned to Comhairle by Citizens Information Service and related Citizens Information Centre between January and March 2006 appears in an appendix to this report. This appendix also contains a bar chart which illustrates the distribution of SPRs across categories.

Social Welfare

Comhairle received 130 social policy records on the general topic of social welfare in the first quarter of 2006. A number of additional social policy returns were recorded in this category as part of research on benefit take up levels undertaken by the Department of Social and Family Affairs and facilitated by Comhairle issuing questionnaires to the network of CICs / CIS. These records are included in this section.

Also included in this section are social policy records relating to the Family Income Supplement. The increased number of social policy records recorded in this category may be attributed to the Social Policy Alert issued 7th March 2006 which requested CICs to focus on this area of feedback for Comhairle social policy research purposes.

The Household Benefits and Fuel Schemes combined with the Living Alone Increase constitute the largest number of social policy records in this category. Administrative and quality of service delivery issues continue to dominate this section with many clients citing lack of knowledge about basic entitlements or gaps in coverage as an impediment to benefit take up. As far back as 1986 the Commission on Social Welfare argued for a 'simple' system to ensure quality delivery of public services. Comhairle, in a recent submission to the NESF project team¹ set up to consider this issue of service delivery identified four areas of concern:

- (i) Difficulties in accessing services/support;
- (ii) Gaps in availability of services/support;
- (iii) Difficulties in interactions with state agencies; and
- (iv) Information.

The need for equal treatment and consistency across a range of services and supports is also illustrated in the case studies outlined below.

Household Benefits, Fuel Schemes and Living Alone Increase

No of Cases 19

Social Welfare General

Co Longford CIS (Longford CIC) 21/02/2006

Living Alone Increase is a very meagre amount in terms of current cost of living. It has not increased significantly over the years and should be reviewed for next budget to give a more significant amount such as €20 per week with index linked increases thereafter.

Social Welfare General

Co Cavan CIC (Cavan CIC) 13/02/2006

At an information evening a woman raised issue of the inadequacy of National Fuel Scheme. The payment period of 29 weeks is insufficient - it should be year long especially for people in council housing where the only means of hot water is by lighting the fire. Participants on the evening burn at least 4 bags of coal per week at €11 per bag - highlighting that despite the increases, it is still not adequate

Social Welfare (Insurance)

Co Mayo CIS (Castlebar CIC) 13/03/2006

81 year old woman on OACP came to see if she is getting all her entitlements. As I went through it all I discovered that she was not getting fuel allowance. When I asked her about it she said she did not apply as she thought she should get it automatically. So she had not received any fuel allowance for many years because she was not aware that she needed to apply for it.

Social Welfare General

Co Louth CIS (Dundalk CIC) 10/03/2006

A man called into the office seeking advice on his entitlements. He is a diabetic and receives a diet supplement. He is receiving Disability Allowance for the past 3 years and has been granted fuel allowance. He was not aware until recently that he was entitled to the Household Benefit Package and cannot understand why he was not contacted by the Department of Social & Family Affairs after been granted Disability Allowance and receiving same for a period of three years. He informed me that it was a neighbour who told him about this scheme and to come into CIC to enquire about it. This man was entitled to this package, but through lack of knowledge on his part and lack of communication on the part of the department he has lost out on three years of benefit.

Social Welfare General

Co Longford CIS (Longford CIC) 16/02/2006

Client was on Household Benefits Scheme for a couple of years and moved house recently. They found that they had to re-apply for the Household Benefits Scheme and go through the process of filling out forms as if it was their first application, sending in copies of utility bills etc as well as having to pay all of their bills until the application is again approved. Clients felt that there should be a more simple application procedure for this type of situation, e.g just a notification form with new address/telephone/ESB account etc.

Social Welfare (Insurance)

Co Longford CIS (Longford CIC) 17/01/2006

Client is a widow since April 2005. She contacted the CIC today by phone after receiving a flyer about our services to see if she was eligible for Household Benefits Scheme. She is in her mid 50's. Her husband was a self-employed farmer and was receiving Contributory Old Age Pension before he died last year in his early 70's. His widow sent in all documents to their accountant after his death, and now almost a year later, she has not received any payment. She was unaware of her entitlement to a Widow's pension and assumed she would not be eligible as she is not in employment herself. She is living on the proceeds of the farm, which she indicates are quite low. She was also unaware of her entitlement to apply for a Bereavement Grant and furthermore her husband did not know that he was eligible for the Household Benefits Scheme automatically once he became 70 and because he did not apply for it, it was never granted and he missed out on this for a couple of years.

Family Income Supplement

No of Cases 18

Co Longford CIS (Longford CIC) 24/01/2006

Male client separated from family - has access to and custody of four children on occasions. He pays maintenance and assists with education costs, (older child in college). He works full time but with outgoings (as stated above) he is seeking Supplementary Welfare or some social welfare support. Informed him of One-Parent Tax Credit (of which he is already aware). He was given to understand that no further financial assistance is available to him. His wife is in receipt of the One Parent Family Payment and can avail of Community Employment schemes and other work options while retaining social welfare and other secondary benefits. This man was informed that he is not eligible for this payment, as he does not have a child living with him. While he is working fulltime and may have a decent wage this is diminished greatly by his outlay with regards his children and his own mortgage/living requirements. It should be possible to pay FIS to each parent if custody is genuinely shared.

Co Waterford CIS (Dungarvan CIC) 13/03/2006

A client did not claim FIS though he had heard about it as he thought a person could not get a SW payment while employed. This misconception is generally the reason given when told about FIS.

Comhairle (Region 4) 20/03/2006

A lone-parent working part-time and fairly easily qualifying for FIS on the basis of income is prevented from qualifying by the 19-hour rule. So, if a person works just under the 19 hours, there's no way to qualify, regardless of the level of income. A lot of lone parents work on a half-time basis (for obvious reasons) and fail to qualify for FIS because of this.

Crumlin CIS (Crumlin CIC) 09/02/2006

Client called in to the centre re: information on eligibility for FIS. Her husband and she started a CE Scheme 2 weeks ago. They have 3 dependant children. Her husband is on a personal rate of €192.20 and the client is on €240.60 giving a total income of €430.80. Family income supplement (FIS) is a weekly tax-free payment for families at work on low pay. Based on the income limit falling below €565.00 a family of 3 children would normally qualify for FIS. Due to fact that this couple are both on CE schemes they do not qualify. This woman's husband was advised to go on a CE scheme as he was long term unemployed and it would enable him to avail of training and re-integrate him back into mainstream employment. Other employment schemes, Jobs Initiative and Social Economy Programme are not affected. This family are losing out on €80.52 per week and living below the recommended income limit for their family size. If the husband changes from CE scheme to mainstream employment they would be eligible, but he would be at a disadvantage of updating or attaining new skills and deprived of training for mainstream employment

Co Longford CIS (Longford CIC) 16/01/2006

A separated mother who was working irregular hours and only bringing home an average of €260 per week was never informed about FIS or reduced rate of One-Parent Family Payment and as a result has been living on a very low income.

North Kildare CIS (Maynooth CIC) 01/01/2006

An Egyptian man with two children is studying in Ireland. He has a class 2 stamp so he is allowed to work 20 hours per week, which he does in Tesco, He is not allowed to claim FIS even though his income is below the limits for FIS. If a student is allowed to work he should also be eligible to claim FIS

Crumlin CIS (Crumlin CIC) 07/03/2006

The client was encouraged to take up the offer of part-time work when I calculated what effect her employment income would have on her One Parent Family Payment and the fact that FIS would more than compensate for the deduction. However she was dismayed, and considered not taking the job, when another calculation revealed that her differential rent would more than double. Given that FIS is intended as a supplement for low-income working families and is not considered for such things as the Medical Card and Rent Supplement it seems inconsistent to have it reckonable for differential rent. It may be the case that some Councils do not include FIS in their calculations but it is certainly counted by Dublin City Council. It would contribute to the take-up of FIS in this highly populated area if it were excluded from consideration for differential rent.

Co Cavan CIS (Cavan CIC) 08/03/2006

Client had heard about FIS and came in to enquire if he was entitled to it as he has a wife and four children. Wife is not working and business is bringing in just about enough to survive and income can vary from week to week depending on how busy he is. Unfortunately as he is self-employed he is not eligible to apply and was very annoyed at how little the self-employed are entitled to with regard to supplements and as his children are still very young he feels they would gain nothing if his wife went out to work until their children are older.

Pensions

No of Cases 12

Social Welfare (Assistance)

Co Mayo CIS (Castlebar CIC) 13/03/2006

76 year old woman who had been in receipt of Old Age Non Contributory Pension had sent her book back when she inherited some money from her deceased mother whom she had looked after. She lived on this money but when it was running out she contacted the department to reclaim her pension. This was a number of years ago and she still had not heard from the Department. She has now reapplied for pension.

Social Welfare (Insurance)

Co Louth CIS (Dundalk CIC) 28/03/2006

A man telephoned the office enquiring about his entitlements. He is receiving Contributory Old Age Pension, but was not aware that he should have been claiming for his spouse also. He thought he had received his full entitlement until recently he was speaking with a neighbour and discovered he should have been claiming for his spouse for the past 3 years. I informed him of the amount for a Qualified Adult, his reply was "so that's what that means". I contacted the pensions section in the department and explained the situation and have forwarded the relevant details to the department. They have assured the man that they will back-date the payment. What I don't understand is how his marital status was overlooked when he applied for his pension. He had clearly marked on the application that he was married.

Social Welfare (Insurance)

Crumlin CIS (Crumlin CIC) 09/02/2006

A client called with a query relating to the increase of €10.00 for the personal rate on his Contributory Old Age Pension for the over 80s. The query was why his spouse was not getting an increase as a qualified adult. Social Welfare payment automatically increases for a qualified adult at 66 years, but at 80 years the €10.00 increase is only payable for the personal rate and does not apply to a qualified adult. If there are increases for qualified adults at 66yrs, the same should apply to individuals aged 80 years and over.

Social Welfare (Insurance)

West Cork Development Manager CIC 07/02/2006

I am asking that the relevant government parties review issues relating to women qualifying for full pensions. The following shows comparisons:

- Example (a): Women of this generation who have rejoined the work force are averaged over their FULL working life e.g. RSI contributions before marriage are added to RSI contributions on returning to work, after rearing their family, (a gap of many years); this reduces their average contributions. This averaging means that they are only entitled to a REDUCED OAP payment.
- Example (b): On the other-hand younger women in employment have the support of the Homemakers credits if they wish to mind their young children. It appears to us that example (e) (below) is an equality issue and needs to be addressed by the Dept. of Finance; Dept. of Social & Community Affairs; and the Equality Authority.
Compare the above to the following:
- Example (c): Farmer – can enter the RSI voluntary contribution scheme 10 years before OAP age and qualify for a FULL pension

- Example (d): Civil/Public Servant - When a retired member of the Civil/Public Service enters private sector employment and pays ten years RSI they can qualify for a FULL pension if they make 10 years contribution.
- Example (e): New entrants to Ireland: Can make 10 years contribution and qualify for a FULL pension.

Social Welfare (Insurance)

Co Donegal CIS (Carndonagh IIU) 14/02/2006

A client paid social insurance for first time in 1956 (aged 16). She was in social insurance for a number of years. She then got married and had a family and so was out of insurance until 1991. This left her with a long gap in her social insurance record. She was not aware of the importance of credits for pension purposes and homemakers credits were not introduced until April 6, 1994. As a result, when this woman applied for her Contributory Old Age Pension, she was awarded a reduced pension of €145 (down from €189.50) per week. She was very angry that this information on credits was not readily available to her when she needed it. Information on the importance of 'credits' should be available on an on-going, pro-active basis. Homemaker credits should be backdated (prior to 1994) for people who were in social insurance and who then left the workforce to bring up a family. It seems very unfair that those who did not enter social insurance until after their family was reared would, as a result of the "average" rule, fare much better than our client for pension purposes.

Information problems

No of Cases 8

Social Welfare General

Crumlin CIS (Crumlin CIC) 07/02/2006

A client with hearing difficulties called into Crumlin CIC recently seeking assistance with a social welfare matter. The client lip-read and experienced difficulty in being understood. Through the various visits to the centre it became apparent that the client was adept at texting, and at one stage suggested that if a facility existed whereby she could access Social Welfare services independently by texting or something similar, she would. I decided to make enquiries to the Department to see what, if any, assistive technology existed for people with hearing difficulties. I rang the Social Welfare Information Services, and was told to ring the local SW office. When I rang and enquired locally, I was told that deaf people are facilitated at their local SW office through passing notes. I e-mailed Social Welfare and queried what facilities existed in Social Welfare offices for Deaf people. I was told that loop systems have been installed in four local offices.

Social Welfare (Insurance)

Co Cavan CIC (Cavan CIC) 23/01/2006

Query is regarding the names of some social welfare benefits namely Invalidity Pension, this is a long-term payment made to insured people who are permanently incapable of work because of illness or incapacity. The term invalidity or invalid is treating people with disrespect and with no courtesy at all. It suggests they are no longer a valid member of society because they are unable to work. To suggest that a person is eligible to receive a pension telling them they are 'not valid' is unacceptable in our society and a valid place in society whether fully able to or not.

Social Welfare General

Co Cavan CIS (Cavan CIC) 27/01/2006

Much of the queries in this area especially on outreaches relate to elderly returnees from Britian. Could the details of the social security head office for the UK be supplied on the next edition of SW 4 handbook please.

Rent Supplement

No of Cases 8

Supplementary Welfare

Co Donegal CIS (Donegal Town IIU) 07/02/2006

A man approached the CIC regarding the entitlement to Rent Supplement - he lived with his partner and one dependent child. He needed to move from his present accomodation as it was not suitable for a family. We advised him that the maximum weekly rent level in Donegal applicable to his circumstances was €140 per week. The man advised us that he was currently looking at a property that was €150 per week and that was at the lower level of those he considered. He advised us that it would be extremely difficult, if not impossible, for them to find family accomodation for under €140 per week. This issue comes up on a regular basis in our unit. We believe that the maximum weekly rent levels should be increased in line with inflation so they reflect the actual rents that are being charged by landlords in the area.

Supplementary Welfare

North Kildare CIS (Maynooth CIC) 01/01/2006

A single parent in her twenties lives with her mother and applied for rent allowance. The Community Welfare Officer gave her the go ahead to look for a place to live. She found one and when she went back to see how much money she would get towards her rent, she was told that the Community Welfare Officer had made a mistake and that she did not in fact qualify for Rent Allowance because her mother had a three bedroomed house. It is unfair to refuse Rent Allowance to single parents on the basis that their parents have a house. The responsibiity to maintain a child stops at age 23 so why should the rules be different for Rent Allowance. Parents should not be responsible for providing housing for their adult children and grandchildren.

Supplementary Welfare

Co Mayo CIS (Ballina CIC) 28/03/2006

Client has earnings of €300 per week for 39 hours work. His wife is unemployed but not claiming an unemployment payment (she may be entitled to small amount of Unemployment Assistance if she passes the Habitual Residency Condition). He pays rent of €140 per week. Because of the rule that a person cannot claim Rent Allowance if working more than 30 hours per week, client cannot get help with rent even though he would be entitled to purely on basis of means test. The exclusion of those working more than 30 hours per week from Supplementary Welfare Allowance (SWA) is unfair. With recent increases in SWA, more and more people would be able to claim Rent Allowance if it were not for this rule. Entitlement to Rent Allowance should be determined purely on means.

Carer's Allowance

No of Cases 7

Social Welfare (Assistance)

Kilkenny CIC (Kilkenny CIC) 02/02/2006

Last year, client opted to return to Non-contributory Old Age Pension as she as she was better off than being on Carer's Allowance. Since Budget in December 2005, it seems she would be better off to transfer back to Carer's Allowance (€180 + €20 + €10 = €210 as she is over 80) than she is an Non-contributory OAP (€182 + €10 = €192) by €18 per week. According to Longford SW office, many other OAP claimants would be better off on Carer's Allowance, assuming they qualify. SW do not tell them this; it is up to the individual to become aware of this and apply for carers allowance.

Social Welfare (Assistance)

Co Louth CIS (Dundalk CIC)

15/03/2006

A man in his early 60s called into the centre for advice. His daughter had an accident nine years ago and suffered brain damage, as a result she was awarded compensation and therefore is not entitled to a means tested payment. She is a ward of court and her father is her sole carer.

Eventually he had to give up work to support and care for his daughter who is employed part-time in a Rehabilitation Centre. For most of the past nine years he has been on Unemployment Assistance and is now fearful that the department will think he is not genuinely looking for work and stop his payment. The fact is he can't look for work and care for his daughter.

I suggested to him that he apply for Carer's Allowance and explained the extra benefits he would receive in his own right such as Free Travel and the Respite Care Grant, but as his daughter has the Household Benefits Package he would not be entitled to these also.

He was surprised that over a period of nine years that nobody in SW suggested this option to him even when he would be called for a review of his payment he was not informed of any alternatives to ease his situation.

This person could have been on this payment for the past nine years and receiving his extra benefits, but through lack of knowledge of the system, the stress that the family found themselves in and the lack of information from the relevant departments he has been denied his rightful entitlements.

Travel

No of Cases 7

Social Welfare General

Co Meath CIS (Navan CIC)

01/01/2006

Old Age Pensioner with Free Travel Pass cannot make use of this scheme as he lives so far from main public transport routes and therefore cannot access the facility.

Surely an alternative to the Bus Pass could be used [perhaps a voucher system] which would enable people like this man and many others both on Old Age Pensions and Disability Allowances to benefit from the Free Travel Scheme to which they are entitled.

Social Welfare General

Cork City Centre & South

County CIS (Cork (South Mall))

09/02/2006

People in the Cork area need to have their photo taken for the Free Travel Pass; apparently this is not necessary in other parts of the country. The machine for taking photos seems to be broken very often - at least on 6 occasions last year. The client who deals with lots of elderly groups finds it very inconvenient.

Social Welfare (Assistance)

Co Galway CIS (Galway CIC) 06/03/2006

A client on Carer's Allowance was granted a Free Travel Pass as she cares for her son on a full time basis. Her son suffers from ADHD (Attention Deficit Disorder) - he is 7 years old. She applied for a Companion Pass (Travel) for him and was refused. The department confirmed only under 16s with a visual impairment qualify for a companion pass.

Discourteous treatment

No of Cases 5

Social Welfare General

Co Galway CIS (Galway CIC) 10/03/2006

Client is a foreign national with five years residency. She left Ireland to go to Spain, when she returned to this country 1 year later and sought to claim SWA, she was allegedly told "go back to Spain" by the CWO. Client says she doesn't want to make a fuss as her friend whose house she lives in is claiming Rent Allowance and she feels she can not pursue a claim despite it being her only entitlement/access to income.

Social Welfare (Insurance)

Dublin 2,4,6 CIS (Adelaide Road CIC) 18/01/2006

Client rang to enquire about his experience claiming Unemployment Benefit in a social welfare office. Client, who is a middle aged man had appealed his dismissal from work. He went to social welfare to claim Unemployment Benefit after appealing dismissal. Client said he was told by social welfare officer that the employer said it was his own fault he had been dismissed. He asked was that a question or statement. She said it was a question. Client told me the whole experience was intimidating and felt he had been victimised. Client has many degrees, well educated but found the way he was brought through the system was very confusing, he said people not so sure of themselves or their entitlements would more than likely find it almost impossible. We find here in the office that alot of clients are unsure of their entitlements going down to SW to make a claim.

Social Welfare (Insurance)

Co Tipperary CIS (Thurles CIC) 28/03/2006

CIC Thurles wishes to make a complaint regarding the insensitivity of the social welfare office in Sligo in the way they handle widows/ widowers recently bereaved. An impersonal letter arrived to a widow whose husband had died a few weeks previously, stating she was no longer entitled to the free schemes. She was completely confused as she thought that her pension (widows) was being withdrawn and her free schemes with it. Surely an appropriate amount of time should be allowed before bereaved people are required to satisfy the new conditions that will allow them to take up their rightful entitlements.

Issues for people who are self employed

No of Cases 5

Social Welfare (Assistance)

Cork Centre City & South

County CIS (Cork CIC) 28/03/2006

A self employed client applied for Disability Allowance (DA) 2 years after having an accident. He kept his business going by employing others the business folded after the main contract was lost last December. He was unaware that he should have applied for DA at the time of the accident. His application remained unanswered for 8 weeks and he was then told that he did not qualify because he had not attended medical assessment. He is certain that he was not notified of his medical appointment by post. He has since contacted many social welfare offices in an effort to get another appointment but has not, as yet, been notified of another appointment. His wife works 21.5 hours per week - we suggested that he apply for FIS. He applied and was told that he could not get it until his situation was resolved. CWO told him to appeal it - DSFA refused again to consider it. CIC suggested engaging with Ombudsman - the case is ongoing.

Social Welfare (Insurance)

Co Louth CIS (Dundalk CIC) 01/03/2006

Client applied for Old Age Contributory Pension in November 2005, as he would reach age 66 in Jan 06. This man had paid contributions and in later years was self-employed. His accountant had sent all his PRSI contributions into social welfare. The claim should have been straightforward. However he still hasn't been awarded his pension. The man himself contacted the Dept of Social and Family Affairs on several occasions each time been told a different reason for the delay. We phoned Sligo on his behalf and were told it was in their self employment section and this can take weeks to sort out. This man has been living of his savings his wife is his adult dependant and has no income of her own. We did advise him he could go to CWO but client feels he should not have to do this, so he declined to go. This is an unnecessary stress on this man on reaching his retirement.

Unemployment Assistance/ Benefit

No of Cases 6

Social Welfare (Assistance)

West Cork CIS (Bantry CIC) 07/01/2006

Client is in her 50s applied for Unemployment Benefit (UB) at her local office. It took 6 weeks for her application to be processed. She was informed by Social Welfare that she was short of contributions in the relevant tax year. Social Welfare did not inform her that she could apply for Unemployment Assistance. The client found herself in a very bad financial situation. Client applied for Unemployment Assistance and was referred to the local Community Welfare Officer for financial assistance while her Unemployment Assistance application was being processed. Client has been awarded Unemployment Assistance and had it backdated to the date she first became unemployed.

Social Welfare (Insurance)

Co Longford CIS (Longford CIC) 30/01/2006

Client lost his job due to a fire at work. At present has been temporarily laid off and is awaiting redundancy payment. Advised to apply for Unemployment Benefit while seeking alternative employment. Client unhappy with rate of Unemployment Benefit finding the system unfair as he has paid PRSI for a number of years and yet will only receive €165.80, the same rate as Unemployment Assistance. The client feels aggrieved that all his years of paying contributions entitles him only to the same

amount as some one who may never have worked or contributed to the system and feels that UB should be related to pay and length of employment.

Child Benefit

No of Cases 4

Social Welfare General
City Centre (Dublin) CIS
(City Centre (Dublin)

01/03/2006

The EU section of Child Benefit is refusing to supply the EU Child Benefit application forms to us to supply to applicants directly. The person applying for the payment must contact the department with their PPS number and contact details in order to get the form. This seems to be an unnecessary obstacle to making the payment available to those that have the entitlement. If the forms were made freely available to CICs and other information centres it is likely there would be a much greater uptake for the EU Child Benefit payment.

Respite Care Allowance

No of Cases 4

Social Welfare (Assistance)
Co Donegal CIS (Dungloe CIC)

06/03/2006

There are many people receiving the Old Age Pension and who are also caring for somebody at home. People in these circumstances are not being made aware that they could be entitled to the Respite Care Grant as well as their pensions.

Disability Benefit/Allowance

No of Cases 3

Social Welfare (Insurance)
Cork City Centre & South
County CIS (Cork CIC)

16/01/2006

A client was on Unemployment Benefit for one year and continuing to look for full time employment, but now doctor says she should not work full time. She could move to Disability Benefit but feels she could still do part time work. She wanted to know if this would be possible and claim Unemployment Benefit for other days. We pointed out that she would still be available required to look for full time work. We pointed out that the full time work may be at a less frantic pace than her last job. This would not help as her doctor does not want her to work at all on at least two days a week. We have seen this problem quite frequently recently and we feel some flexibility in Unemployment Benefit and Disability Benefit is required for genuine cases, to balance a person's dignity and right to work, with their right access help when suffering a disability or illness.

Social Welfare (Insurance)
Co Westmeath CIS (Athlone CIC)

31/01/2006

A client visited the centre explained that she was claiming Disability Benefit for 10 years. I was very surprised to hear this, and began to explain about the Invalidity Pension. The client has since applied for Invalidity Pension and has been successfully granted it. However she is very annoyed that Social Welfare had never mentioned any of this to her in 10 years on Disability Benefit.

Pre-Retirement Allowance

No of Cases 2

Social Welfare (Assistance)

Co Donegal CIS (Milford CIC) 01/02/2006

Several clients visited the centre this month concerned about the announcement that the pre retirement allowance is going to be abolished shortly. This is a very valuable payment which has allowed older people greater flexibility in their retirement years. The scheme allows people over a certain age, now 55 years, who are getting long-term Unemployment Assistance (UA) to regard themselves as retired and to get the allowance paid in the same way as a pension by way of an order book at the local post office, rather than having to sign on and collect the money each week.

Habitual Residency Condition

No of Cases 2

Supplementary Welfare

Co Galway CIS (Galway CIC) 30/01/2006

Client was from EU member state, had worked in home country as well as in Ireland and was refused Supplementary Welfare Allowance as deemed not satisfying Habitual Residence Condition. This was despite the fact that a directive has come from Superintendent Community Welfare Officer to the effect that a member of another EU state may not be treated differently from a national worker by reason of his/ her nationality, under article 7/2 he/ she shall enjoy the same social and tax rights as workers there.

Delays in Payment

No of Cases 2

Social Welfare (Assistance)

Co Waterford CIS (Waterford CIC) 01/01/2006

A young man applied for assistance and was told he would not be assessed for 6 - 8 weeks, this is unacceptable. Assessment should not take anymore than 10 days as in the case with UB.

Supplementary Welfare

Co Galway CIS (Galway CIC) 24/03/2006

Client applied for UA, then for SWA while awaiting payment. CWO refused to make payment until client had produced a copy of his maintenance order from the court. Court only sits on the first of the month, so client will have to wait approx five weeks for payment.

Farm Assist

No of Cases 1

Social Welfare (Assistance)

Co Longford CIS (Longford CIC) 01/03/2006

Client is aged 58. He is living on a farm owned by an older brother who has now reached pension age and is getting the Contributory Old Age Pension. Our client does not have any income himself; he is totally financially dependent on his older brother. He has never worked off the farm, has taken care of his mother up to her death some years ago and assisted his brother with the farm work and housework. He does not see any future for himself in regard to seeking employment having never had a job. He is in good health and was of the opinion that he would not qualify for Farm Assist as he did not own the farm. The farm is a small holding and the farm income has been

reducing due to the loss of farm income and reduction of production generally in Ireland. We checked his entitlement with Social Welfare and was advised that he should apply and have his case assessed by Social Welfare inspector as it is not essential that he own the farm for Farm Assist. His situation does not seem to be much different to a spouse who helped out on the farm over many years but does not own the farm - however in such a case the spouse or pensioner would be eligible for a Qualified Adult payment. This does not however apply to brothers and maybe it could become available for exceptional circumstances

Injury Benefit

No of Cases 1

Social Welfare (Insurance)

Co Carlow CIS (Carlow CIS) 01/02/2006

Client suffering from depression had an accident on the way home from work but did not know she could claim Injury Benefit. Wrote to Social Welfare on her behalf and explained the situation. She was also entitled to Medical Care and Disablement Benefit.

Maternity Benefit

No of Cases 1

Social Welfare (Insurance)

Co Longford CIS (Longford CIC) 12/01/2006

Client who is Polish national employed in this country for one and half years is applying for Maternity Benefit and taking all the leave except four weeks before baby is due. Client intends to return to Poland for the duration of her Maternity Leave and will receive the "Irish" rate of Maternity Benefit (i.e. a top up on the very low Polish rate) paid into her Bank Account even though she is no longer living in this country and does not intend to return to live here. She does not have to sign for this payment unlike Unemployment Benefit. She was also enquiring on behalf of a couple of others in the same situation. Habitual Residence is not applicable for this benefit. Due to the difference in the amount of benefit payable in Poland and Irish rates this is not a reciprocal arrangement in the true sense, it does not compare like with like, so therefore this country is funding this added cost even though Irish people who move to EU accession countries to work and claim benefit there will not gain in the same way as they will receive the generally lower rate benefit of the EU accession country. A pro-rata system might eliminate this unfairness as it could be pro-rata to the length of insurable years working and contributing to the country that makes the higher payment and on the actual value of social insurance contributions paid in all EU countries and with benefit rates reflecting the overall input to social insurance.

Overpayments

No of Cases 1

Social Welfare (Assistance)

Dublin City North Bay CIS (Kare CIC) 29/03/2006

I had one interesting query, which I wanted to bring to your attention, a woman in receipt of OFP for the last 18 years came to see me. Apparently she had received an overpayment for the last 5 years (she was marginally over the earnings and should not have been receiving full rate payment for that period), recovery had been in touch with her frequently last year and it transpired that she had been overpaid €14,000 during this period. She was not in receipt of FIS or even aware that such a payment

existed and the subject was not mentioned during any of her interviews with a Department inspector last year. She has worked an average of 25 hours a week for the last 14 yrs so her entitlement may go back as long as that. I got in touch with the recovery of overpayments department. in the relevant section to highlight her situation, I was asked to put the complaint in writing on the clients behalf and forward on the details along with her P60s for the last five yrs. Hopefully they might set her entitlement to FIS for the last few years against the overpayment.

I feel that there are social policy issues surrounding this case, as the woman in question had not been contacted by the department for a number of years regarding her ongoing entitlement to OFP. Although the responsibility of declaring any change in circumstance lies with the claimant it seems to me that five years is too long a period to lapse before a review of a case is made. Also I would like to highlight the fact that the lady in question had no previous knowledge of her eligibility for FIS.

Employment

Ongoing evidence from CICs continues to highlight a failure on the part of employers to fully comply with current employment legislation. The steady increase in employment queries with a social policy dimension may be partly attributed to the near full employment experienced in Ireland in recent years and the influx of migrant workers who are at particular risk of exploitation. Of the 62 SPRs completed by CICs in this category, lack of documentation features most prominently followed by equality issues, holiday entitlements, non-payment of Employers PRSI / tax and unfair dismissal. Other issues featured in this report concern redundancy, non-payment of wages and changes to working conditions.

The problems identified by CICs in relation to documentation indicate that employees are often not issued with even the most basic documents stating terms and conditions of employment as required by the legislation. This leaves the employee in a position of disadvantage where disputes arise. Many employees fearing dismissal express a reluctance to enforce their right to written documentation. They therefore remain vulnerable to employers seeking to alter their conditions of employment without consultation or consent.

CICs also report a high incidence of employers who withhold or fail to issue P45s following termination of employment. This contributes to problems for people attempting to access unemployment benefit and other social welfare entitlements.

Discrimination on the basis of gender and age in the workplace is also reported by CICs. The gender equality issues are mainly concerned with matters relating to pregnancy and maternity leave. Difficulties reported include changes to pay and working conditions both during pregnancy and following maternity leave as well as problems with securing paid leave for attendance at ante-natal classes.

The difficulties with enforcing entitlement to annual leave and bank holiday payments or payments in lieu continue to be reported by CICs.

In all cases employees who have less than one year's service and are not protected by the unfair dismissals legislation are less likely to consider taking action against a non-compliant employer.

Documentation

No of Cases 15

Co Longford CIS (Longford CIC) 10/02/2006

Client having had his employment terminated by employer is still waiting for his P45 some six weeks after leaving. Excuse being given to him is that the accountant is dealing with it. Client finds the delay and lack of certainty that he will eventually get it a great inconvenience for accessing Social Welfare benefits etc. We have a lot of clients who find themselves in this situation and they do not know what to do about it - many are reluctant to report it to Revenue in case their employer will not give them a good reference etc. This practice might be eliminated and greatly improved if financial penalties were put in place that would automatically issue to an employer who delays for more than a couple of weeks without any real justification.

Co Leitrim CIS (Drumshanbo CIC) 17/02/2006

A female employee contacted the service having had her hours of work reduced, When asked if she had referred to the Terms & Conditions of Employment, she informed me that she never received any. This is an area the Department of Enterprise, Trade & Employment seem to ignore. It is difficult for employees in rural, close knit communities to exercise their rights and it may impact of their employment opportunities in the area in which they live.

Co Westmeath CIS (Mullingar CIC) 21/03/2006

Polish National worked for landscaping company in Kildare. Left his employment in Feb 2006 because of discourteous treatment. He stated that he had not received his P45 plus €600 roughly owed in wages. We contacted the employer and he stated that employee was not getting any arrears, as he wasn't owed it, Employer said the P45 would follow in a couple of days. To date the P45 has not been received by the employee or the money. We will help him to pursue his case.

Meath CIS (Navan CIC) 29/03/2006

Client has never received a payslip from her current employer. Nor, indeed have any of her colleagues. However, neither she nor her colleagues feel confident enough to approach employer for payslips, which is their right under the Payment of Wages Act 1991. I suggested various options but client is too afraid of her employer to take any action and will not even speak to employer regarding this situation. We recommend random checks by the Department on places of employment to check that employers are adhering to these very basic rules/ laws.

Co Longford CIS (Longford CIC) 03/01/2006

Client working for a company does not receive a wage slip from her employer and is unaware if he is paying PRSI on her behalf. Client is in the process of obtaining Dental Benefit and approached SW Office to obtain information on her coverage. As it is the end of the tax year they are unable to inform her if she is covered for PRSI Contributions or not - she finds her employer unapproachable and is thus reluctant to question the situation. We advised client of her rights in regard to payslip and P60 entitlement etc. and advised her to revert back to her employer for this necessary

information and also outlined to her the procedures that are further available if she is unsuccessful in obtaining same.

Co Longford CIS (Longford CIC) 01/03/2006

Client is working for an employer in a manufacturing field along with 20 other employees. Client is working there for over a year - one week ago he was injured at work, which necessitated him attending the local hospital and subsequent absence from work for a week. Employer filled out an accident report, but did not advise him of his entitlement to claim Injury Benefit and this week when he is due two weeks pay; he has only received payment for one week. Employer now advising him that he should seek social welfare payment and when they get the cheque, they will pay him. Client feels that a lack of policy and procedures for him and his colleagues has resulted in this situation. They have never received a contract to sign or proper statement of their terms and conditions of employment.

Meath CIS (Navan CIC) 20/01/2006

Client has been working with local clothing store for the last seven months. However, to date, she is still on emergency taxation. She has forwarded all relevant documents to Employer (P45) and has contacted the tax office to register the new employment. She has since contacted the tax office several times enlisting their help. Her payroll division is based in the UK and I rang her Manager on her behalf who advised that even she could not get through to payroll and that the wages for the Christmas period had already been calculated. Client is paid monthly and to date has never received a salary of more than €45 in the full month. She is now in a position where the Christmas salary will be nil and this matter may not even be sorted out in time for January. I rang tax office and the employer back. We were finally able to get the matter sorted for the client as the tax office agreed to give rebate instead of employer. Client actually left this Store's employ as she could not afford to work for nothing (at this stage she was 8 months without a salary). Her employers do not seem to have made any great effort to assist. Again, this is not a situation any employee should find himself or herself in.

Equality issues

No of Cases 8

Co Galway CIS (Galway CIC) 15/03/2006

Domestic worker of Asian descent suffered physical and sexual abuse at the hands of employer. Employer says she is now 'too old' and has obtained work visas for two younger women. Although reports could be made to the police or the Labour Inspectorate, client does not want to 'dishonour' her employers 'good reputation'. It is often the case, in my opinion, that Asian workers, particularly in domestic employment, do not wish to complain at being treated unfairly and are thereby exploited by employers.

West Cork CIS (Bantry CIC) 01/01/2006

A woman contacted the centre because she had returned to work after maternity leave and was informed by her employer that her working hours would be capped at 39 hours and if she exceeded that limit she would not be paid for those hours. Her rate of pay had also been cut from €15 per hour to €12.00. Client had no contract of employment, no terms of employment and no pay slips. Client was advised to seek advice from Enterprise, Trade and Employment and the Equality Authority as she felt

the changes to her work/ pay were connected to the fact that she had been out on Maternity Leave.

West Cork CIS (Bantry CIC) 01/01/2006

Female (in her twenties) full time employee had informed employer of her pregnancy and requested time off for her antenatal classes. She had provided her employer with the necessary documentation. When she was paid she realised the employer had docked her for the time off. Section 8 of the Maternity Protection Act allows pregnant women to take paid time off to attend one set of antenatal classes

Co Carlow CIS (Carlow CIC) 20/01/2006

An employer refused pregnant woman paid maternity leave even though it is in her contract of employment (written). Referred to Labour Law expert who advised that employer is in breach of contract.

Comhairle (Hume House) 06/03/2006

One of the editors of the OASIS website (<http://www.oasis.gov.ie>) reported this case. She received a query about time off for antenatal classes from a pregnant employee, which has revealed a problem with the current legislation.

Under the maternity protection legislation an employee is entitled to take paid time off to attend one course of antenatal classes other than the last three classes. The employee in this case is attending a hospital in Dublin where the course of antenatal classes finishes before the last month of pregnancy. She is still at work and will be until two weeks before her due date. The hospital does run antenatal classes in the evening but there is a fee for these. Another maternity hospital in Dublin does have evening antenatal classes free of charge but she is already booked into the first hospital.

So she has to take annual leave or unpaid time off to attend the last three classes. Part of this problem is due to the hospital's timing of classes and not having free evening classes. Conversely her husband is allowed paid time off to attend the last two in the set of classes.

It is hard to understand why the legislation does not allow time off for the last three classes. Was it presumed that these three classes would be in the last month of pregnancy when an employee would be on maternity leave? However women are now working until two weeks before the birth as the amended legislation allows and so would need paid time off to attend the last of the antenatal classes.

There would seem to be a case for amending the legislation to allow paid time off to attend the full set of antenatal classes. Due to the arrangements in different hospitals some women are unable to attend the last three classes either outside working hours or when on maternity leave.

Co Longford CIS (Longford CIC) 09/01/2006

Client was working for the same firm for 7.5 years as a labourer. He will be 64 years of age in the coming months. His employer called him into the office immediately after the Christmas break and advised him that "due to the high cost of insurance" he would have to terminate his employment and would pay him two weeks notice which he need not work & stated that his holiday pay etc would be sorted out when the secretary comes back in a few days time. Client is at a loss to know why this sacking has come about particularly because of the reason outlined as he never had any sick leave except for a few weeks a couple of years ago when he injured his ankle at work,

(never claimed anything except Social Welfare entitlement), otherwise he has been there consistently, no sick leave etc and states he is the most punctual employee there and feels proud of this record.

Client thinks that his employer may be aware through "hearsay" that he has a medical condition (cholesterol) though not serious or causing him any difficulties, and wonders if this is the reason for the insurance being so high. Nevertheless, he has never had to attend a company doctor or doctor for the insurance company for any work related matter. He has never been disciplined in regard to any aspect of his work. He is not aware of any other employees being dismissed for this reason many of whom started work in more recent years and some 4 or 5 Polish workers in recent months. He is not aware of any redundancy situation etc. We advised client of his entitlement to 4 weeks notice instead of 2 weeks and also advised him to seek a written statement of his dismissal and the reason for it. Client is also checking with Trade Union and will consider his option to pursue the matter further based on Unfair Dismissal legislation and possible discrimination on grounds of age under Equality law.

Co Carlow CIS (Carlow CIC) 09/01/2006

Pregnant woman was passed up for promotion. Advised her to get facts in writing so that we can help her make a claim to Equality Authority

Co Carlow CIS (Carlow CIC) 07/02/2006

Client is deaf and has worked for past 7 years with the company. Company changed hands and new employer has told her she is a liability because of her disability. Phoned Equality Authority on her behalf and asked her to bring in employment details so that we can advocate for her the EA.

Holiday rights

No of Cases 6

Co Carlow CIS (Carlow CIC) 01/02/2006

Her employer in lieu of holidays gave client a voucher. Advised client that holidays must be paid in advance by employer and he cannot give voucher in lieu.

Co Longford CIS (Longford CIC) 01/03/2006

Polish workers (x 4 clients with same employer for between 6 and 12 months) are not being granted public holidays or appropriate annual leave even though other Irish employees that work alongside them are. Employer claims that because the Polish workers are temporary they are not eligible.

Meath CIS (Navan CIC) 31/03/2006

Client works part time - 3 days per week. She works Wednesday, Thursday & Friday and has never received the correct pay for the weeks when Bank holidays fall on the Monday of the week she works. This is not in accordance with the Organisation of Working Time Act 1997 (Public holiday entitlements).

Co Longford CIS (Longford CIC) 06/01/2006

Client who gave employer sufficient notice terminating his employment six months previously did not receive his final payment or holiday pay. To date he has not received payment despite contacting employer. We referred employee to the Labour Relations Commissioner.

Co Longford CIS (Longford CIC) 31/01/2006

Client's wife is working as a part-time cleaner in a school, 5 days a week, 3 hours a day. She does not receive any holiday entitlement and is advised that her holiday is when the school is closed. She does not receive any pay for this period and has never been compensated for her public holiday entitlement. She does not receive a payslip, has not received a P60 since she started working there in 2004, and did not receive a written contract of employment at the beginning, having only been given a summary statement of terms that related to another school. She does not know whether a PRSI contribution is being returned for her and is thus uncertain as to her social welfare rights.

She only gets paid every 4 months or so even though she works 15 hours a week, as this coincides with the time that cheques are signed / meeting of Board of Management etc which is headed up by clergy. She did not know her statutory employment entitlement and did not know how to go about seeking her rights without upsetting the clergy etc. She feels it is a sensitive situation unlike other employments and thinks that there are many other employees working in a similar uncertain situation nationwide.

Co Carlow CIS (Carlow CIC) 04/01/2006

Client worked part time for last few years for 15 hours per week. Received one weeks holiday pay. Advised client of holiday entitlements and gave booklet to show employer. If employer refuses to pay advised her to call back to centre

Non-Payment of Employer's PRSI/Tax

No of Cases 5

Co Louth CIS (Dundalk CIC) 16/02/2006

A Lithuanian girl came into the office complaining that she had been employed in the catering business and had since lost her job. When she went to the local social welfare and tax office she discovered that the employer had not paid any contributions for her yet she had the payslips showing money was taken for this purpose.

It has come to our attention on other occasions about the same premises where employees can produce payslips with these withdrawals from their wages and no contributions were actually paid. On complaining to the SW and the tax offices nothing was ever followed up even though the client was advised that something would be done. This seems to be exploitation of foreign workers.

Co Galway CIS (Galway CIC) 15/03/2006

Client, non-national who recently began employment, but today has discovered that although her employer assured her she was paying tax and PRSI, she is not in fact registered. Client is concerned that if she approaches her employer about the issue she will be fired and she has no legal protection, as the Unfair Dismissals Act does not cover her.

Co Carlow CIS (Carlow CIC) 31/01/2006

Employer did not pay PRSI/Tax for client for past five years. Advised client that she could report employer to Labour Relations Commission and to Labour Inspectorate.

Meath CIS (Navan CIC) 18/01/2006

Client has worked for his current employer for last two years. He recently suffered an injury in the home and was out of work for a number of weeks. He went to Social

Welfare to claim Disability Benefit only to discover there was no tax record for him for the last two years. He followed this up with Revenue and they confirmed this information. Employer has not returned tax in two years for client. This is happening very frequently and often employees only find out when leaving (and try to obtain P45) or when they are sick or injured. This shows a blatant disregard for all rules and companies should be heavily penalised for this kind of behaviour.

Unfair Dismissal

No of Cases 5

Co Longford CIS (Longford CIC) 01/03/2006

Polish worker has been let go after 6 months, no reason given, she did not do anything wrong but was just dismissed. She feels that it is unfair that our legislation does not provide any protection to her for Unfair Dismissal. She was also not given any notice pay or holiday entitlements.

Wages

No of Cases 4

Meath CIS (Navan CIC) 01/01/2006

Client is normally paid weekly by cheque when his boss (construction company) comes on site. However, some weeks he does not arrive and therefore client is left without any payment of wages. Also his only contact with his employer is by mobile. Only seven staff work on this particular site, so there is no foreman or administration staff. Also, site was closed over Christmas for an additional week – only one day notice of this was given. He was unpaid for this time as things were "slow" on site. We explained his rights in this instance also. He does not receive payslips, nor has he ever received a P60. This employer is flaunting all rules and laws and should be accountable. Client should not have to be put in a position of having to negotiate for his rights.

Co Longford CIS (Longford CIC) 14/02/2006

Client is working on a part-time basis with a contractor based in a company. She finds that full-time employees are being paid at a higher rate than her for exactly the same work, and now that she has been asked to fill in and work full-time to cover a maternity leave absence of a full-time staff member, she is still only going to receive the lower rate of pay. She finds this demeaning and unlawful.

Meath CIS (Navan CIC) 16/01/2006

Client has worked for the same supermarket for the last six years. She has a contract of employment and it states that she is due an increase annually. When she requested this recently she received an increase (after 6 years of work) of 0.30 cents per hour. As the minimum wage was much lower 6 years ago when she began working for this Company she now finds that new employees are nearly on the same rate of pay as her after six years. Obviously employer feels that as long as he gives a few cents of an increase this fulfils his contractual obligations.

Co Longford CIS (Longford CIC) 06/03/2006

Client who was on a contract of employment for a 39 hour week Monday to Friday, but has also been requested and expected to work an extra day on Saturdays. When he approached employer for pay he was treated in a discourteous fashion and informed he was not entitled to pay for the extra day. On checking this with Employment

Rights Information Unit on his behalf, we were informed that under the Payment of Wages Act he is entitled to be paid for any time he worked after the 39 hours. Client will complete necessary forms to recoup wages.

Redundancy

No of Cases 4

Co Longford CIS (Longford CIC) 06/03/2006

Employee employed in the same company for four years had hours reduced by over half. Employee received no notice or reason why her hours were reduced. Company employed another employee to work hours that were taken from former employee. On our advice employee is entitled to redundancy as her hours were cut by over one half.

Co Longford CIS (Longford CIC) 30/01/2006

This case concerns a client who was employed by a company for two years. The company had a transfer of business but client was still employed by same employer. Because of work shortage employee was laid off and received no notice. After seeking advice from CIC regarding his rights i.e., notice and redundancy, was given necessary forms to complete - employee returned to his employer to inform him of his rights and to work his notice. Employer stated that "he would make life very difficult for him" while he was working his notice. On advice from Employment Rights Unit at the Dept of Enterprise, Trade & Employment, employee can forfeit his two weeks notice but get paid for it by completing a special form that will be forwarded to him. He will also be entitled to receive Redundancy and Holiday Pay by completing the necessary forms. Client will attempt to work final week of notice.

Minimum wage

No of Cases 2

Co Longford CIS (Longford CIC) 06/01/2006

Client who is working in the Catering Industry for the past three years is not receiving minimum wage. We advocated on his behalf with Employment Rights and informed him if he was over one year in Employment with the catering industry he should be on a wage much higher than the minimum wage. We referred him to a Labour Inspector to get his entitlement wage and back payment of arrears due to him.

Breaks

No of Cases 2

Meath CIS (Navan CIC) 16/01/2006

Client has worked for her employer for a number of years. It is a supermarket environment. She does not get proper breaks/rest periods during her working day. This has been going on for quite a long time and the employer does not wish to discuss the matter with her. We have outlined her rights etc.

West Cork CIS (Bantry CIC) 01/01/2006

A receptionist (in her 20s) contacted the centre because she had no rest breaks at work. Her average working day was 9 hours. She was also concerned as to whether her tax and PRSI were being paid, because she had no payslips or statement of wages and deductions. She did not know if the deductions were being passed on to the relevant authorities. Client was very reluctant to raise the matter directly with her employer for fear of losing her job. Client was advised to contact central records to check if her contributions were up to date.

Change in Working Conditions**No of Cases 3**

Co Mayo CIS (Castlebar CIC) 10/02/2006

Woman who works as cook had her hours reduced from 40 to 30 and then to 24 on the grounds that there was not enough work. At the same time 2 Latvian workers who had started working after our client had their hours increased from 40 to 48 and 68 on consecutive weeks. Employer said it was because they were more reliable than Irish workers and would not call in sick. Our client had never called in sick during her two years of employment. This looks like a flagrant abuse of employment legislation.

Meath CIS (Navan CIC) 01/02/2006

Client works for a local company. However, business has been quite slow recently. Client has attended for work (full - time employee) as normal but is often sent home (without pay) during the day when things are quiet. Client did not know her rights / entitlements. Also employer should be well aware this is not lawful and should, if necessary, resort to temporary lay offs or overall reduction in staff (following consultation etc. and with necessary payments in place). Better controls required?

Health & Safety Issues**No of Cases 1**

Co Longford CIS (Longford CIC) 01/03/2006

Client is working for an employer who has never provided manual handling or health & safety courses for the employees even though they are doing risky work each day, involving furniture on an assembly line, tables that turn around on a machine, which are liable to topple over etc. Our client received a shoulder injury and had to seek treatment at local hospital. Employer does not treat health and safety as a priority. No regular inspections occur and employees feel that they might lose jobs if they protest or take any action themselves.

Self-Employed**No of Cases 1**

Co Waterford CIS (Dungarvan CIC) 09/01/2006

The client, a bricklayer was informed on Wednesday by employer that he (bricklayer) will be self-employed from Monday. Employed 2 weeks short of 2 years. It appears that an employer can do this via phone calls to Labour Inspectorate, Revenue and Employment Rights. Bricklayer only due 1 weeks notice. The relevant section of DSFA will only follow up question re employed/self-employed if bricklayer gives them details. There are social policy implications arising from the fact that construction employers can effectively sack existing employees and replace them with lower paid self employed, mainly migrant workers

Health

Nineteen social policy records were received in the health category. The topic of medical cards was the most common topic mentioned in this category. Some of the problems highlighted in this area were information issues and others relate to a perceived unfairness in different cohorts of the population's eligibility for the scheme. Issues mentioned under other topics related to health include the lack of step-down facilities for discharged patients and the lack of supports for older people who live on their own (especially for those living in rural areas). Issues with the home help service were highlighted by two social policy records. Other miscellaneous issues were highlighted in other social policy records below.

Medical Card

No of Cases 7

Co Mayo CIS (Claremorris CIC) 01/01/2006

Lady came in this morning looking to apply for a medical card for herself. She turned 70 on the 17th November 2005. She was in the drug repayment scheme with a chemist in the town and had been for some time. For her medical condition she is on medication every month which should cost €135. When she went in to the chemist in December they charged her the full price. She asked why and was told due to her age she was no longer entitled to be in the repayments scheme. Due to this she has had to pay full for December, January and by the time her application for the medical card is processed she will have to pay for February as well.

She is living on a limited income but was over the limit for a medical card before this. She found it hard to believe that she was taken off the repayment scheme without notification and if everyone over the age of 70 is entitled to a medical card why is it not automatically sent to them. Failing this there should be an awareness campaign to alert people approaching 70 that they need to apply for medical card.

Step-down facilities

No of Cases 2

Comhairle (Hume House) 07/02/2006

At the Schizophrenia Ireland - Irish Advocacy Network project meeting staff from SI raised the issue of discharge plans for patients due for discharge from mental health hospitals. They reported that hospitals were again discharging patients to homeless hostels, a practice which had been suspended for a time. This is obviously very unsatisfactory, should not be accepted in any discharge plan and points up the need for better step-down and social housing provision for those with mental health problems. A related area was the tendency for those who are hospitalised for such reasons to lose their accommodation because they do not/cannot keep up with the rent while in hospital. As a category of patients have episodic conditions which sometimes involve periods of hospitalisation, official support here would be useful.

Home Help

No of Cases 2

North Kildare CIS (Maynooth CIC) 01/02/2006

A man in his 70's suffers from a emphysema and also has a blood disease which affects his immune system. Because of this condition he needs to be isolated from the public and has limited mobility. As he lives alone, when he was sent home from

hospital, he was given a home help two days per week, who could shop and do housework for him. The home help became ill and the health board had nobody to replace her. He rang the public health nurse who said there was nothing she could do. He called the lady in charge of home helps but she was never at her phone, and despite leaving numerous messages, she never returned his calls. He tried the public health nurse with the same results. The man was completely isolated due to his condition. His nephew from Dublin came down a number of times to help him, but he was going on holidays and would not be available for weeks. There are no other relatives. There should be assistance available from the health board for older people and people with disabilities who live alone. This man just needs assistance with the basics and someone to call on in an emergency, he does not need to go into a nursing home.

Co Longford CIS (Longford CIC) 13/02/2006

Client has a sister who is suffering from acute leukaemia and is only receiving one hour home help service each day and none at all at weekends. She does not have any immediate family herself and is dependant on both her sister (age 73) and her sister's daughter-in-law who have to tend to her daily needs at least 6 hours a day. Client felt that the home help service should provide more hours. Client was querying whether her daughter in law would be eligible to claim Carer's Allowance for the service she is providing on behalf of the state.

Delays in treatment

No of Cases 1

Co Westmeath CIS (Mullingar CIC) 01/01/2006

An older man with a disability required a medical officer in Mullingar clinic to fill up a form re: getting his car adapted to suit his needs. Was told that there hasn't been a Medical Officer in that office for almost 1 year (vacancy still exists for one) and that he couldn't have this particular form processed until a new officer is appointed. (Apparently the same applies to clients claiming the Domicillary Care Allowance).

Housing

17 social policy records were received in the housing category. Problems were highlighted in relation to the administration Scheme of Community Support for Older Peopleⁱⁱ. Other problems highlighted include the cost of making a complaint to the Private Rented Tenancies Board, and landlords ignoring their obligations under the private Rented Tenancies Act. Problems for clients who live in areas where no waiver scheme exists for waste charges were also highlighted and included in this section.

Scheme of Community Support for Older People

No of Cases 5

Co Carlow CIS (Carlow CIC) 12/01/2006

Seven elderly people applied for pendant alarms over the past few weeks, but due to the way the funding is distributed they have to wait over a year to get the pendant alarm.

Cork Centre City & South

County CIS (Cork CIC)

21/03/2006

A gentleman in his 80s lives alone and had a burglar alarm system installed five years ago, under a Northside Enterprise scheme. This system was installed free of charge with a year guarantee and now these people have nobody to contact to repair the system. Nobody knows any electrician who will undertake the work. also it should be done free of charge to these elderly people who generally are over 80 and live alone.

Co Longford CIS (Longford CIC)

22/03/2006

Client is elderly woman who lives alone and was the victim of a house burglary some time ago and is very dissatisfied that the Government does not see fit to give a grant to all elderly people / pensioners living alone for house alarm purchase and installation. Client feels that the security for the elderly pendant is not sufficient on its own and that the private house alarm should also be available.

Private Rented Accomodation

No of Cases 4

Co Donegal CIS (Donegal Town IIU)

16/02/2006

A customer came to the CIC about his housing rights as his landlord had retained his deposit of €825 when he left his rented accommodation. Although he had been in the property for 2 months, he had no written tenancy agreement and he had not given his landlord the required notice in writing. We liaised with Threshold regarding this matter and it became clear that it was their view that he was not entitled to have his deposit returned as he had not given valid notice, ie the notice was not given in writing. Threshold advised us that, as a result, the landlord could keep the deposit. They referred us to the PRTB website to consider the decisions on deposit retention there. We did this but there were not enough facts about each case to gauge the PRTBs view on the matter.

We felt that the fact that deposits could be retained on this basis was bound to affect those most vulnerable in society. This is because the requirement to give written notice is something that many of the more poorly educated will not adhere to and this strengthens a landlord's ability to retain high deposits.

Co Tipperary CIS (Thurles CIC) 16/03/2006

In order to make a complaint to the PRTB a fee of €25 is required. We have 2 clients (one a non-national) who wished to make a complaint about poor housing conditions were not able to afford this amount and therefore did not pursue their complaint. Now you must send the required fee to the tenancy board who in turn get in touch with the environmental officer. The new fee is prohibitive for some clients and should be waived.

Crumlin CIS (Crumlin CIC) 10/01/2006

A client in private accommodation (receiving rent supplement) received a 28-day eviction notice through her landlady's agent despite the fact that her tenancy had exceeded 6 months and was therefore a Part 4 tenancy and, if there was legitimate reason for evicting the tenant, the minimum notice required is 35 days. The notice did not refer the tenant to the PRTB and was therefore invalid in any case. The tenants' address is not registered with the PRTB. While it is the responsibility of the property owner to properly register it for rental purposes the agent in this case seemed unaware of all of these regulations and therefore could not properly serve either landlady or tenant. It seems there is a need to inform all those involved in letting property of tenants' minimum legal rights. A further issue in this case is the fact that the HSE is subsidizing a property owner who is not conforming to state regulations in the letting of the property concerned. Apparently some HSE areas are introducing regulations to prevent this but it is remarkable at this remove from the introduction of registration regulations that the taxpayer is required to fund illegal operations.

Bin Charges/Waivers

No of cases 3

Co Galway CIS (Portumna CIC) CIC 14/03/2006

Client living in remote area in the countryside on OACP. Paying privately for refuse collection €400 per year. Not eligible for waiver, as scheme is not in operation in this area. Client is 80 years old and finding it very difficult to pay out €400 a year for refuse collection. County council said no waiver scheme covering that area so it is out of their hands.

Co Waterford CIS (Dungarvan CIC) CIC 13/03/2006

Households in receipt of long-term SW payments exempt from Waterford Co Co flat rate refuse charge. However a couple (he in receipt of Invalidity Pension and she Carer's Allowance) refused as one is not getting the adult dependent increase for the other. On CIC advice appealed on grounds she only getting Carer's due to the severity of his health problems otherwise she would have been an adult dependent. Co Co are reviewing the case.

Meath CIS (Navan CIC) CIC 01/02/2006

Client is currently unemployed and enquired if there is any waiver on bin charges (both on private or Local Authority collections in the Meath area). I rang Environment Section of Meath County Council but, although some counties not only provide this scheme but also provide waste collection through L/Authority, Meath as a County does not do either. Therefore this client is not entitled to L/A waste collection, nor any deduction or waiver of refuse charges to private waste collection company. Surely there should be an equal system throughout all County Councils as many people are

moving into Navan in particular and would have received these concessions at their previous addresses. Create a uniform policy between all Counties?

Housing Grants

No of Cases 2

Co Mayo CIS (Ballina CIC)

14/03/2006

Client is aged 60, Wife 59, have 16 year old child at school. Both client and wife are claiming Disability Allowance. Client's application for an Essential Repair Grant to meet the cost of repairs to his house, has been refused because the client does not meet the age condition set by Mayo County Council, that is he is not aged 65 or over. This age restriction is unfair as it excludes people who are genuinely in need of help. It is also very likely to be contrary to the Equal Status Act 2000.

Local Authority Housing

No of Cases 2

Co Tipperary CIS (Thurles CIC)

16/01/2006

CIC Thurles are finding it very difficult to access information regarding the housing list as operated by the Local Authority on numerous occasions. We have requested information for clients as to their actual position on the housing list and the time when an actual house might become available. This lack of information is very disconcerting for people as the cost of renting accommodation is a huge drain on their meagre resources and the information is not available to them as to when they might get accommodation from the local authority.

Migration

In all 12 social policy records were received on the topic of migration. Five of the SPRs received in this category were in relation to the Habitual Residency Condition. Three more social policy records documented information problems. Two describe the lack of information on tax for migrant workers, whilst another SPR describes serious difficulties in communicating with the Department of Justice, Equality and Law Reform and its agencies. Information problems are also a feature of the two social policy records received on the topic of passports.

Habitual Residency Condition

No of Cases 5

Co Galway CIS (Galway CIC) 25/03/2006

Client consistently had trouble in establishing his eligibility for a social welfare payment; mostly on the habitual residency condition. This is despite the fact that I had helped him gather relevant documentation proving he has been in Ireland for the last few years. As things stand he has appealed a refusal and is waiting to hear from the Appeals Officer.

Co Monaghan CIS (Monaghan CIC) 20/01/2006

A man returned to Ireland, having spent 5 years in Europe. He is in the process of setting up his own small business. He applied for Unemployment Assistance to keep him going until his business got established. He was told that he did not qualify due to the habitual residency condition (i.e. was more than 2 yrs away from Ireland and it was less than 2 yrs since his return). It should be possible to amend the legislation to take account of situations like this. Perhaps Irish Citizens should be given a presumption of habitual residency unless there is evidence to the contrary.

North Kildare CIS (Maynooth CIC) 01/01/2006

An Irish man who had been working abroad for a number of years returned to Ireland to take up a job. His accommodation was supplied by his employer. After a couple of weeks he was in an accident and would be unable to work for the foreseeable future. As he could not work he also lost his home. Because he had been out of the country for a number of years he did not have any PRSI contributions in the relevant tax year. He therefore could not claim disability benefit even though he had worked in Ireland for many years prior to working abroad. He applied for disability allowance but had to satisfy the habitual residence condition (HRC). The Department dealing with the habitual residence condition had a backlog of several months during which time he had no payment from social welfare. The HSE would also not give him a payment because of the HRC. If he had stayed in Ireland and never worked he would have got a payment. Irish citizens should not have to comply with the HRC especially if they have previously worked in Ireland.

Information problems

No of Cases 3

Co Mayo CIS (Ballina CIC) 08/03/2006

Polish workers coming to Ireland to work are experiencing difficulty in relation to income tax and it causes them a lot of anxiety. They do not understand our system or the words we use i.e. PRSI, PAYE, Tax credits etc. It would help greatly if employees

were compelled to give Form 12A to their new employees to complete before their first day at work. It would also help if people coming to Ireland from new EU countries could get a special explanatory leaflet, in simple words setting out what exactly a tax credit is, What a rent tax allowance, how much relief is allowed on service charges, medical & dental expenses, personal allowance etc. Also, it would greatly help if this explanatory leaflet could explain how to claim back overpaid tax.

Co Longford CIS (Longford CIC) 01/03/2006

Client is a migrant worker who does not know how to go about seeking appropriate tax credits or how to claim tax back for 2005 which he overpaid. He thinks that more information should be forthcoming from the Revenue for migrant workers who like him are not familiar with the tax rules of this country.

Passports

No of Cases 2

City Centre (Dublin) CIS

(City Centre CIS)

09/02/2006

A Sri Lankan citizen, working here on a work permit for the past four years had a child born January 2006. He wants to get an Irish passport for the child but, when renewing his own passport at the high commission in London, it was lost. So he has no official record of the residence period required for the passport. He went to the Garda National Immigration Bureau (GNIB) to get a record of his residence and they would not supply it.

So I wrote to the superintendent of GNIB with copies of his documents and proof of loss of the passport but they said they never give this information in writing. I obtained copies of the work permits records from the Department of Enterprise, Trade & Employment but the passport office said they cannot accept them as proof of residence. At the moment this man is caught between the passport office and GNIB and may have to take the issue to the Ombudsman.

Co Meath CIS (Navan CIC)

01/01/2006

Client and her husband are from Nepal and were recently granted refugee status. Their first letter of confirmation came from Department of Justice in mid-May 2005 and second letter came from Department in mid-June 2005. It appears that a person's status does not become valid until 2nd letter received (this was changed just recently by the Department of Justice). However, in between these two dates, clients became parents of an Irish born child (born on 2nd June 2005). They now wish to visit friends in Europe and have their own valid Travel Documents. Upon applying for an Irish Passport for their Irish Born child they were refused by the Passport office. They were then contacted by a supervisor in the passport office who advised that the refusal was a mistake and that they would need to send some further documents, whereupon the baby's passport would be issued. However, they again received a refusal.

I rang Passport Office, Immigrant Council of Ireland and Refugee Information Service. It appears as though the Passport office were giving passports to the Irish born children of those who had received refugee status. (Based on first letter received from Department of Justice - outlining their successful application). However, since then - only in last few weeks- Passport Office have ceased giving out Passports in same circumstances unless Irish Born Child was born AFTER receipt of the second & final letter from Dept. of Justice. This second letter is now the only one that is acknowledge as being valid. In this couple's case they are deemed to have still been

refugees/ asylum seekers when their baby was born (despite first letter confirming successful application from Department of Justice). Their second letter arrived after birth and they are therefore deemed not to have been granted refugee status at time of baby's birth. This is totally confusing and unsatisfactory for parents in this position and the only way they can change things is if someone decides to mount a legal challenge through Courts, and wins. This needs to be re-thought out as Passport Office must take their direction/instructions from the Department of Justice.

Citizenship

No of Cases 1

Co Laois CIS (Portlaoise CIC) 20/01/2006

A woman, with permission to remain in Ireland on the grounds that she has an Irish born child, is working in a Government department on a temporary basis for 8/9 months. She applied for an open competition for a permanent position and was successful in preliminary tests. She then submitted an application form but received a letter in return stating that she is not eligible to apply for this position as she is not an EU/EEA citizen. She must wait for citizenship through naturalisation before she is eligible.

Tax

Nine social policy records relate to tax in the first quarter of 2006. Most cases related to information difficulties and in relation to contacting the PAYE Lo call number and Revenue regional offices. A sample of these cases is presented below. Other cases related to tax credits for One-Parent Families and are outlined below.

Information problems

No of Cases 6

Co Leitrim CIS

(Carrick-on-Shannon CIC) 14/02/2006

Having tried to contact the PAYE Lo call number on many occasions only after assuming one is about to speak to an operator being told "the service is busy try again later". This is not a service, yet every employee is advised on correspondence from Revenue to contact the LoCall Number if they wish to seek clarification in relation to their tax matters.

Co Longford CIS (Longford CIC) 27/02/2006

CIC and clients have experienced difficulty in getting access to Revenue Office in this region which is the Sligo office - one can only access the service by quoting a PPS number after getting through to the recorded message and this is not satisfactory when simply requiring basic or general information which may not have any relevance to a particular individual's own situation. The internet service is limited as it is only available to those who have internet skills and access.

Co Longford CIS (Longford CIC) 06/03/2006

Client is a foreign national working in Ireland, she has very little english, unable to communicate with us - she brought along her own interpreter friend. Basically, she earned €2,500 in 2005 and paid tax in the region of €1,100 approx. She has received a P60 from her employer and has at the beginning of Feb received her certificate of tax credits for 2006 which her employer has still not implemented. She was unaware of the fact that she could be eligible for a tax refund or at least an adjustment for tax overpaid on emergency rate for 2005 or how to go about doing this. Her employer had not informed her very well of the situation in regard to tax and allowances and reliefs etc. We have had many migrant workers call to our centre with similar difficulties - more advice and information is required from Revenue via Employers on this issue.

One Parent Family Tax Credit

No of Cases 3

Co Donegal CIS (Carndonagh IIU) 04/02/2006

A client in receipt of One-Parent Family Payment has decided to move in with her partner. She has informed the DSFA and is aware that she will lose her payment. She has come to us to find out about other possible implications of the move. She is shocked to discover that her partner will not be able to claim the Married Tax Credit. She does not work, so the loss of her One-Parent Family Payment, associated secondary benefits and the fact that her partner cannot claim the Married Tax Credit will act as a financial barrier to their partnership. Revenue and DSFA need to regulate and introduce parity in their respective treatments of married, unmarried, co-habiting couples.

Banking**No of Cases 1**

Kilkenny CIC (Kilkenny CIC) CIC 16/02/2006

Re: disclosure of interest payments on bank accounts as reported in recent newspaper articles.

A 70 year old male client with a small amount of savings was extremely agitated at the prospect of his bank account being investigated. He is considering withdrawing the money and keeping it in cash or bankers draft in his home,

Suggestion:- when the Dept of Finance issue such intentions perhaps some re-assurance could be given re thresholds and types of accounts being targeted with a view to avoiding older people putting themselves in vulnerable situations, ie cash in the home.

Driving/Transport

Eight social policy records were received highlighting driving/transport issues. Two of the records received highlighted problems with eligibility for the scheme for Disabled Drivers and Passengers Tax Relief. Other cases highlighted the expense of annual eye test for older drivers which is not covered under the medical card scheme. Older people featured in another record which highlighted the lack of transport in rural areas contributing to isolation of older people in the area.

Disabled Drivers and Passengers Tax Relief

No of Cases 2

Co Leitrim CIS (Carrick-on-Shannon CIC) 26/01/2006

A visually impaired client who was considering re-entering the workforce enquired about eligibility to avail of the Disabled Drivers and Passengers Tax Relief. The information available states:

Your Primary Medical Certificate confirms you are severely and permanently disabled and:

- *Are completely or almost completely without the use of both legs*
- *Are completely without the use of one of your legs and almost completely without the use of the other leg to the extent that you are severely restricted as regards movement in your legs*
- *Are without both hands or both arms*
- *Are without one or both legs*
- *Are completely or almost completely without the use of both hands or arms and completely or almost completely without the use of one leg*
- *Have the medical condition of dwarfism and serious difficulties of movement of the legs.*

Those requirements clearly exclude the visually impaired. It is without question that a visually impaired person cannot take responsible for the operation of a motor vehicle in order to get to work, however, they could have a family member drive them.

Co Monaghan CIS (Monaghan CIC) 11/02/2006

A disabled driver wished to establish how the tax concessions for disabled drivers were calculated i.e. VRT and VAT. because he was about to change his car and he did not trust the car dealer to make the calculations; there is a suspicion, based on anecdotal evidence, the some car dealers derive more benefit from the tax concessions than the disabled drivers. The CIC investigated. The Revenue Commissioners explained how the calculations are done:

1. VRT is 25% of the Open Market Selling Price (OMSP)
2. VAT is calculated on the Retail Price less VAT.

Comment: In order to make these calculations, the disabled driver needs to know what the OMSP is. The OMSP is a figure agreed, for each category of vehicle, by manufacturers and the SIMI (Society of the Irish Motor Industry). When contacted, neither party supplied the information requested. The client was trading in another car against the purchase of the new one. In order to be reasonably sure he was getting a fair trade-in price for his old vehicle, he would need to know the "book value" of it. The 'Book' cannot be purchased freely in bookshops or newsagents and its contents are jealously guarded by all areas of the motor trade. This in contrast to the situation in other jurisdictions, where this book is available to the public like any other

publication. Without the OMSP and the 'book value' of a vehicle, a disabled driver is in a very vulnerable situation.

Disabled Person's Free Travel Pass

No of Cases 1

Co Westmeath CIS (Athlone CIC)

13/03/2006

A client with a severe disability visited the center to enquire about the disabled person's free travel pass. She had been advised by colleagues in the Post Polio organization and a CIE staff member that she should apply for the Free Travel. This client had left work a year earlier on an early retirement occupational pension. On enquiring from Social Welfare/Free Travel whether she would qualify I was told that she would not as she was not in receipt of a qualifying payment. Both the client and myself found this most unfair, and the client took the view that she was saving the social welfare system money by not applying for a disability payment, but now she was being discriminated against because of this. The client has a proven disability and is a holder of a disabled persons parking card. I advised the client to apply for Disability Allowance (she would not qualify for DB or invalidity as she had been employed by Government and had insufficient stamps)

Driving Licence for Older People and Medical Card

No of Cases 2

Northside CIS (Northside CIC)

20/03/2006

A client aged over 70 brought to my attention, that as he is over 70 he must apply for a driving licence yearly, which must be accompanied by a medical certificate. Even though he is a medical card holder he was charged €50 for the examination. As this is a yearly examination the cost is far too high for a pensioner and should be covered by his medical card.

Co Offaly CIS (Tullamore CIC)

19/01/2006

A 70 year old women on a Medical Card applies for a Driving Licence and needs a eye test, when she goes to her GP she has to pay €30 because this is not covered under the Medical Card Scheme. We feel this should be covered under the Medical Card Scheme.

Motor Insurance

No of Cases 1

Co Waterford CIS (Waterford CIC)

06/01/2006

A client recently tried to insure his car in another EU country and was told that this was not legal in Ireland as the insurance company would have to have an address in Ireland. There should be regulations to equalise this.

Motor Tax/Registration/VRT

No of cases 2

Co Donegal CIS (Carndonagh IIU)

03/02/2006

On several occasions this office has had cause to ring Customs and Excise at both Letterkenny and Bridgend to clarify queries re. Vehicle Registration Tax. It is now almost impossible to make contact with a member of staff, the 'phone is either off the hook or permanently engaged. This happens on a regular basis and is due apparently to 'understaffing'.

Co Donegal CIS (Dungloe CIC)

06/03/2006

We have had a lot of complaints from the public regarding the state of our roads. The public are reporting these bad conditions but nothing is being done or they are not been fixed properly. It is very frustrating for people when they are paying road tax.

Rural Transport

No of Cases 1

Co Longford CIS (Longford CIC)

01/02/2006

Elderly person living alone in a rural area finds the lack of rural transport a great drawback as she is reliant on family members and other elderly neighbours to come and visit and to transport her to collect her pension at the post office, take her to church etc. She felt that a local transport service that would take the elderly into the nearest town one day a week would be a great help and be a social outing too for the elderly. She was unaware of the existence of community groups for the elderly in her area and thought that more could be done to integrate the elderly who are often isolated and confined to their home most of the week.

Family

Six social policy records were received on the topic of family. A range of issues was highlighted in these social policy records from problems with paying maintenance for fathers separated from the mothers of their children to a reported child protection issue.

Maintenance

No of Cases 2

Co Carlow CIS (Carlow CIC)

16/01/2006

Three males clients, all on SW payments have been instructed by a local judge to pay maintenance of €70 plus per week even though they are receiving the minimum payment. This is causing undue stress and worry to the clients. CIC advised them to apply for civil legal aid.

Co Galway CIS (Galway CIC)

02/03/2006

Client, legally separated from husband late 2002, applied for one-parent family payment. She paid solicitors to pursue him for maintenance, but couldn't track him down. She was then refused one-parent family payment on grounds she didn't make enough efforts to get maintenance. She felt extremely distressed both by marital break up and attitude of Social Welfare. She has tried since to manage on Community Employment scheme income, is also studying and wants to improve employment prospects.

Child Protection

No of Cases 1

Co Donegal CIS (Donegal Town IIU)

17/02/2006

A woman in her 60's expressed her concerns and wished to know the legal position of her 12 and 14 year old nephews being left at home with an elderly woman in her 90's who needed care and who refused to go into a residential home. She said that social workers had arranged this. This came about because their 74 year old father (her brother) was in hospital following a cerebral haemorrhage and his prognosis meant that it was unknown when he would return to the home. He normally took care of the elderly woman and therefore social workers decided that the boys should remain with the elderly woman as she could not be left alone and that home help support would continue as in once a day for the elderly woman and further home help would be provided in the evenings to cook the boys a meal.

She also told me that the boy's aunt and uncle wanted the boys to live with them until their father was well but the social workers refused their request. I sought advice on the legality of the situation from the National Children's Office and was advised that there was no legal age at which children could not be left alone. However action could be taken if children were found to be at risk. I had this confirmed by the information officer for the Children's Ombudsman and was told that my only course of action was to refer it to the duty social worker. I explained the situation fully and also that it was social workers who had made the arrangement. The information officer told me that my only recourse was to contact the duty social worker. I offered to contact the duty social worker and/or write a letter to them outlining the customer's concerns but she felt there was no point in doing so as she had already spoken to them at length and her concerns were not considered. The customer then left.

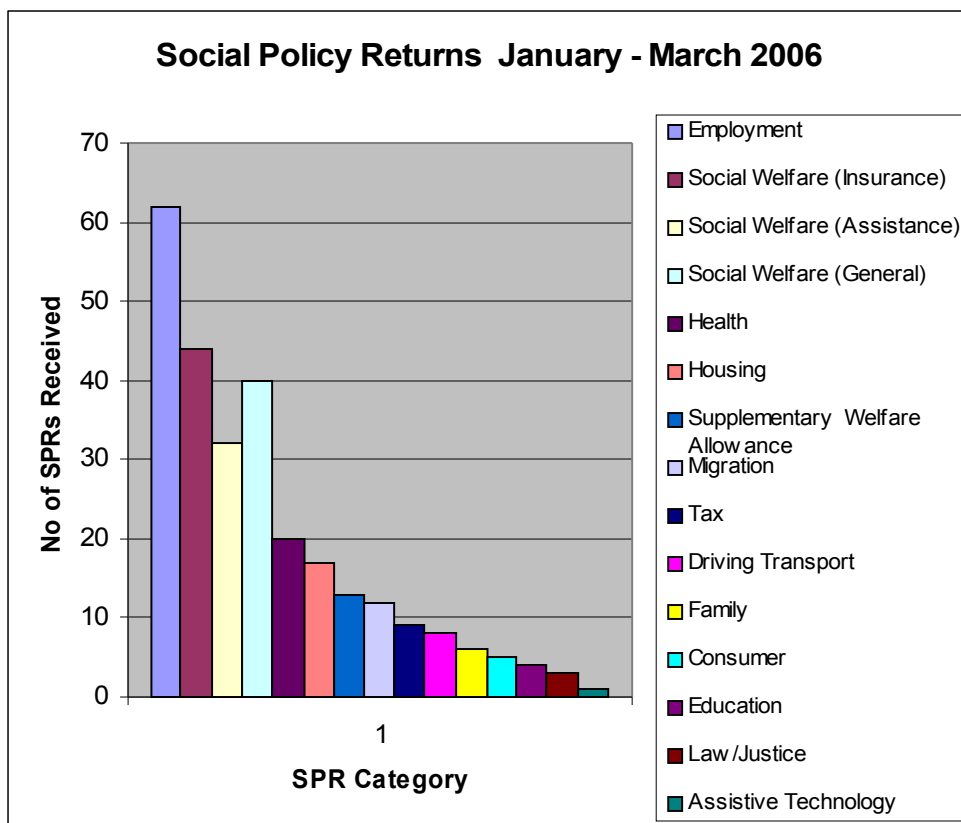
It would appear that there is no mechanism for challenging social work decisions in the context of public concern.

Table 1 Number of Social Policy Records returned to Comhairle by Citizens Information Service and related Citizens Information Centre between January and March 2006

Name of CIS	Name of CIC	Number of SPRs returned
City Centre (Dublin) CIS	City Centre Dublin CIC	2
Co Carlow CIS	Carlow CIC	21
Co Cavan CIC	Cavan CIC	6
Co Donegal CIS	Ballyshannon CIC	6
	Carndonagh IIU CIC	3
	Donegal Town IIU CIC	3
	Dungloe CIC	3
	Information Line CIC	2
	Letterkenny CIC	1
	Milford CIC	1
Co Galway CIS	Galway CIC	18
	Oughterard CIC	2
	Portumna CIC	4
	Rosmuc CIC	3
	Tuam CIC	1
Co Laois CIS	Portlaoise CIC	2
Co Leitrim CIS	Carrick-on-Shannon CIC	3
	Drumshanbo CIC	3
Co Longford CIS	Longford CIC	44
Co Louth CIS	Drogheda CIC	2
	Dundalk CIC	9
Co Mayo CIS	Ballina CIC	5
	Belmullet CIC	1
	Castlebar CIC	9
	Claremorris CIC	1
Meath CIS	Navan CIC	15
Co Monaghan CIS	Monaghan CIC	3
Co Offaly CIS	Tullamore CIC	6
Co Tipperary CIS	Thurles CIC	12
Co Waterford CIS	Dungarvan CIC	4
	Waterford CIC	10
Co Westmeath CIS	Athlone CIC	5
	Mullingar CIC	2
Comhairle (Hume House)		2
Comhairle (Region 4) CIC		1

Cork City Centre & South County CIS	Cork City Centre CIC	12
Crumlin CIS	Crumlin CIC	8
Dublin 2,4,6 CIS	Adelaide Road CIC	1
Dublin City North Bay CIS	Kare CIC	1
Kilkenny CIC	Kilkenny CIC	7
North Kildare CIS	Maynooth CIC	6
Northside CIS	Northside CIC	6
South Kildare CIS	Newbridge CIC	11
West Cork CIS	Bantry CIC	9
Total		276

26 of the 42 CISs returned Social Policy Records in this quarter



ⁱ **Improving the Delivery of Quality Public Services** *Submission to National Economic and Social Forum*

http://www.comhairle.ie/social/downloads/submissions2006_nesf.pdf

ⁱⁱ see http://www.comhairle.ie/social/downloads/Scheme_of_community_support_for_older_people.pdf for the recent Comharle report on the topic.