

CIC/CIPS Social Policy Records Quarterly Report October - December 2005

Introduction

In all 272 social policy records (SPRs) were received from Citizen Information Services around Ireland referring to the period October to December 2005. A social policy record is a report on a particular case recorded by an information worker in a Citizens Information Centre or the Citizens Information Phone Service. Social policy records mainly document the following:

- The effectiveness of current services
- Gaps in coverage
- Inconsistencies between what policy says it will deliver and what is actually delivered
- Impediments to exercising rights
- Information deficits
- Changing and emerging trends (new needs)
- Administration issues and concerns such as cases of discourteous treatment

This report contains a selection of some of the cases reported to Comhairle's Social Policy Unit from Citizen Information Services and the Citizens Information Phone Service. 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. 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.

The social policy records received are entered into a database and categorised appropriately. There are 14 possible categories as listed in a distribution table in the appendix of this report. A selection of records is published in this report. Although all records are relevant to the report it would be unwieldy to publish all of the records received.

Instead records are chosen that adequately represent the issues being described. To illustrate the extent of the problems documented the number of cases recorded under particular subheadings appears to the right of a topic subheading. For example in this quarter forty nine cases were recorded in the employment category.

A table outlining the number of social policy records returned to Comhairle by Citizens Information Service and related Citizens Information Centre between July and September 2005

Social Welfare

More social policy records (SPRs) are returned to Comhairle in the Social Welfare category than any other category. In total, 121 social policy records were received in this category which represents almost 45% of total social policy records received. This is consistent with trends in the information queries handled by CIS where social

welfare enquiries make up the largest category. These social policy records are divided between the following four categories.

Problem Category	Number of SPRs Received	Percentage of Total SPRs Received
Social Welfare (Assistance)	49	18.01%
Social Welfare (Insurance)	37	13.60%
Social Welfare (General)	26	9.56%
Supplementary Welfare	9	3.31%

Across all categories of social welfare CICs reported problems with the administration of the Household Benefits Package/Fuel Schemes and the Living Alone Allowance. Many of the problems with the administration of these schemes are similar so a selection appears under one heading in this part of the report. The problems highlighted are mainly to do with people being unaware of their eligibility for these benefits.

Discourteous treatment to clients continues to be a feature of some SPRs. CICs noted information problems as well and samples in both of these categories are presented below.

The Rent Supplement presented problems to clients in that it acted as a disincentive to return to work. In some cases, clients may have been entitled to Family Income Supplement (FIS), which could have helped to alleviate hardship for those in low paid employment. In other cases FIS is not available. This affects, for example, participants on Community Employment (CE) schemes who are entitled to a percentage of rent allowance on a sliding scale. It makes it difficult for participants of CE to maintain an income while on a scheme after the first year of the scheme when they lose over 50% of their Rent Supplement. Other issues highlighted about Rent Supplement related to a lack of clarity for people in the course of separation /divorce. Two cases documented difficulties for clients who were deemed ineligible to qualify for Rent Supplement by their local authority because they were considered to be property owners because their names were on the deeds of the family properties.

Examples of other issues with the One-parent Family Payment, Child Benefit and Disability Allowance are also documented in this section of the report.

Fuel Schemes/Household Benefits Package/Living Alone Allowance

Social Welfare (General)

Co Clare CIS (Kilrush CIC) 01/10/2005

Client living in Ireland and in receipt of a UK pension went to the local SW office for an application form for Fuel Allowance. They would not give her the form as they wrongly advised her that she did not qualify for this payment.

Social Welfare (Insurance)

Co Mayo CIS (Ballina CIC) 19/10/05

Client is long term sick and lives with wife who has small part-time earnings. Client has been refused fuel allowance because his Disablement Benefit and his wife's earnings exceed the means limit. However, he is entitled to Household Benefits. Why is there a means test for the Fuel Allowance but not for Household Benefits? These

are similar schemes and it seems unfair that you can be entitled to one and not the other. It is extremely confusing for people to be faced with different rules for similar schemes. The means limit for fuel allowance has not been increased for years despite increases in the cost of living, social welfare rates and rates of pay.

Social Welfare (General)

Co Monaghan CIC (Monaghan CIC) 08/12/05

A couple in their 70s, in receipt of the Household Benefits Package, decided to move from the ESB to Airtricity as their energy supplier. They lost their free electricity allowance and when they went to renew their TV licence they were told they were no longer eligible for a free licence. They were not told that they could get their entitlement to the free licence restored by contacting the Department of Social and Family Affairs. When the I.O. contacted the Free Schemes Section, he was told that negotiations are at an advanced stage with Airtricity and they hope an agreement will be concluded soon. In the meantime customers of Airtricity will not receive their electricity allowance and must make arrangements with the Department in order to receive their Free TV licence and telephone allowance

Comment: As it is government policy to have competition in the energy market, any new supplier entering the market should be compelled to conclude an agreement with the DSFA before they receive a licence. In the meantime:

1. An Post should be given instructions on how to handle the cases of persons who have lost their electricity allowance and face difficulties with their free TV licence.
2. Those who have lost electricity allowance in the current circumstances should have arrears paid to them when the situation is regularised.
3. An explanatory leaflet, outlining the current difficulties and giving appropriate advice, should be sent to each person currently availing of the Household Benefits Package.

Rent Supplement

No of Cases 9

Supplementary Welfare

Co Leitrim CIS (Drumshanbo CIC) 01/10/05

A separated woman in receipt of One-parent Family Payment had the opportunity to take up part-time employment, but declined the offer because her Rent Supplement would be reduced, as her income would be in excess of the €317.43 threshold. The additional income from employment would be absorbed in rent. The fact that this threshold has not changed in many years has reduced the incentive for many to re-enter the workforce.

Supplementary Welfare

Co Donegal CIS (Phone Service) 06/12/05

We have received numerous calls from clients on One-parent Family Payment (OFP) who are participating in Community Employment (CE) Schemes. These clients cannot retain a portion of Rent Supplement as their income from CE and OFP exceeds the €317.43 limit. Rates of OFP and CE have increased annually while the €317.43 limit has not increased for a number of years. The majority of people on CE and One-parent Family Payment now exceed this limit and will not retain any rent supplement. There is no incentive to participate on CE scheme, as clients are financially worse off as a result.

Supplementary Welfare

Co Laois CIS (Portlaoise CIC) 06/10/05

A lady separated because of domestic violence needs to get accommodation. She was advised that she couldn't get Rent Allowance until her name is removed from the deeds of the property vacated. There is a very long waiting list for Free Legal Aid (approx. 12 months)

Social Welfare (Assistance)

Co Longford CIS (Longford CIC) 03/11/05

Lone parent who is on rent supplement would like to take up a CE scheme. Income from OPFP and CE scheme would bring her over the income limit, which would enable her to continue receiving Rent Supplement. However on investigating her position we found anomalies between our information, which allows her to retain a percentage of her rent allowance reducing on a gradual basis over a period of three years, and the CWO's regulations, which are denying her any rent supplement. The CIC pursued this matter with the CWO and the client has been requested to meet again with the CWO whereupon a further review of her case will be carried out.

Supplementary Welfare

Dublin North West CIS (Finglas CIC) 20/12/05

The client, a 27 year old mother of one on One-parent Family Payment receiving Rent Allowance is offered an extension of one year on a Community Employment Scheme. She is unable to avail of the extra training and work experience as her Rent Allowance will be reduced by 50% (1st year 25%). Because of this extra expense she cannot afford the high cost of childcare (€70 per week).

Social Welfare (Assistance)

Dublin North West CIS (Finglas CIC) 07/11/05

The client a 25 year old mother of one child on One Parent Family Payment receiving rent allowance was offered employment receiving €180 per week. It transpired that she would lose 25% of her Rent Allowance which amounts to €220 per month and her SW would also be cut meaning she would only gain €100 per week. Taking childcare and travel expenses into account the client decided that it was not financially viable to take up the job.

Discourteous Treatment

No of Cases 11

Social Welfare (General)

Dublin North West CIS 10/10/2005

Many complaints about a local CWO, comments on what people are wearing (if a client can afford a "coat like that" why do they need rent allowance), stating that if a client has a car they should be able to pay their own rent and so on.

Social Welfare (General)

Co Tipperary CIS (Thurles CIC) 01/11/05

We have had three clients in the past few weeks complaining of discourteous treatment by SW officers/ Inspectors in the Thurles area towards clients. There seems to be an emphasis on one parent families regarding co-habitation and clients feel that they are being forced to sign letters to say that they are co-habiting irrespective of

whether this is true or not. They are entitled to be treated in a manner that does not cause them distress. Our 3 clients were all reduced to tears and their books were confiscated straight away.

Carer's Allowance/Benefit

No of Cases 6

Social Welfare (Assistance)

Co Leitrim CIS (Drumshanbo CIC) 16/12/05

A father of four children, three of which have a disability, is a fulltime carer and in receipt of the Carers Allowance. His wife also has a disability and is in residential care three days a week. The current criteria in relation to Carers Allowance means this man can only claim as carer for two persons.

If the family members with disabilities were in residential care, the cost to the Health Service Executive would amount to thousands each week. The amount of financial support this person can avail of is meagre in comparison.

Social Welfare (Assistance)

Co Galway CIS (Rosmuc CIC) 19/12/05

This client wanted to stay at home for a while to look after her sick mother-in-law and she was going to apply for the Carer's Benefit and discovered that a self-employed person could not avail of this benefit. She thought that there must be some mistake as this constituted major discrimination against self employed people. This should be changed, as, in many instances, these people would not qualify for Carer's Allowance because of spouse's means.

Social Welfare (Assistance)

Co Galway CIS (Tuam CIC) 06/12/05

At present if someone who is a carer applies for a Carers Allowance their means and the means of their spouse/partner are taken into account. The means of the person being cared for, for example, a sick parent or child or someone not related to them, is not taken into account. Yet if the person being cared for is the carer's spouse/partner then their income IS taken into account. This is unfair on a carer applying for a carer's allowance to enable them look after a spouse/partner.

Pensions (Irish and Non-Irish)

No of Cases 5

Social Welfare (Insurance)

Co Donegal CIS (Dungloe IIU) 03/12/05

A client came in to apply for Household Benefits Package. On checking his record it was discovered that he was in receipt of a Full Contributory Pension and claiming for his wife as a dependant adult. This gentleman reached pension age one year before his wife and thus made his claim. It was discovered by the Information Officer however that the mans wife also had a very large level of contributions thus enabling her to claim in her own right which would have meant a higher rate of pension for her.

However, they were never advised of this and as several years had since passed they were amazed that Social Welfare did not identify such situations.

Social Welfare (Assistance)

Co Galway CIS (Tuam CIC) 12/10/05

Client is getting Disability Allowance and his wife is getting Unemployment Assistance. She is now receiving a UK retirement pension that has been means tested against the combined income from her Unemployment Assistance and her husband's Disability Allowance. If her income were based on earnings from employment, there would be a more favourable means test would be applied. In effect this couple are more than €30 per week worse off since she received her UK pension.

Disability Benefit

No of Cases 5

Social Welfare (Insurance)

Co Laois CIS (Portlaoise CIC) 21/12/05

People awaiting Disability Benefit are not allowed to take up alternative employment (even with GP recommendation) for 6 months. Meanwhile they are subject to medical examinations at random even though they could be involved in rehabilitative work. This is forcing people to apply for long-term payments, and causing unnecessary stress for people when they are at their most vulnerable.

Social Welfare (Assistance)

Co Mayo CIS (Ballina CIC) 15/10/05

Client has severe mobility difficulties and finds it very difficult to walk. He has been told that he is not entitled to Mobility Allowance because he does not meet the extremely stringent medical conditions. There should be a non-means tested, non contributory SW payment based purely on disability. This payment could be at different rates according to the level of disability. People with disabilities would then be properly compensated for the extra expense and lack of (employment) opportunities associated with disability.

Social Welfare (Insurance)

Cork City (North) CIS (Hollyhill/ Knocknaheeny CIC) 15/11/05

Client phoned up in relation to Fuel allowance. He is only receiving the allowance for Smokeless Fuel as he is on a Disability Benefit payment. Upon enquiring I found that they have been on this payment for 2 years following a serious accident in work, and it is unlikely he will be able to return to work for a number of years. He had never heard of Invalidity Pension and so had not applied for it. The Department had sent him no information about this payment. We are constantly encountering clients who are in this situation and as a result do not then qualify for the extra benefits such as Household Benefits and the full amount fuel allowance that come with longer term payments such as Invalidity Pension. I feel the Department should write to anyone in receipt of DB after they have been on it for over a year and let them know about Invalidity Pension in case the person is eligible and can then apply for this payment.

Social Welfare (Assistance)

Co Louth CIS (Dundalk CIC) 13/10/05

A young man came into the office enquiring about the means test on Disability Allowance. He had been in a very serious accident three years previously and was on Disability Benefit. Prior to his accident he had been in full time employment for 9 years and paying all his contributions. Six months ago he was put on Disability Allowance and has been contacted on a number of occasions for an assessment. This

man will be receiving a large sum of money from a compensation claim. I advised him to contact the Invalidity Pension Section to ask why he was not put on this payment. This is not the first time this has happened. I had a similar case about a year ago where another man was in a horrific crash and received permanent disabilities. He also had been put on Disability Allowance, after contacting the Invalidity Pension section his payment was changed to Invalidity Pension.

Information problems

No of Cases 9

Social Welfare (Assistance)

Co Mayo CIS (Ballina CIC) 15/12/05

The person applied for Unemployment Assistance and was refused on the grounds of not genuinely seeking work. Although it took three weeks to make a decision, the applicant wasn't advised that he could claim supplementary welfare allowance. He wasn't aware of what documentation is required in order to prove that he was genuinely seeking work. The problem of social welfare officers not providing clients with sufficient information to enable them access their entitlements is a recurring one.

Social Welfare (General)

Crumlin CIS (Crumlin CIC) 10/10/05

A deaf client called into Crumlin CIC recently seeking assistance with a Social Welfare matter. The client could lip-read, but experienced difficulty in being understood. The client was in receipt of long term Disability Benefit. Their query was that a gap existed in their PRSI record which would result in them receiving less than the top rate of Retirement Pension. Eventually the issue was resolved, and the client was granted the top rate of Retirement Pension, after producing a P60 for the period in question.

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 via text or something similar, she would have done it herself. I decided to make enquiries to see what, if any assistive technology existed for people with hearing problems. I rang the Social Welfare Information Services, and was told to ring the local social welfare office. When I rang and enquired locally, I was told that deaf people are facilitated at their local social welfare office through passing notes.

I believe deaf people would enjoy a greater level of independence in accessing social welfare rights and entitlement if assistive technology was made available to them.

Delays in service

No of Cases 4

Social Welfare (General)

Co Laois CIS (Portlaoise CIC) 01/10/05

We have evidence of a Social Welfare Inspector being absent through illness for a period of time. Claims for the OFP, the Family Income Supplement and Disability Allowance have been left unattended for weeks.

Social Welfare (General)

Co Westmeath CIS (Mullingar CIC) 01/11/05

A client - 66 years old, called inquiring as to why her pension claim was taking so long to be processed. The CIC called Sligo office for her. It took 10 -12 minutes to get

through. This lady has called here on a few occasions prior to today with the same complaint - not able to get through to Pensions Claims Office. She lives in the country and finds it difficult to get into the CIC in Mullingar, but she says it's her only hope of getting some information.

One-parent Family Payment

No of Cases 3

Social Welfare (Assistance)

Co Donegal CIS (Donegal Town IIU) 03/10/05

We have come across three separate situations recently where single parents have been advised by the Community Welfare Officer (CWO) that they are not eligible to claim One Parent Family Payment until they have been separated for a period of 3 months. Each of these single parents was unmarried and had been cohabiting with their partners. In these cases there is no requirement for them to wait 3 months before claiming. In each case the person was working and was not therefore eligible for Supplementary Welfare Allowance. We have advised these claimants that they should make a claim for a retrospective payment on the basis of incorrect advice from the CWO and are awaiting the outcome of these requests. The CWO is often the first person that people go to see when their situation changes and their income reduces. Therefore, it is essential that CWOs know the correct rules around entitlement to benefits or has a policy of referring clients to CICs or the DSFA for the correct advice.

Social Welfare (Assistance)

Co Longford CIS (Longford CIC) 15/10/05

Spouse whose husband is a long stay patient in hospital, applied for One-parent Family Payment and was turned down as not regarded as a 'one parent'. There was no payment available to her other than unemployment assistance and then she had to be available and actively seeking work. She feels there should be a payment similar to prisoner's wife payment for spouses in such circumstances.

Social Welfare (Assistance)

Co Louth CIS (Dundalk CIC) 17/10/05

A client came into the office enquiring about her application for One-parent Family payment. The Information Officer rang the SWO dealing with the application and was told the application was going to be refused. The reason given for this was because she had not tried to get maintenance from the father who is still in Nigeria. Her family had tried to find him in Nigeria but because the lady had left him to come to Ireland his family would not tell them where he was. The lady who came into the office was from Nigeria and had been in Ireland for three years with her three children in Direct Provision accommodation. She was in receipt of Rent Allowance and had an opportunity to take up part-time work that would allow her to retain most of her One Parent Family payment. It is a requirement to try to get maintenance from the father in order to receive the payment. It seems unreasonable to expect someone who is away from her husband for three years and had had no contact with him to be penalised in this manner.

Christmas Bonus

No of Cases 3

Social Welfare (Assistance)

Co Cavan CIS (Cavan CIC) 01/12/05

A young man visited our centre today with a query regarding a Christmas bonus. He has spent a number of years on unemployment assistance and then transferred to supplementary welfare allowance. In February last he was transferred back to unemployment assistance, which is his current payment. Because he is not 15 months on unemployment assistance he does not qualify for a Christmas bonus even though he has been on a social welfare payment for over 5 years. Could these payments be combined so that a long term unemployed person could avail of the bonus?

Social Welfare (Insurance)

Co Roscommon CIS (Roscommon CIC) 11/12/05

Clients on Unemployment Benefit - who have paid PRSI to qualify - are not eligible for the Christmas double payment. Meanwhile, clients on long-term Disability Benefit or the Invalidity Pension, do qualify for the double payment. Why is there a distinction made between these PRSI-based payments?

Unemployment Benefit

No of Cases 1

Social Welfare (Insurance)

North Kildare CIS (Maynooth CIC) 07/11/05

A married woman with 3 children lost her part-time job. When she went to sign on for unemployment benefit she was told she was not eligible for a payment unless she looked for full-time employment. She did not want to work full time as childcare was too costly, but did want to work part-time. It would be fairer if those who had been working part-time could sign on for partial benefits while they sought further part-time employment.

Travel issues

No of Cases 2

Social Welfare (General)

North Kildare CIS (Maynooth CIC) 07/11/05

People living in the North Kildare area must go to Ballyfermot unemployment exchange to get a PPSN. This involves a double bus journey. The office is difficult to find if you don't know the area. Many people are sent from DSFA in Dublin to Maynooth for a PPSN, but Maynooth have not provided this service for several years. This is very frustrating on clients. It would make sense for people to be able to use a DSFA office on a direct bus route such as city centre. DSFA offices should be aware of which offices provide PPSN's and what areas they cover. This would avoid wasted journeys.

Social Welfare (Insurance)

Co Longford CIS (Longford CIC) 10/10/05

Client's husband is on Invalidity Pension; he is suffering from a serious illness that requires him to travel to a Dublin Hospital weekly and stay overnight and often for a second or third night. His wife is entitled to free travel as his companion when escorting him to Dublin but on her return journey home on her own on the same day whilst he remains in hospital overnight, she has to pay for her travel. When she goes

on this return trip to Dublin to escort him on his homeward journey, she also has to pay that fare, and only gets free travel when he is actually travelling with her. In effect she is paying for two out of four trips. Client feels that the free travel scheme should allow for situations like this particularly when this type of travel situation becomes a constant over a number of weeks/ months, and inevitably causes financial hardship.

Payment Issues

No of Cases 1

Social Welfare (General)

Co Galway CIS (Rosmuc CIC) 17/11/05

People are increasingly pressured by government departments to have their pensions and agricultural payments paid into a bank account. I have come across a lot of people who were very upset because they get a lot of paperwork from the relevant departments encouraging them to have their payments made directly into a bank account. Most of these people prefer to collect their payments from the local Post Office. We operate in the Connemara Gaeltacht and the Aran Islands where banking services are limited and people may have to travel up to 50 – 60 miles to the nearest bank.

Frontier Workers

No of Cases 1

Social Welfare (Insurance)

Co Donegal CIS (Donegal Town IIU), 05/10/05

Frontier Workers who live in Northern Ireland and work in the Republic and who are earning more than €400 per week have been subject to PRSI at Class A1. As they are medical cardholders they should be paying PRSI at Class A2. They have been advised to make claims for a refund of PRSI on this basis. It has come to our attention that no refunds are being made to Frontier Workers at present. The matter has been referred to the Attorney General and refunds have been put on hold by the DSFA. This matter was initially put on hold in May 2005 and from enquiries made in November 2005 this is still the case. It appears that a decision should have been made on this issue by now and that there is also a discriminatory element to this matter as Frontier Workers holding medical cards should be treated in the same manner as Irish workers who hold medical cards and they should not be subject to the Health Contribution.

Back to School Clothing and Footwear Allowance

No of Cases 1

Supplementary Welfare

Co Galway CIS (Rosmuc CIC) 01/10/05

This lone parent on a Community Employment scheme was applying for the Back to School Clothing and Footwear Allowance and was told she was over the income limit, (€17.43). When people are on the Back to Work Allowance or the Back to Work Enterprise Allowance, the allowance itself is not calculated only the pay from the employment giving the participants on these schemes a major advantage over people availing of CE schemes. There should be more of a disregard, especially in the case of lone parents opting to take participate in CE schemes.

Employment

Forty-nine social policy records were received on the topic of Employment. A selection of these records have been further categorised and appear under subheadings in the following section of the report.

Clients continue to experience problems with documentation. Some cases reported that employees had never received written terms and conditions of employment from their employer. Similarly many clients had no pay slips and could not tell how much tax, if any, was being deducted on their behalf. Difficulties in obtaining P45s from previous employers also feature as a significant issue.

Many social policy records documented problems with holiday pay. Eight records reported problems that employees experienced in obtaining the correct amount of annual leave. Cases described how part-time workers were not being offered the correct pro-rata amount of annual leave.

Unfair dismissals and problems with redundancy also featured as issues for workers. Seven cases of unfair dismissal or redundancy were reported. This category also includes cases where employees are not covered by the legislation as they had been in employment for less than a year.

Problems with underpayment and non-payment of wages were also recorded. In some cases workers in the catering trade were not being offered extra pay for working on Sundays. In other cases employees were dismissed and found it difficult to get wages that were owed to them.

A number of social policy records documented problems with the administration of the Family Income Supplement (FIS). Some records highlighted clients who were entitled to FIS but were unaware of the scheme and some others documented delays in payment. Others showed up problems with the administration of the scheme for people on FÁS trainee allowance. People who receive a training allowance from FÁS are only entitled to FIS when they take up an apprenticeship and not while they are in training.

Information problems were also documented. In most cases CICs indicated that employees were unaware of their entitlements. In other cases employees found it difficult to claim redress, as complaint forms from the Labour Relation Commission were not 'user-friendly'. Problems relating to participation on CE schemes for employees aged under 35 years were also recorded.

Bullying in the workplace

No. of Cases 1

Co Galway CIS (Galway CIC) 01/10/2005

A client feels her manager is bullying her, but as her company's policy is that allegations should be reported to management, she feels she has no recourse to redress in this situation.

This is an extremely common problem and suggests the need for a body like the Rights Commissioner service to investigate complaints of bullying in the same way as they can investigate other employment matters.

Leave entitlements**No of Cases 8**

Co Longford CIS (Longford CIC) 01/12/2005

A part-time worker working six hours per day five days each week is entitled to the same annual leave as a full time worker on a pro-rata basis. The employer disputes this and is unwilling to give the employee her rightful entitlement. The employer has been giving her a reduced annual leave entitlement for the past three years. We verified the situation with the Department of Enterprise Trade and Employment Employment Rights Unit who also advised that the client is due compensation for loss of correct annual leave entitlement.

Meath CIS (Navan CIC) 04/10/2005

The client has worked for her present employer for three years (on a part-time basis). She has never taken any holidays in this three-year period. In this case both employee and employer do not seem to be properly informed. There still seems to be a common misconception that if you work part time you do not have any holiday entitlements.

Redundancy/Unfair Dismissal**No of Cases 7**

Co Leitrim CIS (Carrick-on-Shannon CIC) 03/11/2005

A man in his forties came to the centre having being dismissed as a result of having a minor accident. The dismissal was immediate. When he explained the circumstances of the accident it became apparent that he was not aware that such an incident would result in instant dismissal. He never had access to or was made aware of any terms and conditions of employment. He has been employed for two years. This is yet another instance where employers are not adhering to employment legislation.

Co Galway CIS (Loughrea CIC) 06/12/2005

A male client (Polish) working in Loughrea after nine weeks was told that he was fired as his girlfriend had left. He was not issued with a P45 nor was he granted any holiday pay. He could not avail of one week's notice, as he hadn't been employed for 13 weeks. He could not sign on for social welfare and did not know where to go or where to complain. The Labour Inspectorate has already investigated this establishment and it is still practising outside labour law. Also this individual was paid less than the minimum wage €7.35 per hour. The client is making a complaint to the Labour Inspectorate again.

Underpayment/Non Payment of Wages**No of Cases 7**

Co Sligo CIS (Sligo CIC) 13/10/2005

When an employer fails to pay an employee in accordance with the terms of the Payment of Wages Act 1991 and within six weeks of a Rights Commissioner decision, the only recourse the employee has is to apply to the Circuit Court to implement the Act. This is complex, time consuming and a costly procedure for the employee. The charge to implement the statutory act is €45.00; which for a person on low income or a social welfare payment may be prohibitive. Furthermore the procedure is complicated by the fact that the correct forms for the court are difficult to obtain. The experience in court can be very intimidating given the legalistic language and terminologies adopted.

Information problems**No of Cases 4**

Co Donegal CIS (Donegal Town IIU) 24/10/2005

A hotel worker telephoned the Centre to clarify the amount of hours she should be working each week. She was given information regarding the normal working hours for hotel workers and the rates of pay for overtime or Sunday working.

It was also explained to her that the Hotel Joint Labour Committee should be displayed in the hotel in a place where those affected by it would be able to see its contents. She was not aware of this and she advised us that there was no such notice displayed in her workplace.

Based on the number of queries we have had regarding this type of matter it seems that the hotel industry locally never display this notice or inform their staff of their correct entitlements.

Meath CIS (Navan CIC) 01/10/2005

A client has been experiencing difficulties at work since she advised them that she is pregnant. She feels her employer is trying to force her out of the workplace. She has spoken to the Equality Authority but was advised that it seems as though she does not have enough grounds on which to try a case. Although there are mechanisms in place for dealing with this type of behaviour, it is often very hard to prove and this can leave people feeling very vulnerable. There is a need for employers to be better informed regarding equality issues and also more information for employees so they realise they have rights in this area.

Co Sligo CIS (Sligo CIC) 01/10/2005

The manner in which some employers are treating employees is completely unjustified. These unscrupulous employers have no regard for labour legislation and employee rights. Employees are afraid to make formal complaints to the Labour Relations Commission because the complaint forms are unduly complicated. The format for making complaints should be simplified and user friendly.

Documentation not provided by employer**No of Cases 4**

Co Leitrim CIS (Carrick-on-Shannon CIC) 08/12/2005

An employee who contacted the service in relation to the minimum notice requirement had not received terms and conditions of employment in any format. From the numbers of queries received at the centre it is apparent that employers are failing in their obligation to provide the necessary terms and conditions of employment to employees.

Co Leitrim CIS (Drumshanbo CIC) 28/11/2005

A 21-year-old English man, who commenced employment as a construction operative 6 weeks ago, has not yet obtained a payslip from his employer despite being paid weekly. He was not sure if he was getting his correct wage. No terms and conditions of employment were made available to this person, however, he was informed by his employer that he would have to work public holidays at normal rate and would not be getting any time off in respect of same.

Co Leitrim CIS (Drumshanbo CIC) 02/12/2005

An employee contacted the Centre in relation to payment for public holiday entitlement. It became clear that this person had no record of his hours of work, which seemed excessive. Neither did he have any terms and conditions of employment. No payslips were issued and so this person does not know what deductions are being made from his wages. This practice is common among employers, however the Department of Enterprise, Trade and Employment do not seem to enforce the legislation.

Family Income Supplement (FIS)

No of Cases 7

Co Galway CIS (Galway CIC) 18/12/2005

Client re-applied for FIS in September 2005. At the time of this interview no FIS had been received, although she was eligible. Social Welfare Assistance was refused also despite severe financial difficulties. To date early Jan 2006 no FIS has been approved.

Co Longford CIS (Longford CIC) 28/10/2005

The Family Income Supplement is not available to a self-employed low-income family. The earnings of the 'self-employed spouse/ partner' are taken into account when calculating the FIS amount for the applicant spouse/ partner. The self-employed hours worked should also be allowed to reckon in conjunction with applicants hours to make up the 20 hours per week or indeed the 'self employed hours' on their own should be recognised in cases of low income families considering that the self-employed 'earnings' are reckonable.

Community Employment Scheme

No of Cases 1

Co Longford CIS (Longford CIC) 01/11/2005

A client on a Community Employment Scheme aged less than 35 years is only allowed to remain on the scheme for 1 year, which is a short term considering the training and experience required when seeking other employment opportunities. It is also a short term from the employer's perspective in consideration of the time given to training etc. It might be more beneficial to all concerned if this was extended to two years or until the CE employee is able to obtain further employment whichever is earlier. The age condition for CE Workers could also induce discrimination on the grounds of age e.g. where two people are being interviewed for the same job both equally qualified, it would be more advantageous for the employer to select the person over 35 yrs as they will be able to retain them for a longer period.

Health

In all 29 queries with regard to health were received highlighting problems faced by clients attempting to access health services. Many of the issues reported in social policy records had to do with a lack of information or a difficulty in accessing the right information. Many of these social policy records documented a lack of information in relation to the new rules introduced for Medical Cards/ GP Visit Cards. This issue has since been addressed by the HSE and should no longer be a problem for service users. Other records stated the difficulties for service users when faced with long waiting lists.

Information deficit**No of Cases 3**

Co Longford CIS (Longford CIC) 22/11/2005

Client has been caring for a daughter with a disability who has just reached 16yrs. The client has only been granted Domiciliary Care Allowance in recent months with a backdated payment to 2004, as she was unaware of the existence of this entitlement. Her daughter has been suffering from a mental illness for a couple of years and the client would have applied for the Domiciliary Care Allowance much earlier if she had been aware of it. Client herself is unable to read or write and would only become aware of her entitlements through others or through the institutions providing services. Client feels that there may be others in a similar situation.

Galway CIS (Galway CIC) 09/11/2005

New GP Visit Cards income guidelines issued but very vague information given by CWOs or HSE in relation to what constitutes 'reasonable expenses', making the application discretionary.

Delay in service**No of Cases 3**

Ballyfermot CIS (Ballyfermot CIS) 28/10/2005

An Occupational Therapists report must accompany the application form for the Disabled Persons Housing Grant. The Occupational Therapists at Cherry Orchard Hospital are no longer compiling the reports required for the application. This means that people will have to employ private Occupational Therapists to carry out this work and pay the cost themselves. People with disabilities who are solely depending on Social Welfare cannot afford this extra cost. This decision may lead to people not applying for the grant. I was informed of this decision when I contacted the Occupational Therapy Department for Area 5 of the Health Service Executive. The decision was taken due to staff shortages.

Co Longford CIS (Longford CIC) 09/11/2005

An elderly person became disabled and the family applied for Disabled Persons Grant to adjust fittings / insert ramps etc in the house. Family had to wait for nearly nine months before all the requirements were put in place and think that this time frame is not very helpful when their needs were urgent from the start.

Co Roscommon CIS (Roscommon CIC) 22/11/2005

The client is aged over 80 and is hearing impaired. She applied to HSE West for a hearing test but received no communications from them.

The CIC contacted the HSE on her behalf and was told that the client would have to wait at least a year for a hearing test because there were 400 people ahead of her on the waiting list. For a woman of her age, this delay is significant. Priority should be given to the very elderly so that they will enjoy a better quality of life.

Given the delay, would the HSE consider including hearing problems under the National Treatment Purchase Fund?

Gaps in coverage**No. of Cases 3**

Co Galway CIS (Portumna CIC) 06/12/2005

A client applied for a GP Visit Card. This was supposed to operate uniformly in all areas but this has not been the case in Portumna where due to an internal dispute by CWOs, there has been a delay in processing applications for the GP Visit Card.

Co Leitrim CIS (Carrick-on-Shannon CIC) 22/12/2005

A telephone caller to the centre wished to know if support stockings which she is required to wear were available on a GMS Prescription as she is a medical cardholder. She has been wearing this type of stocking for over 20 years. On contacting the HSE NW it appears that in Leitrim, Support Stockings are not available to medical cardholders. However, in Co. Donegal Support Stockings are available free to medical cardholders.

Co Tipperary CIS (Thurles CIC) 27/11/2005

The Long Term Illness Scheme has not been reviewed by the HSE for a long number of years. Frequently we see clients with illnesses (long term) whose condition does not come under the scheme. The Department of Health have resisted adding certain medical conditions to this scheme. We would argue that this scheme needs to be urgently reviewed and extended. Perhaps with the new HSE now in place it is time to lobby actively for a change in the Long Term Illness Card Scheme.

Hospital Charges**No of Cases 1**

Co Donegal CIS (Donegal Town IIU) 10/11/2005

A client with a young child sought advice on the cost of in-patient treatment. The parents nearly delayed in contacting their doctor when the child had a high temperature because of the costs involved. However they decided not to delay. The child had meningitis and nearly died. The hospital doctors told them that had they not acted so swiftly the child would almost certainly have died. If children had medical cards no parents would find themselves in such a situation.

Medical Card**No of Cases 3**

Co Louth CIS (Dundalk CIC) 01/10/2005

A client in his late seventies had just moved to Dundalk after living in another area for most of his life called to the centre very distressed about his medical card. He had recently received a visit from the local Community Welfare Officers (CWO) requesting a huge amount of information regarding his finances and his medical card. In the last two months two other men have been in with a similar story. Over seventies are entitled to a medical card regardless of their income, so why are they being subjected to these distressing requests from their CWO's.

Co Longford CIS (Longford CIC) 10/11/2005

A client in her 70's renewing her Driving Licence was informed that it was free to all over 70s. She attended her GP to have the required medical examination and necessary certificate for Driving Licence renewal application and the GP charged her €40 for the medical examination and certificate. The client feels that this is most unfair as she is a medical cardholder and feels that the medical card should cover this

charge. We contacted the HSE and the Department of the Environment about this matter and found that each department are referring the responsibility for the policy on this issue back to each other. It also seems to be the case that the charge will depend on the individual GP and that the cost can vary from €10 up to €47.

Travel

No of Cases 2

Co Leitrim CIS (Drumshanbo CIC) 20/10/2005

An elderly couple, one of whom is suffering from Parkinson's Disease and the other providing full time care are unable to access any services in their area. The carer does not drive and cannot leave his spouse on her own at any time. This couple have to hire a taxi in order to do their shopping when both of them must travel together. This couple recently contacted our service, as they needed some assistance completing forms. We provide the service by means of a house call. This case highlights the difficulties in accessing services experienced by the elderly and disabled living in rural areas.

Co Longford CIS (Longford CIC) 20/10/2005

Children in receipt of Domiciliary Care Allowance are not entitled to a Free Travel Pass or a Companion Travel Pass. This creates a lot of hardship and inconvenience for those who are required to travel with them to attend hospital appointments etc. This is frequently a parent or indeed a close family member or friend, who more often than not will not have an entitlement to free travel in their own right.

Housing

A total of eighteen Social Policy Records related to housing issues. A selection of these issues is outlined below.

Application Difficulties

No of Cases 2

Co Meath CIS (Navan CIC) 01/11/2005

Client has been the victim of both criminal attack and serious anti-social behaviour in a local authority estate. We have experienced major difficulty in even trying to gain access to relevant Housing Officers to either talk with them on client's behalf or to set up an appointment. Client in this case needs very urgent transfer to another estate or a letter outlining situation so that she can surrender the lease and look to Community Welfare Officers for possible rent allowance.

However in this case neither client nor CIC have been able to make contact with a housing officer more than once and client is now in a situation where problems have escalated and she has problems even getting the Garda to attend to this particular estate. While understanding that it must be extremely difficult to manage some estates, there should be a system whereby clients at least can have urgent appointment with relevant housing officer to discuss the more serious cases and come to some sort of mutually agreeable conclusion. This does not seem to be the case.

West Cork CIS (Bantry CIC) 01/11/2005

A client presented to the CIC in a very distressed state. He said that he applied for local authority housing to Cork County Council, in 2003. He went on to explain that, he had a terminal illness that would deteriorate as time progressed.

He explained that he kept in touch with the council offices via the telephone and spoke to same official in the housing section in all his dealings with this section. He believed that she understood his situation. In this way he felt that he had kept her and the local authority up-dated on his current address.

He went on to say that he phoned the council offices on the morning of his visit to the CIC and spoke to the aforementioned official who advised him that he was no longer on the list. She responded to him in an off-hand and discourteous manner. She said that she had no idea who he was, which he found upsetting as he had spoken to her on a number of occasions previously.

The reason given for removing him from the council list was that he had failed to respond to letters that Cork County Council had sent to him to confirm that he was still resident at the address they had on file for him. The client said he had received no letters from the council and that it would be foolish for him not to reply had he received them as it was in his interest to do so. At no time, when telephoning the council official to inform her of his change of address had he been informed that he should put this information in writing to them. I telephoned the housing section and asked to speak to the manager. He acknowledged that the person had been taken off the list for the reasons already mentioned. He was unable to supply copies of the letters that had already been sent by Cork County Council Housing Department to the client. Following our intervention, the manager said that the client should re-submit his birth cert; passport and other evidence again to the Housing Department (having stated that they would still have this information on file) to enable them re-activate the file.

Essential Repairs Scheme/Disabled Person's Housing Grant No of Cases 2

Co Tipperary CIS (Thurles CIC) 20/12/2005

The Essential Repairs Scheme for Older People operated by the HSE has a waiting list going back to 2002 in the Mid-West Region. In other words there is a four-year waiting list for the elderly to receive the appropriate grant for essential repairs. A gentleman looking for replacement windows waited approx 3 yrs, and on the evening the windows arrived was found dead that day when his son arrived to visit him. The windows were outside the house but not installed.

After the funeral the son offered to buy the windows from the Health Board as they had been especially made for the house and more than likely would not fit anywhere else. The HSE refused and the windows were scrapped.

Co Wicklow CIS (Carnew Library Outreach) 06/10/2005

A lone parent on a community employment scheme inherited her uncle's house. This property is in very bad repair and this woman has very limited finances. When she inherited the house it had no water supply and she applied to Wicklow Co. Council under the "Grant for the provision of necessary improvement of an individual water supply to a house" scheme to sink a well. She received €1263.00 under this scheme, which comes under the auspices of the Department. of the Environment. Two years later and the water is now unfit for consumption. It transpires that a filter would rectify the problem but the cost of purchasing and installing this is prohibitive for our client. Upon contacting the Local Authority we were informed that a person is ineligible to apply again if a grant has been paid within the previous seven years. In other words, our client will have to wait for 5 years before she can reapply. The Local Authority stated that there were no other avenues she could pursue. It seems

inefficient to administer a scheme for something as vital as water supply, which does not offer further financial assistance if any subsequent improvements are required to remedy serious deficiencies in the water supply. There should be a mechanism/scheme in place whereby a private property owner with limited resources can reapply to his/her Local Authority for financial aid if unforeseen problems arise with the water supply.

Homelessness

Co Donegal CIS (Carndonagh IIU) 17/10/2005

A child (17 years of age) contacted our office. She has to leave home as she is having serious family problems. I referred her to the Local Authority Housing Officer for an assessment. This is an essential precursor to any application for a rent supplement from the HSE Area. The Housing Officer could not, under the rules, do an assessment as client is under 18 years of age. Neither could client apply for housing assistance for same reason. I contacted the HSE Area who agreed to pay Bed and Breakfast until client reached age 18. This is a costly, ineffective and unacceptable way of providing accommodation to client and of meeting the housing needs of a young person.

Co Donegal CIS (Donegal CIC) 11/11/2005

A young couple approached the Council on the basis of homelessness. The young woman was badly beaten and had bruises on her face and she was also pregnant. The Council accepted them as homeless and asked the CIC if they would assist the couple to obtain bed and breakfast accommodation as it was very late in the day.

We telephoned several bed and breakfasts in Donegal Town and none of them would take homeless people. Unfortunately, where people are homeless there seemed to be an assumption that they will not be "suitable" to be given B&B for the night. Eventually, we gave them a list of local B&B accommodation and suggested that they approach the B&B in person.

The couple came back the next day and said that they had difficulty booking into a B&B and they had to go to a local hotel. This was over and above the amount that the Council had authorised to pay them.

We felt that this was a difficult situation for all involved. We felt that this problem could have been avoided if there was a policy in place where the Council had an arrangement with two or three of the local B&B establishments so that homeless people did not have to go through this procedure to find accommodation for a couple of nights.

North Kildare CIS (Maynooth CIC) 01/10/2005

A man came into our office who had been homeless for 1 year. It was on a Friday afternoon. To receive assistance in the Kildare area he must go to Kildare County Council's office in Naas. There is no direct bus route to Naas. As the man was homeless he had no money to pay his bus fare. The community welfare officer is only available on Tuesday or Thursday mornings so he could not get bus fare from the HSE Area. In the Dublin area there is an emergency freefone number which can provide accomodation and if necessary send a bus to pick the person up. This type of service should be available in the rest of the country.

Information problems

Co Sligo CIS (Sligo CIC) 01/10/2005

Local Authority has produced a new housing application form that is quite detailed and requires a lot of information. We have had several elderly people and travellers come into the Centre needing assistance with these forms, which require them to be signed by the Garda and Social Welfare. A lot of these elderly people suffer from poor health and are unable to make the trip to the Garda station or to social welfare offices. Overall we found that even the average person found the application form quite daunting.

Local Authority Housing Allocations

Meath CIS (Navan CIC) 01/10/2005

Client lives in Galway. Her son lives in Navan, Co. Meath. She has been plagued for the last 10/15 years with very serious anti-social behaviour in the local authority estate where she currently lives. The family in question have been evicted but cannot be moved until a house is built and ready for them to move into. Meanwhile the victim is stuck in an estate that is dangerous for her. Even when this family is moved, their relatives live in the estate and they seem to have control of same. Other families in the estate are afraid to speak out. Gardai and the local authority have been involved but nothing has changed.

Client has been offered transfers, but this particular family has relatives in each of the estates she has been offered and she would be swapping one problem for another. Her son now wants her to move to Navan to be with him and his partner (they hope to buy a house in the next year or two) but if his mother gives up a council house voluntarily it will be almost impossible to get another placement in the future. Also, there are no transfers available between counties. Clients are going to speak with housing officers in Meath and Galway and as well as CWOs and local TDs in each area.

Co Mayo CIS (Ballina CIC) 14/11/2005

Client has been offered a council house which only has a solid fuel range for heating and hot water, there isn't even an immersion heater. It appears that the council would be discharging its duties by providing such limited heating facilities. Should there not be a requirement on councils to provide more facilities than those described above?

Scheme of Community Support for Older people

No. of Cases 1

Co Carlow CIS (Carlow CIC) 01/10/2005

Six clients have applied for pendant alarms but due to the nature of the process under the Scheme for Community Support for Older they will not get a pendant alarm until early 2006 or later. This is disgraceful as old people living on their own are very vulnerable. Funding should be made available each quarter of the year

Travel

No. of Cases 1

Co Wicklow CIN (Baltinglass Outreach CIC) 26/11/2005

A customer dropped into the CIC to check the status of her housing application. She had applied to be transferred from a one bed to a two bed roomed flat. When the CIC telephoned the Local Authority in Wicklow town we were informed that she would

have to travel from Baltinglass to Wicklow town in person to sign for the key. This particular customer is elderly and does not own a car. There is no direct public transport from Baltinglass to Wicklow town. It would be necessary to travel from Baltinglass to Dublin and from Dublin to Wicklow town. A taxi to Wicklow town would cost €80 each way. This cost is prohibitive. There should be some other means of signing and collecting keys for local authority houses on a local basis. For example, our elderly customer should be able to drop into her local health centre. Most towns have such a centre and increasingly these are being used by the Health Service Executive on a part-time basis. It should be possible for a local authority representative to gain access to the Health Centre to finalise such transactions.

Bin Charges/ Waivers

City Centre (Dublin) CIS (City Centre North West Information Centre) 11/11/2005
Client approached centre with a letter from landlord indicating that €250 was due for waste charges. Enclosed, was a copy of the letter addressed to the landlord from the management company requesting payment of same. The landlord was requesting payment by the tenant. As the clients sole income was SW, he would have been entitled to a waiver on the waste charges. On contacting the local council, it was discovered that from Jan 2005, the council were no longer sending waste charge bills to individual units in apartment complexes but instead to the management companies. So therefore because tenants are not being individually charged they can't apply for a waiver. They can only write to the council outlining the problem (if landlord is demanding payment) and each case is dealt with on an individual basis. This practise will force landlords to incorporate waste charges into the rent. If (and when) this happens those people who would ordinarily have been able to get it as the charge will no longer be evident as a waste charge but rather as rent.

Migration

Fifteen SPRs were received on the topic of migration. A selection of the cases are presented below

Diminished SW Payments after legal status granted **No of Cases 2**

City Centre (Dublin) CIS (City Centre (Dublin)) 12/12/2005
After a family received leave to remain under the Irish born child scheme and had to change from SWA onto Unemployment Assistance, their application was only processed for one of their children. They were not given child dependant payment for their two older children aged 7 - 11 until they were able to get a letter from the Department of Justice stating their status. Even though they had received a payment for them for the previous two years. As the department does not give out letters for minors they family were down €33.60 for a number of weeks until I contacted the department on their behalf and got information that may help their application.

City Centre (Dublin) CIS (City Centre (Dublin)) 12/12/2005
A family who were on SWA for two years while waiting on the Department of Justice to establish their status in Ireland had an entitlement to the national fuel scheme. After being granted leave to remain and the Irish born scheme and therefore going onto

Unemployment Assistance their entitlement ceased. They could only receive €3.90 smokeless fuel allowance because they were on UA for 78 days. The two years on SWA can not be taken into account. They need to be 15 months on UA to qualify. After getting legal status they were entitled to less money.

Delays in Processing

No of Cases 5

Co Cavan CIS (Cavan CIC) 14/10/2005

A Russian client seeking long term residence in Ireland disputes the period of time spent in Ireland according to Department record. Records state that he lived and worked in Ireland 52.5 months while he has actually resided here for 61 months. The difference in computation was due to delays at Garda stations in processing and stamping his passport. The nearest immigration officer is located in the part time Garda Station in Ballieboro. This gentleman lives in Virginia where there is no immigration officer. It is not his fault that the process takes an average of 3/ 4 weeks to process, but he is the one who suffers as a result of the under resourcing of this departmental activity.

Meath CIS (Navan CIC) 01/11/2005

Ongoing case with client (non EU National) who has worked in Ireland for the last five years on five consecutive Work Permits, and has worked with the same employer for all of that time. His last work permit was "unlimited" as long as he remains with his current employer. He has no plans to change.

He applied for citizenship some time ago and came to us when he experienced difficulties with his application. His application was rejected by Citizenship Division on the basis that he had only 49 months (instead of 60) reckonable residency. However, client had 60 months of work permits, no time spent abroad, and proof of his time here - he was able to produce payslips for the missing months. The end result was that as there were slight gaps in stamps in his passport, he was refused and told to apply again.

Secondly, he applied for his green card in the meantime and would have expected to receive this by return with a Stamp 4 (permission to work without necessity of further work permits). However, although a Garda stamped him forward for one year (and put necessary stamp on Passport) when he applied for Green Card to Department of Justice (as instructed) he was refused on the grounds of only having 49 months reckonable residency. This is despite the fact that all was in order. He was also advised to obtain/renew his work permit for the following year (from October 2005 to October 2006) by the Department of Justice - despite the fact that this cannot be done as he is on his final work permit and the last one clearly states "unlimited". I confirmed with the Work Permits Section at Department of Enterprise Trade and Employment that this indeed was a valid and final work permit (on the understanding that the client did not change employment) and that they could not issue a further one. They offered to speak to Department of Justice if necessary.

I then followed this up in writing to Department of Justice and am currently awaiting a response. However, surely when issuing directives to clients each department should be aware of the basic rules of other departments, as client is now "caught between two stools" so to speak. He needs to keep his residency up to date as per Department of Justice's rules but he cannot follow their instructions about obtaining renewal work permit as this is not possible. Surely they should be aware of this, especially as client

will be re-applying for citizenship next year?

South Kildare CIS CIC 24/10/2005

A number of our clients are waiting decisions from the Department of Justice in relation to their residency applications based on the basis of the parentage of an Irish born child. They have expressed huge dissatisfaction with the process, as a lot of their friends have received their residency and they are now waiting from March 2004. This process was originally supposed to be completed within 3 months from the closing date and there are still a number of people awaiting the outcome. Also there seems to be a lack of a systematic approach taken by the Irish Born Child section in the Department of Justice as people are receiving their residency on an *ad hoc* basis. It is very difficult for information givers to ascertain why some are receiving their residency over others.

Communication Issues

Co Galway CIS (Galway CIC) 05/12/2005

My client an non-EEA National applied to have his wife join him here. He has been working here for the past 4 years. He earns €450 per week. He was turned down on the grounds of finance - communicated to him by the Department of Justice as a code i.e. F. When I rang the Department to get clarification on the income guidelines related to this ground for refusal I failed to get through. I emailed the Department then requesting the 'income guidelines' relating to this standard basis for refusal and received merely an email back indicating F = Finance which we already knew. I emailed again emphasising that we required 'income guidelines' rather than a one word explanation. That was almost a year now. Communication is very bad, with this Department and transparency on this issue is not available.

Cork City (North) CIS (Hollyhill/ Knocknaheeny CIC) 28/11/2005

Client lost his wife a month ago. He went into the local Passport Office with his late wife's passport to cancel it and they told him they would not do this and sent him home. He also tried to get new passports for his children but was told he would have to go to a solicitor and get a affidavit signed to show he is the father of the children. Needless to say he was quite upset when he phoned us, and worried at the cost of the solicitor. When we telephoned the Passport Office we were told his wife's passport should have been taken and cancelled. Furthermore they informed us there is a family law centre on the 5th floor of the office where he can get the affidavit signed there and then for a minimal fee. He was never informed of this when he went to the Passport Office. There was a complete lack of information which resulted in undue distress for a man who so recently lost his wife.

Habitual Residency Condition

No of Cases 3

Co Galway CIS (Tuam CIC) 01/10/2005

Married couple, both Irish Citizens, returning from USA to live in Ireland. First baby due in a couple of months, but due to them being away from Ireland for so many years and introduction of habitual residency condition, they would not be eligible for Child Benefit or any short term social welfare support.

Co Sligo CIS (Sligo CIC) 03/11/2005

Young Polish man seriously injured in a road accident, recovering from surgery. Has been informed by the hospital that he will be unfit for work for at least 6 weeks. Because of the habitual residence rule he cannot qualify for a social welfare payment.

Co Sligo CIS (Sligo CIC) 04/11/2005

Young pregnant Polish woman unable to continue working due to problems with her pregnancy will not qualify for a disability payment because of the habitual residency rule. This lady is 6 months pregnant and has no other source of income.

Consumer

A selection of the 15 social policy records that were reported in the Consumer category can be found in this section of the report. Included are issues the clients of CICs had with new regulations on Waste Electrical and Electronic Equipment (WEEE).

Defective Goods/Services

Co Donegal CIS (Milford IIU) 01/10/2005

A client who had recently moved to the Milford area has expressed that he experienced great difficulty trying to get his house connected to the ESB. He spent three days trying to get through to ESB and when he eventually got through he found the staff to be very unhelpful and uninformative. He found this service to be of very poor quality.

Co Galway CIS (Galway CIC) 07/12/2005

The 'Sales of Goods Act' which applies for consumers, does not appear available to small businesses. A client who is running a small business from home bought a large amount of goods through the post. When the goods arrived it could only be described as junk. What was meant and advertised as new, was old, not working and bits missing. He was unable to approach the issue as a consumer, i.e. pursuing the company that sold him the goods on the basis that "the goods did not correspond to way they were described and advertised". I searched for any available legislation that would be available to him but failed.

Co Westmeath CIS (Mullingar CIC) 23/11/2005

Elderly lady wanted to report a fault on her phone last week - she spent a long time trying to get through the automated machine - but to no avail - she came to us today for assistance. We spent roughly 12 minutes trying to get through the automation & finally got to speak to someone in customer care. When I complained to him about their poor service he was very dismissive and said that the fault maybe repaired in 2-3 days time. This elderly lady is in her eighties, lives alone and relies on her phone.

Banking

Co Donegal CIS (Milford IIU) 01/11/2005

We have heard constant complaints about and have experienced ourselves, the inconvenience when the privately run ATM machines which are present in nearly every supermarket and filling station are constantly out of order/ out of service. People are more dependant on them in rural areas as the banks in smaller towns don't

often have ATM's but it now becoming more difficult to get one in operation and almost impossible at week-ends.

WEEE

Co Donegal CIS (Dungloe IIU) 01/10/2005

From August 2005 all producers of electrical and electronic equipment are required to establish and finance the recovery and recycling of household waste, electrical and electronic equipment. The producer can add the cost of the recycling to the item being sold. The appliance being returned must be of a similar type or have performed the same function as the new item purchased. People who are purchasing a new appliance but not returning another item also have to pay this new charge for recycling. It seems unfair that consumers should have to pay extra when they are not actually having something recycled on their behalf. We have had a number of clients comment on this.

West Cork CIS (Bantry CIC) 01/11/2005

Client contacted the Centre because she had purchased an electrical item in Bantry in a large electrical store. She had brought the old electrical item with her to exchange under the WEEE regulations. The woman was told that they wouldn't accept the old item and that they wouldn't accept the old item and that she would have to take it to her own local recycling centre. The nearest Recycling Centre was in Cork city and she had no means of getting there. Again, this store appears to be flouting their obligations under the WEEE Regulations.

Education

All the Social Policy Records (5) received in the Education Category had to do with third level supports. The following is a selection of the social policy records that were received.

Co Donegal CIS (Dungloe IIU) CIC 31/10/2005

It is a big issue that students on certain courses are not entitled to a 3rd level grant. A man whom is on Unemployment Assistance has two daughters at the NW Institute of Technology in Derry. One daughter is getting a grant and the other isn't because she is doing a beauty therapy course. This man doesn't know how he is going to get his daughter through college without any assistance. He feels it is very unfair that his daughter should be penalised because of the course she has chosen.

Co Galway CIS (Galway CIC) 12/12/2005

The Student Assistance Fund designed to address hardship cases in students who are participating in third level studies, it is not available to those students taking third level courses in PLC colleges. The intention of the fund is intended to tackle educational disadvantage by providing support to disadvantaged students.

Co Galway CIS (Rosmuc CIC)

This social policy record relates to a small farmer living in a poor area of Conemara and in receipt of a Farm Assist payment. This year his eldest daughter was applying for the third level maintenance grant and because he wa a farmer he had to fill a tax

form 11, something that came as a shock to him. He would not be making any profit on the farm and this is why he is on full rate farm assist. He thought it was very unfair that they had to get 'notice of assessment' from Revenue where there was no income. This has happened a lot to small farmers in the last few years. This system is making small farmers more disadvantaged than they already are. People on a non-taxable social welfare payment should not have to go through this system.

Law/Justice and Family

Five Social Policy Records were received under the Law/Justice category and five records were also received under the Family category. A selection of these records appear below.

Complaints, Garda Response

Co Galway CIS (Galway CIC) 28/10/2005

Client was told at local Garda station that Garda would have to fill in and witness any complaint (GSC1 form), made in connection with a member of the Garda Síochána. This conflicts with the advice given at the garda complaints office who forwarded the necessary form to this office. Clients have a justifiable suspicion in relation to the former method and fear that their complaint may be prejudiced as a result.

Contacting Department of Justice

Co Leitrim CIS (Carrick-on-Shannon CIC) 21/10/2005

Despite trying to contact the Department of Justice on many times over the past two weeks I was unable to contact the Visa Section. This section is only open to telephone queries during a specific time. On telephoning the Department of Justice, following the recorded instructions and then to be told that 'all operators are busy, call back later' is not an acceptable service, one is not even given the opportunity of being in a queueing system.

Legal Procedures

We have come across a number of cases recently where clients instructed Solicitors and were not issued with a written estimate of charges contrary to Section 68(1) of the Solicitors (Amendment) Act 1994. In one particular case woman was suddenly faced with a bill for €4000. We have urged her to negotiate on the matter initially. I have written to the Law Society about this practise and am awaiting their response.

Family

Divorce/Separation

Cork City (North) CIS (Hollyhill/ Knocknaheeny CIC) 01/11/2005

This Social Policy Report concerns documents needed to obtain a divorce in Ireland. It is, in certain cases, perfectly acceptable to obtain a divorce without using a solicitor, but there are a number of forms needed that have to be submitted to the Circuit Court Office. It seems that in other many Circuit Court offices around the country copies of these forms are available. In Cork however, they are not. The local Circuit Court

Office does not stock them, even though the head office in Dublin states that they are available throughout the country. Surely every Circuit Court should be obliged to carry copies of them, especially if that is policy.

Donegal CIS Phone Service 01/10/06

Unmarried fathers lack rights in respect of their children. Although under legislation, fathers are required to support their child, they have no automatic right to see or have any say in the unbringing of their child. Many clients have called in relation to this subject and have stated they feel this is unfair treatment. Although they can seek their rights through the courts this is no guarantee of their securing rights.

Married fathers also seem to be a great disadvantage even though they are considered a joint guardian in law. This is not reflected in reality, where they seem to be at a great disadvantage if their ex-wife is unco-operative.

Appendix

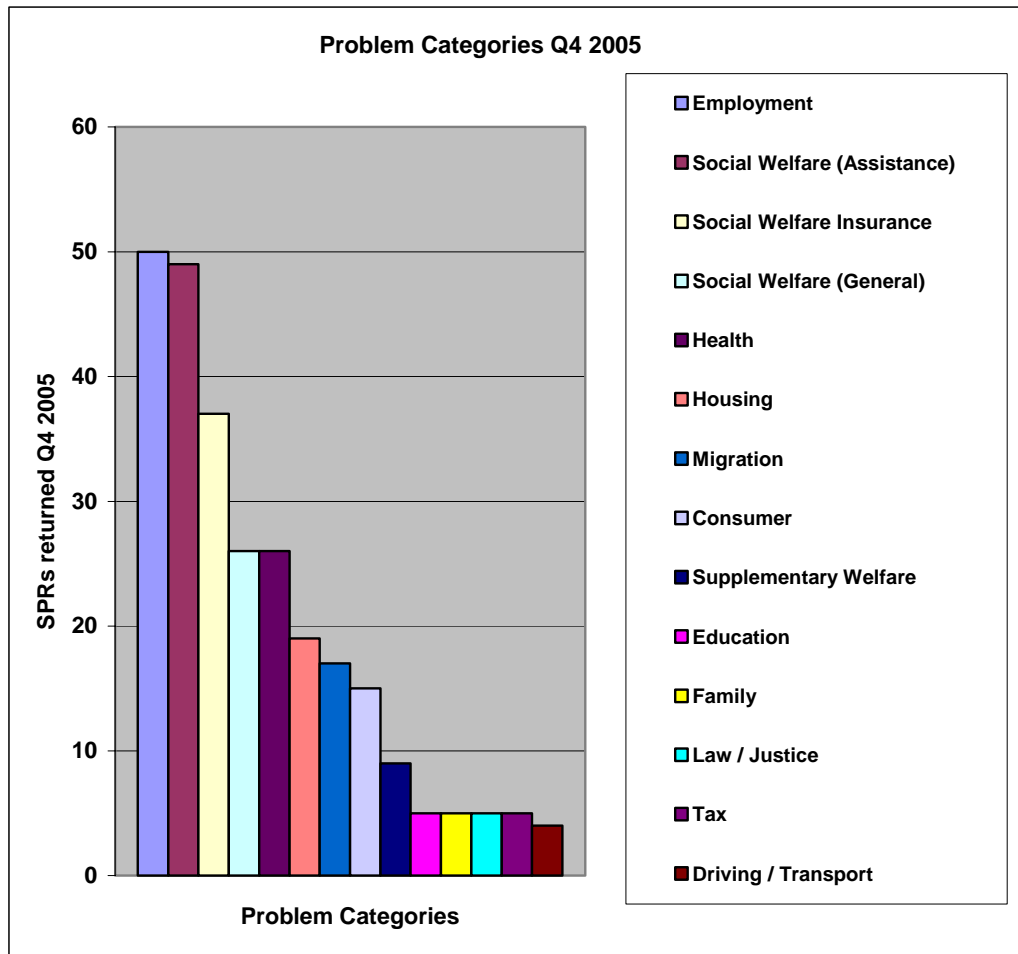


Table 2 Number of Social Policy Records returned to Comhairle by Citizens Information Service and related Citizens Information Centre between July and September 2005

Query Source CIS	CIC	Number of Records
Ballyfermot CIS	Ballyfermot CIC	2
Dublin City Centre CIS	City Centre	3
	Dublin City North West CIS	3
Clondalkin CIS	Clondalkin CIC	4
Co Carlow CIS	Carlow CIC	23
C Cavan CIS	Cavan CIC	6
Co Clare CIS	Kilrush CIC	5
	Scarriff CIC	1
Co Donegal CIS	Carndonagh IIU	5
	Carndonagh PSC	8
	Donegal Town IIU	9
	Dungloe IIU	4
	Letterkenny IIU	2
	Milford IIU	5
Co Galway CIS	Galway CIC	13
	Loughrea CIC	1
	Portumna CIC	1
	Rosmuc	7
	Tuam CIC	6
Co Laois CIS	Portlaoise CIC	6
Co Leitrim CIS	Carrick on Shannon CIC	8
	Drumshanbo CIC	10
Co Longford CIS	Longford CIC	31
Co Louth CIS	Drogheda CIC	1
	Dundalk CIC	11
Co Mayo CIS	Castlebar CIC	6
	Ballina CIC	7
Co. Meath CIC	Navan CIC	1
Co Monaghan CIS	Monaghan CIC	2
Co Offaly CIS	Birr CIC	2
	Tullamore CIC	5
Co Roscommon CIS	Boyle CIC	2
	Roscommon CIC	5
Co Sligo CIS	Sligo CIC	8
Co Tipperary CIS	Clonmel CIC	3
	Thurles CIC	4
Co Westmeath CIS	Athlone CIC	2
	Mullingar CIC	5
Co Wicklow CIN	Baltinglass Outreach CIC	1
	Carnew Library CIC	1

Cork City (North) CIS	Hollyhill/ Knocknaheeny CIC	4
Cork City Centre CIS	Cork CIC	1
Crumlin CIS	Crumlin CIC	4
Dublin 2,4,6	Adelaide Road CIC	7
Dublin North West CIS	Finglas CIC	7
Independent	Shannon CIC	1
Kilkenny CIS	Kilkenny CIC	4
	Graigenamanagh	1
Meath CIS	Navan CIC	6
North Kildare CIS	Maynooth CIC	3
Northside CIS	Northside CIC	1
South Kildare CIS	Newbridge CIC	2
West Cork CIS	Bantry CIC	3
Total Number of Records		272