CIC/CIPS Social Policy Records Quarterly Report July-September 2005

Introduction

In all 351 social policy records were received from Citizen Information Services around Ireland referring to the period July to September 2005. A social policy record is a report on a particular case that an information worker comes across in a Citizens Information Centre. 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)
- 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. 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. The topics discussed below, broadly represent the issues arising in the social policy records from July to September 2005. Views and/or recommendations contained in this report are those of the CIS concerned and have not been subject to any broader policy analysis.

The social policy records received are entered into a database and categorised appropriately. There are 20 possible categories (as described in the distribution table below). Records are organised into relevant topics within categories. Some cases straddle more than one topic category but these are included in the category that is deemed to be most suitable.

This report is different from previous quarterly social policy reports in that each category is treated separately with its own introduction. Not all records received from Citizens Information Services are included in the report. Records were chosen that adequately represent issues being described. To give readers an idea of the extent of problems the number of cases that were received under particular subheadings appears to the right of a topic subheading. For example in the Employment section of the report:

Rights for Older Employees	**No of Cases 2**

This means that two cases were received on the topic of Rights for Older Employees. Only one may appear in this report but the reader gets an idea of the extent of a problem by seeing how many similar cases were reported to Comhairle in this category.

There were common themes running through all categories. Delays in processing applications were common in every category. This meant that clients of CISs were

left without their entitlements for long periods while their application was being processed. Problems for people applying for certain benefits were caused by complicated application forms and the lack of follow up information. Many cases reported discourteous treatment of clients. Cases of discourteous treatment were not confined to any one category and we see that for example, clients dealing with housing officers were as likely to suffer discourteous treatment as for example, those dealing with Community Welfare Officers.

Fig 1 Bar chart showing Distribution of Social Policy Records by Category.

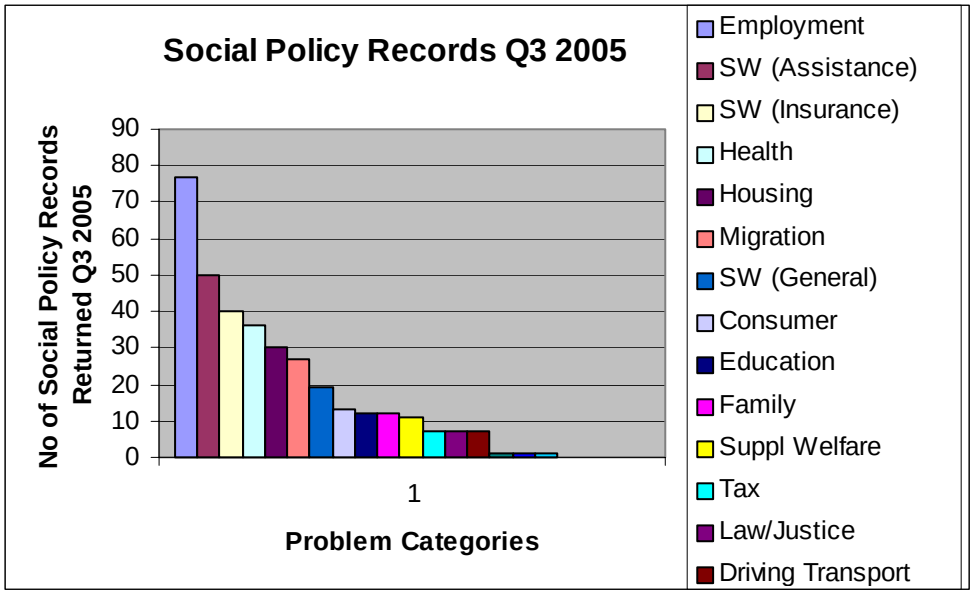

Table 1 Distribution of Social Policy Records by Category

Category	Number of Cases	Category	Number of Cases
Employment	77	Tax	7
SW (Assistance)	50	Law/Justice	7
SW (Insurance)	40	Driving Transport	7
Health	36	Debt	1
Housing	30	Data Prot/FOI	1
Migration	27	Equality Related	1
SW (General)	19	Voluntary Sector	0
Consumer	13	Access/Assist Tech	0
Education	12	Miscellaneous	0
Family	12	None	0
Suppl Welfare	11		

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	Number of Records Returned per CIC	Number of Records Returned per CIS
Ballyfermot CIS		**5**
Ballyfermot CIC	5	
Blanchardstown CIC		**4**
Blanchardstown CIC	4	
Dublin City Centre CIS		**9**
Dublin City North West CIC	9	
Clondalkin CIS		**2**
Clondalkin CIC	2	
Co Carlow CIS		**6**
Carlow CIC	6	
Co Clare CIS		**8**
Kilrush CIC	8	
Co Donegal CIS		**25**
Letterkenny IIU	2	
Carndonagh IIU	3	
Carndonagh PSC	3	
Donegal Town CIC	5	
Donegal Town IIU	2	
Dungloe CIC	4	
Dungloe IIU	3	
Milford CIC	3	
Co Galway CIS		**2**
Tuam CIC	2	
Co Leitrim CIS		**15**
Carrick on Shannon CIC	7	
Drumshanbo CIC	8	
Co Limerick CIS		**3**
Limerick CIC	3	
Co Longford CIS		**25**
Longford CIC	25	
Co Louth CIS		**8**
Dundalk CIC	8	
Drogheda CIC	1	**1**
Co Mayo CIS		**20**
Castlebar CIC	20	
Co Monaghan CIC		**5**
Monaghan CIS	5	
Co Roscommon CIS		**37**

Boyle CIC	10	
Roscommon CIC	27	
Co Sligo CIS		**6**
Sligo CIC	6	
Co Tipperary CIS		**5**
Thurles CIC	4	
Tipperary CIC	1	**1**
Co Waterford CIS		**8**
Waterford CIC	8	
Co Westmeath CIS		**21**
Mullingar CIC	5	
Athlone CIC	16	**16**
Co Wicklow CIN		**3**
Bray CIC	3	
Cork City Centre & South County CIS		**7**
Cork CIC	5	
South Mall	1	**1**
Cork CIC	1	**1**
Cork City (North) CIS		**5**
Hollyhill/ Knocknaheeny CIC	4	
Mayfield CIC	1	
Dublin 8 & Bluebell CIS		**7**

Employment

As usual a large number of social policy records are devoted to issues to do with employment. This quarter 77 (about 20%) of the total records received were on the topic of employment.

Many vulnerable employees were identified by the information providers in the social policy records returned to Comhairle. The following is a list of groups of the population who seem to be particularly vulnerable to mistreatment by employers

- Non-national employees (from both inside and outside the EU) who are being exploited by employers
- Employees who are in employment with a particular employer for under a year as they are not protected by legislation from unfair dismissal
- Older people (over 66) who because of their age have reduced employment rights in comparison to the rest of the working population
- Low paid workers (those that are replaced by even lower-paid migrant workers)

Most of the records were in relation to migrant workers who faced problems in accessing their employment rights. Problems included not being paid for work done, being paid less than the minimum wage, not being given holidays or holiday pay. In some cases, migrant workers' problems were compounded as their employer also provided accommodation. Fear of reprisal such as losing employment (and in some cases losing accommodation as well) meant that many migrant workers were reluctant to complain. In many cases where complaints were made employees lost their jobs.

Lack of basic information for employees including lack of payslips, P45s, P60s and terms and conditions of employment meant that clients of Citizens Information Centres were unable to access their entitlements. Previous employers reluctance or tardiness to give P45s caused financial hardship to many clients. This meant that 'emergency tax' was charged at rates of up to 42%. Employees were unsure how much tax and insurance was being paid (if any at all) as they had not received payslips from their employer.

Lack of clear, consistent information was also problematic for information providers in their dealings with state agencies and departments. Many clients had received incorrect or contradictory information from agencies and departments leaving them in need of the services of their local Citizens Information Centre

Some cases also noted employers' behaviour which verged on the criminal, such as the retention of migrant workers passports.

Many of the information providers who returned social policy records requested that inspectors in the Department of Enterprise Trade and Employment enforced more effectively the legislation that is in place. They also asked that stiffer penalties be given to employers who break the law.

The following is a selection of social policy records received in the category of employment.

General **No of Cases 6**

Co Mayo CIS (Castlebar CIC) 01/07/2005

The lack of awareness amongst employers of the basic rights of their employees is a matter that comes up regularly.
The latest is from an employee who has been working 6 years, no contract, no wage slips, no pay for bank holiday, no Sunday premium and full holiday entitlement not being honoured.
We have also received a number of calls from employers enquiring about their obligations (positive sign) but perhaps more needs to be done by Department of Enterprise, Trade and Employment to raise awareness amongst employers of their obligations

Leitrim CIS (Drumshanbo CIC) 23/09/2005

A business was closing down and two of its employees were not informed by their employer that this was happening. They heard about the closure outside of the workplace. When they approached their employer they were told that this was correct. This was four weeks before closure. No notice of redundancy was issued and both employees had over two years service with this employer. When asked if they had written terms and conditions of employment they answered "no".
The number of employers who are not adhering to the employment legislation is vast. There seems no incentive for employers to adhere to the legislation and employees in rural areas are very reluctant to pursue the matter as they feel doing so would be a disadvantage when seeking new employment.

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

A client had been working on a work permit in the construction sector for over four years. During that time, he had never received a payslip.
Six other foreign workers work for the same company, none of whom have a work permit. The wages for all seven workers are paid to the client, who has a work permit. The client explained that, on a number of occasions, when he divided up the wages among the other workers, there was very little left for himself, even though he had done the same work.
The client was completely unaware, given the absence of payslips and P60s for himself or the other workers, that he may be liable for the payment of the tax and PRSI relating to the other workers.
It seems that this employer was using this system of payment to distance himself from the illegal workers but, because of a basic lack of information available to the client, he was also placing the client in a position of extreme financial jeopardy in relation to taxation and PRSI.
When the potential consequences were explained to him, the client felt that he had been taken advantage of by an unscrupulous employer. Yet again, there is a basic problem with lack of enforcement of employment legislation. As this CIC has noted many times, there's not much point in enacting reams of legislation if the policing of it is not going to be financed and staffed adequately.

Co Roscommon CIS (Roscommon CIC) 01/07/2005

The client worked for many years for the Health Service Executive. She became ill in August 2004 and in November notified her employer that she wished to retire early on health grounds. Under the terms of the pension scheme, this necessitated a medical examination.
The client indicated that she was willing to see the consultant at any time, and even offered to visit a consultant in Galway if that would ensure a speedier appointment. She travelled to Galway and saw the consultant at the end of February, a delay of almost four months from the time she indicated her wish to retire on medical grounds. It took another three months for the first pension payment to be made, backdated to the date in February on which the consultant had certified that the client filled the medical criteria for retirement. During this period of eleven months, the client was living on the Widows Contributory Pension. She was unable to claim half-rate Disability Benefit because she had not had sufficient paid contributions.
The delay of four months in securing a consultant's appointment meant that the client did not receive four months worth of her pension payments. While the terms of the HSE pension scheme are clear in that the pension can only be backdated to the date of medical certification. This delay on the part of the HSE in securing an appointment to see a consultant cost this client a substantial sum, at a time when she was living on a seriously reduced income.
An upper time-limit for securing an appointment should be put in place.

Co Roscommon CIS (Roscommon CIC) 05/07/2005

A client is working in Ireland on a work permit. He is married with one child and the family live in rented accommodation.
A number of weeks ago, he was put on short time at work, and his wages have been drastically reduced. Last week, his wage was €11, hence his visit to the CIC.
The client was not informed by his employer that he would be entitled to apply for Unemployment Benefit for the days on which the employer had no work for him.
Following his visit to the CIC, applications were made for tax relief on rented accommodation, rent supplement, Unemployment Benefit and Supplementary Welfare Allowance.
This is an extreme case, but we feel that, in situations where employees are being put on short-time, laid off or made redundant, there should be an onus on employers to give them some basic information about entitlements, or at least an onus to refer them to their local social welfare office or CIC where they can source the necessary information for themselves.
Foreign workers may feel they have nowhere to get help when they find themselves in a situation like this. The situation is exacerbated for foreign workers who have not been in the country long enough to either learn English or to build up a support network within the community.

Rights for Older Employees **No of Cases 2**

Co Wicklow CIN (Bray CIC) 01/08/2005

A client aged 73 years consulted Bray CIC about redundancy. She has been working for a boarding school for the last 14 years and living in. The school is now closing

down and as well as losing her job she also has to find accommodation. The qualifying age for redundancy is 16-66. The centre contacted the Department of Enterprise, Trade and Employment and explained the circumstances. It appears that this woman will not receive redundancy. We asked if it was possible for them to consider the years prior to her 66th birthday and it apparently is not. At a time when the government is considering increasing the age for retirement it seems unfair that someone who has given good service should lose out in this way.

Non/Underpayment of Wages **No of Cases 11**

Co Longford CIS (Longford CIC) 05/09/2005

Client worked for one day as a building worker and was dismissed at the end of that day. He did not receive his one day's payment despite numerous requests for payment. CIC referred him to a rights commissioner.

Dublin 8 & Bluebell CIS (Liberties CIC) 22/07/2005

A Polish national found a job as a painter and decorator from an advertisement appearing on the FÁS website. There was no name or address on the advertisement just a mobile number to call. He called the number and left a message, his call was returned and he arranged to meet two men who offered him a painting job at €80 per day. He went to give them his PPS Number but they said not to worry about it as they would deal with it later on. He only found out these two men's first names. He worked everyday that week including Saturday, they told him his work was good. When he went in on Monday morning one of them told him his work was no good and to get out of there that they were not paying him.
We contacted the Employment Rights Unit and they said that the only place he could go to would be the Rights Commissioner but he would need the name and address of his employer.
We contacted FÁS and they told us that they do not verify employers information on their website. They also told us that they could only track the advertisement if we had the job number or the employers name. The man who came in knew which date the advertisement appeared and that it was the only advertisement for painters and decorators at the time. FÁS said that they could not track the advertisement with that information. Our client had not written down the job number.
We feel that FÁS should be able to track advertisements with the information that our client had. Also they should state on their website clearly that they do not verify the information given by the employers on the advertisements. They should also state that people need to retain the job number in case they need to track down the address.

Co Roscommon CIS (Roscommon CIC) 21/08/2005

The client approached the CIC on behalf of herself and some colleagues. They have been working at the same mushroom-growing and picking plant for a number of years. They are paid piecework for picking mushrooms and, while the punnet size has increased the piecework rate has not.
From the interview, it was clear that the client and her colleagues were being paid an average of €2.65 per hour. They were not paid any overtime premiums, and their employer had told them that they were not allowed to join a trade union.

She said that they had complained to their employer once about the rate of pay, but he had responded by changing the company name.
The CIC explained about the minimum wage entitlement and also that the employees had a right to join a union, even without informing their employer. The CIC also explained that breaches of the minimum wage rate were the remit of the Labour Inspectorate.
The client was clearly desperate not to lose her job, and was not willing to make a complaint because the Labour Inspectorate must receive complaints in writing before acting on them.
The Labour Inspectorate should be in a position to

a) step up on-the-spot unannounced checks and
b) investigate verbal or anonymous complaints

While the second may lead to a certain number of vexatious/frivolous complaints, employers who are compliant surely have nothing to fear.

Meath CIS (Navan CIC) 26/07/2005

Minimum Wage – Client working with current employer since aged 15 (i.e. for four years). She took a few months out to finish exams but still worked on call, as required during that time. Her employer is currently paying her 80% wage but will not pay the full €7.65 minimum wage due. Employer is arguing the point that she had a break in service and therefore is only due the reduced rate of pay. However, she is an experienced adult worker and should be paid the full rate.

North Kildare CIS (Maynooth CIC) 25/07/2005

A Polish man working in a factory is paid the minimum wage. An Irish employee who is doing the exact same job, standing beside him on a production line is getting twice his wage. When the Polish employee questioned this with his employer, he was told it was because his English was not good. English is not required to the do the job as no speaking is involved. Many non-nationals are not aware of their employment rights or are afraid to pursue them in case they lose their jobs.

Work Permits

Co Monaghan CIS (Monaghan CIC) 19/08/2005

A South African HGV driver was dismissed by his employer in Feb '05. He has taken a case for unfair dismissal. In the meantime he has held two other jobs (as a driver). Each employer promised he would apply for a work permit for him; neither did. Each in turn used his (the driver's) position as an illegal employee to force him to accept work conditions that he would not accept if he had a work permit. The Department of Enterprise, Trade and Employment say he should stop working illegally and get his employer to apply for a work permit. At that stage his case for unfair dismissal would assist him.
Comment:
The employee is in an impossible situation; he must work to survive and it may be weeks or months before his unfair dismissal case is heard. In addition, it is not within his power to force an employer to apply for a work permit for him. The work permit system must be made more flexible and more responsive to changing situations.

Perhaps a "temporary permission to work" could be issued to employees who are 'between jobs'.

Employer's Tax/PRSI **No of Cases 4**

Meath CIS (Navan CIC) 26/07/2005

A client has contacted the CIC as they have been offered a raise in annual salary. The raise appeared to be a substantial increase, however client was told that this annual salary would be less employer's PRSI. This brought the client's salary down from a figure of €41,000 on contract to an actual annual salary of only €36,592.50. This practice is illegal but yet still seems to go on.

P45/P60 Problems **No of Cases 6**

Meath CIS (Navan CIC) 28/09/2005

Client left previous employer at the end of July 2005 to move to a new job. Despite numerous attempts (telephone calls etc) client has not received P45. They have therefore been on emergency tax since the end of July with no hope of this changing in the near future. We rang the Tax Office (who are more than happy to write directly to the employer in such cases) and they agreed to request P45 from the employers directly. However, client still being penalised financially for the employers lack of courtesy and delay in handling simple matter. Should there be financial penalties for employers for excessive delays?

Employers not issuing Payslips **No of Cases 7**

Meath CIS (Navan CIC) 05/09/2005

Client is a qualified hairdresser. She previously received payslips until she went onto commission within the salon. Since that time although her commission is recorded, she never receives a payslip to reflect both her basic pay and the exact amount and rate at which commission is being paid. As a result she has no real way of checking figures to make sure she is receiving all payments due.

Meath CIS (Navan CIC) 26/07/2005

An EU National is applying for a mortgage but cannot get any payslips from his employer despite numerous requests. He feels that tax may not have been returned on his behalf. This again is a control issue, should not be happening. Better enforcement of employment regulations.

Information Problems **No of cases 14**

City Centre (Dublin) CIS (City Centre (Dublin) CIC) 10/08/2005

The problem occurred with the spouse of a person on a working visa. He came to us saying that he was having a problem getting employment; he knew that he had a right to work in any category of employment, but employers would not believe him as he

had a Stamp 3 in his passport. We gave him the guide to spousal work permits from the Department of Enterprise, Trade & Employment to show potential employers.
He also said that FÁS refused to register him for employment. We contacted the FÁS office and they denied that he could take up employment as the spouse of a person on a working visa. Again we had to send him back to FÁS with the documents from the Department.

Co Roscommon CIS (Roscommon CIC) 08/08/2005

The client was employed on the Social Economy Programme and was eventually made redundant. He found out by accident that he was entitled to a redundancy payment, even though his sponsor company continued to deny this for a number of weeks, claiming that the matter would be dealt with by FÁS.
He contacted the CIC to find out about the matter. The redundancy payments mechanism was explained to him and he was provided with the relevant forms. The sponsor company eventually signed the form but did not pay him any money. He applied directly to the Department of Enterprise, Trade And Employment for his payment in February but it has still not been paid and he has received no correspondence on the matter.
The client accepted that the claim might take some time to process, but felt that five months was too long without at least an acknowledgement that his claim had been received.
As an aside, RP50 redundancy forms are not being accepted by the Department of Enterprise, Trade And Employment, despite being available for download on the department's website. There is no point in having a form on the web if its not acceptable. This kind of thing just confuses people and leads to more delays.

Co Mayo CIS (Castlebar CIC) 27/08/2005

Client in receipt of One-parent Family Payment (she had one child) took up a place on a Community Employment (CE) scheme. Her One-parent Family Payment was reduced. In previous years the One-parent Family Payment was not affected if you took up a CE scheme had only one child. Many lone parents are unaware that their payment will now be affected if they take up this scheme. One client had to pay back over €900 to the Department of Social and Family Affairs. perhaps there should be a publicity campaign around this. Also the earnings limit from part time work should be increased in line with budget changes.

Accommodation and Employment **No of cases 3**

Co Clare CIS (Kilrush CIC) 01/08/2005

Two students (from an EEA country) came to Ireland to take up an offer of summer employment, which included accommodation. This was a new shed that was built to house outdoor equipment, lawn mowers etc and it appears a section was sectioned off for their accommodation. They worked whatever hours were given. If the day was wet or the business was slow they would be told today was their day off. They would only be made aware of this when they would turn up for their work.
They realised that the local staff were getting €8 per hour while their pay was something around €5 per hour, sometimes a few cents more, but not €5.50.

On approaching the CIC they were aware of the minimum wage and experienced workers. They did have to provide references of past work experience, which the employer checked up on, so they knew they were experienced. There was nothing much we could do for them until they first asked their employer for minimum wage, also bearing in mind they could lose their jobs and accommodation, when they asked their employer for minimum wage this is precisely what happened.
They are subject to the same working conditions as nationals of this country, with regard to pay and dismissal. They also have the right to bring the case to a Rights Commissioner. However, if they took the case to a Rights Commissioner they would not be able to attend the hearing as they would be in college and would not have the finances to travel to Ireland.[i]

Co Leitrim CIS (Drumshanbo CIC) 07/09/2005,

A migrant worker's accommodation was arranged by her employer on obtaining employment. Rent was deducted from her wages on a weekly basis. Subsequently this employee got married and wished to move away to reside with her husband. However, she was threatened with dismissal if she vacated the accommodation as the employer had contractual arrangements with a landlord.

Co Roscommon CIS (Roscommon CIC) 05/07/2005

This client of the CIC's Foreign Nationals Support Service is married and lives in Ireland on a work permit. His wife has also moved from their own country to live with him.
When he came to Ireland first, he was put into accommodation by his employer, sharing with a large number of other foreign workers, and his weekly rent of €50 a week has been deducted from his wages ever since.
When his wife arrived, his employer said that he was unable to live with her in the accommodation. He moved out and now rents an apartment where he lives with his wife. His original rent of €50 is, however, still being deducted from his wages by his employer.
This client's work permit is due for renewal in September and he is unwilling to approach the employer to have the deduction of rent stopped. The client feels that if he does so now, his work permit will not be renewed.
This client is clearly being failed by the system because he feels that the employer, who holds his work permit, is in a position of power over him, to the extent that he is paying for accommodation that he is not using.

Holiday Rights/Holiday Pay **No of cases 10**

Meath CIS (Navan CIC) 04/07/2005

A client who works full time has never received more than 2 weeks' paid annual leave in any year (despite being due 4 weeks). Also, the employer will not pay holiday pay until the employee returns from holidays as he feels that this ensures that they do not resign. As a result, client went on annual leave with no payment and had to wait until after the holidays were taken to obtain holiday pay owed.

Meath CIS (Navan CIC) 26/07/2005

A number of clients have presented to the CIC who have not received payment for public holidays, despite their entitlements. Some part-time workers were told it was because they only worked a couple of days a week.

Childcare **No of Cases 3**

Dublin North West CIS (Finglas CIC) 01/09/2005

The client, a 27 years 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)

Dublin North West CIS (Finglas CIC) 01/09/2005

23 year old mother of one, living in one bedroom flat on rent allowance offered training with a training allowance but without any childcare allowance. She was unable to avail of training due to the high cost of childcare (full time) and the reduction in her rent allowance.

Meath CIS (Navan CIC) 01/08/2005

Client in full time employment, separated and receiving part mortgage payment in lieu of maintenance. Cannot afford the cost of childcare so has approached her employer to drop her hours of work from full time to part time. He agreed to do this. She was hoping to claim lone parents plus work part time. However because mortgage payment by ex husband is approx €550 per month (and her contribution to this alone is over €260) she automatically is outside the guidelines for lone parents. I suggested FIS to her but she will not be doing 19 hours per week. A few days later she spoke to me to advise that the employer has decided he needs someone fulltime and she has effectively lost a full time job, she still cannot qualify for Lone Parents or FIS (as she is not working), she is worse off than ever.
This is definitely a case for provision of low cost childcare facilities for people with young families. This situation would not have occurred if client had access to affordable childcare.

Unfair Dismissals **No of Cases 2**

North Kildare CIS (Maynooth CIC) 04/07/2005

A non-national who was here on a work permit took 2 weeks holidays. When he returned his employer said she did not need him anymore and employed someone else who did not need a work permit.
The same employer refused the man's wife her job back after maternity leave. As the couple are from outside the EU they are not entitled to work here without a work permit. Work permits are no longer issued for the type of work they do. Employers should be more accountable for their treatment of workers on work permits so this abuse does not continue.

Northside CIS (Northside CIC) 25/08/2005

In Northside CIS we have had increasing numbers of clients who have been working with an employer for less than a year reporting unfair dismissals cases. As employment legislation only covers those in employment for 12 months or more it places the employee in a vulnerable position. A recommendation from a Rights Commissioner has no legal standing and attendance by the Employer at such a hearing is voluntary. We feel attendance of the employer at such a case should be compulsory and also that employment legislation around unfair dismissals should be effective from the date the employee starts. In effect they only have rights around dismissal after one year which does not make sense as an unfair dismissal could take place at any point up to a year. Many of the clients who have reported such cases to our service who have been working less than a year are frustrated that their rights are not enforced and they are not protected by legislation.

Illegal Behaviour of Employers **No of Cases 2**

Co Roscommon CIS (Roscommon CIC) 26/07/2005

A number of clients have informed us that their employer has been withholding their passports.
The foreign national workers are all on work permits. The CIC has been informed by the Department of Enterprise, Trade and Employment, that this practice is illegal and that the employees should go to the Gardaí.
This is the second time that this CIC has encountered this problem in relation to this company alone. Naturally, the workers are afraid that if they seek the return of their passports, they will be let go or their work permits will not be renewed.
As a means of protecting individual workers, the Development Manager is considering writing to the employer to outline that retaining workers passports is illegal.

Co Roscommon CIS (Roscommon CIC) 21/07/2005

The client had been on Unemployment Benefit (UB) two days one week, and three days the next, while working part-time. He later secured a full-time professional job with another employer.
During the period when he was receiving UB, his wife, who was also working, paid the tax due on same.
Shortly after starting work, the client was informed by his employer that they had received a telephone call from Revenue telling them to deduct the full amount of UB that he had received from his wages, because it had to be repaid to the State now that he was working.
He has seen no correspondence from Revenue, has not been contacted by Revenue himself, and understands that his employer has not received any correspondence from Revenue outlining the position.
His net salary, for a full 35-hour week, has been in the region of €150 for a number of weeks as a result of his employer's claim that UB must be deducted.
The CIC contacted both the PAYE helpline and the local Social Welfare office on behalf of this client. Both said that there is no requirement for the full amount of UB

to be paid back, but that the payment is liable to tax. Revenue informed the CIC that, in the event that information about deductions is being communicated to an employer, it is always done in writing.
The client is now taking the matter up with his employer. The client is employed on a fixed-term contract and is concerned that if he "makes waves" his contract may not be renewed. The CIC informed the client that, in the event that he does not receive a satisfactory response from the employer, it would be an option for him to approach Revenue directly or inform the Labour Inspectorate.

Bullying and Harassment **No of Cases 2**

Co Longford CIS (Longford CIC) 05/07/2005

Client had to leave employment because of alleged bullying and harassment from her employer. The client was requested by her employer to leave the premises which resulted in her dismissal. When the client applied for Unemployment Benefit her employer reported to the social welfare office that the employee had left employment of her own accord and that her position was still available if she returned. This delayed the payment of unemployment benefit. The client is now referring her case to an appeals officer on advice from us.

Meath CIS (Navan CIC) 26/07/2005

Client was being bullied and came into CIC for advice. She started procedures to meet with supervisors/ management to try and resolve the situation. She kept in contact with this CIC and called in today to advise that she resigned a couple of days ago because she could not see a way to resolve the situation and could not handle the stress of it any longer. She had documented what was happening and was very clear about her situation. It should have been possible to find a solution because of this but this was not the case. Again more enforcement of the rules is needed. Companies should ensure that anti-bullying and harassment policies are in place and used when needed. Surely clients should not feel like resignation is their only option.

Social Welfare

Many of the clients of Citizens Information Service have queries to do with Social Welfare entitlements. For many, the Citizens Information Centre is a place where a client can go to get clarification on a certain decision taken by an official in the department or procedure used in the Department of Social and Family Affairs.

In previous Social Policy Quarterly Reports this section was divided between Social Welfare (General) Social Welfare (Insurance) and Social Welfare (Assistance) and Supplementary Welfare categories. In this report they are categorised by topic and what types of Social Welfare Category they fit into appears in the header for the subject category. Take for example the following sub category title:

Information problems	**No of Cases 21**
Of which 7 General Social Welfare, 9 Assistance Payments and 5 Insurance Payments	

This means that of the social policy records that were received in the social welfare category 21 cases reported information problems. Seven of these information problems fitted into the general social welfare sub category, nine were in the social welfare assistance category and five fitted into the social welfare insurance payments category.

Information problems were reported across all categories of social welfare. Information problems identified by CICs ranged from the design of forms (in particular Widows Contributory Pension and the Free Travel Pass application forms) to unacceptably long periods spent on hold getting through to Social Welfare Offices (reports of being 'on hold' for up to 50 minutes when trying to reach Sligo Social Welfare Office). CICs also reported a worrying amount (7) of discourteous treatment of clients and information providers. There were also a number of Social Policy Records documenting very long delays in the processing of clients' entitlements sometimes leaving people without income for protracted periods.

Major problems were reported about clients not being informed of their entitlements at the appropriate time. For example people were not told that they were entitled to supplementary benefits such as the Household Benefits Package when they applied for Contributory or Non Contributory Old Age Pensions.

The Free Travel Pass was mentioned as a problem for some people. Some injustices were perceived such as a person who was only allowed have her spouse as a travel companion. Other problems arose for people at the application stage where those eligible for the Free Travel Pass had difficulty in filling out the application form for it. Much of the complaints were not about the Free Travel Pass *per se* but about the general lack of transport for people without access to cars in rural areas.

Information problems **No of Cases 21**
Of which 7 General Social Welfare, 9 Assistance Payments and 5 Insurance Payments

Co Donegal CIS (Milford CIC) 01/07/2005

Over the last few months we have received several complaints about the complexity of social welfare application forms. One woman stressed that she found completing the widows contributory pension to be very complex and time consuming and the whole process left her feeling very stressed and annoyed.

Co Leitrim CIS (Drumshanbo CIC) 10/08/2005

A lady contacted the service by telephone as she was having difficulty completing an application for a Free Travel Pass and could not locate a part referred to on the form. On checking a form at the office, it happens that the part referred to does not exist (part 9). This matter would cause confusion to applicants.

Co Roscommon CIS (Roscommon CIC) 24/09/2005

Delays in answering calls to the One-parent Family Payment section of the Social Welfare office in Sligo are reaching serious proportions. I telephoned the office on behalf of a client and on one occasion while the client was with me, we listened to recorded music for 31 minutes before giving up.
I tried the LoCall number again a few days later and was unable to even get a connection. I then tried the office's main number and was on hold for 17 minutes before I got to speak to a human being about a very simple query. The official was extremely helpful and polite when I finally got to speak to her.
These delays are a considerable drain on our resources and those of our clients.

Cork City (North) CIS (Hollyhill/ Knockaheeny CIC) 01/09/2005

Over the last few months new One-parent Family Payment applications have been sent to local offices for processing rather than Sligo in order to speed up the application process. If this cuts down on waiting times to get through on the phone to Sligo then this will be a useful move. However, I have had to phone our local office a number of times with queries regarding various issues with clients and have problems getting the information I require. All the staff I have encountered have been extremely reluctant to give me details regarding the client when the client is not with me, even though I have explained that many of our clients phone in their queries or even email us. This of course makes my job extremely awkward, if every Social Welfare Department were to do this to us we would be unable to do our jobs. When I asked why they were unable to help me I was told that under the Official Secrets Act and Data Protection they were unable to give me out the information directly, I have never experienced this however when I ring Sligo.

Co Donegal CIS (Dungloe IIU) 01/07/2005

Client applied for One-parent Family Payment in February 2005 and rang at the end of July to be told that they were only dealing with Nov 04 applications as yet 9 months of a backlog!!

City Centre (Dublin) CIS (Dublin City North West CIS) 22/08/2005

Client in his mid- thirties on Disability Allowance had gone to the local Social Welfare Office some time ago and requesting going on Living Alone Allowance. His

local Social Welfare office (Navan Road) told him on one occasion that there was no such payment. On another occasion when he was with his cousin was told that he had to be over 65 for Living Alone Allowance.

Co Louth CIS (Dundalk CIC) 08/08/2005

A married couple called requesting advice and assistance. They originally resided and worked in Northern Ireland but moved to the south two years ago when they retired. A friend informed them that as they are on a social security pension from another EU country with no other means that they should be entitled to the Household Benefits Package and also a Medical Card. Through lack of knowledge and information this couple have been at a loss of both benefits for two years. This is a regular enquiry in this office.

Co Mayo CIS (Castlebar CIC) 21/07/2005

I have had two clients recently who have been on Disability Benefit for the past twenty years. These people were living alone in very difficult circumstances and would have benefited from the Household Benefits Package, Free Travel, and Living Alone Allowance. They had never been informed by the Department that they could apply for Invalidity Pension which would have given them an entitlement to these benefits.

Co Tipperary CIS (Thurles CIC) 11/07/2005

We were of the opinion in this office that in order to get Disablement Benefit, one would need to be on Injury Benefit for a required number of weeks before applying for Disablement Benefit.
On speaking to the Disablement Benefit Section of Social Welfare, Dublin Office, we were informed that one could apply for the Disablement Benefit straight away after the injury or accident. It was not necessary to be on Injury Benefit first.
This was news to us and the booklets both on Injury Benefit and Disablement Benefit are ambiguous regarding same.

Co Wicklow CIN (Bray CIC) 16/08/2005

An elderly married couple recently contacted Bray CIC regarding an application for Invalidity Pension. The husband has been in receipt of Disability Benefit for twenty-three years. Now nearing his sixty-fourth birthday he has received an application from Social Welfare for Invalidity Pension. He then discovered that he would have been entitled to this pension years ago. His disability was degenerative and his doctor had informed him that he was incapable of work for life.

Westmeath CIS (Athlone CIC) 19/07/2005

A client came into the CIC to enquire about signing on in Social Welfare. He had just come back from the local social welfare office where he had been told that he could not sign on without his P45. He had just left his job in Dublin to relocate in Athlone and was awaiting his P45, which was due to be sent to him.

I knew this information was incorrect so I called the local office to enquire about it. The lady who answered the phone was surprised that this information had been given to a client and she asked him to return to the Social Welfare office where she would process his claim.

Discourteous treatment **No of Cases 7**
Of which 4 General Social Welfare, 0 Assistance Payments and 3 Insurance Payments

Co Mayo CIS (Castlebar CIC) 26/07/2005

Discourteous treatment is an ongoing problem. A number of clients have complained recently about their treatment in Social Welfare offices. The most recent complaint was from a young woman who went to sign on for Unemployment Assistance (UA) and was told very rudely that she was not eligible to apply. When the CIC investigated it transpired that she was eligible for UA. Not only was she given incorrect information but it was delivered in what she considered was a rude and intimidating manner.

Kerry CIS (Caherciveen CIC) 01/07/2005

A young Irish man moved back from America with his New Zealand wife and children. They went to the local social welfare office to get a PPS application form for her, but was told quite rudely that she needed proof from her employer that she was working here, when she said that she was going to be a stay at home mother, she was told that she did not need a PPS Number and was therefore refused an application form.
The young man said he felt that he had disturbed them from some personal conversation and that the staff member just didn't want to deal with him at that time.

West Cork CIS (Bantry CIC) 28/09/2005

A man (70) and his wife (55) came to the centre in a very distressed state. The man, terminally ill, had called to Bantry Social Welfare Office to find out if his wife could claim widows contributory pension on his PRSI record or any other payment when he passed away. He was very concerned that because his wife had not paid PRSI herself that she would be left with no income. The person that he spoke to told him he was entitled to nothing and to 'go away' this happened on three separate occasions. Each time he was told to go away because she would get nothing either. The man has been paying a class S contribution in Ireland since 1988.
Although he spoke with a foreign accent he holds an Irish passport and is an Irish citizen. A written copy of his PRSI record was obtained and the widow's section contacted to check eligibility. It appears that his wife will qualify for a pension when he passes away.

Delays in Payment **No of Cases 9**
Of which 1 General Social Welfare, 3 Assistance Payments and 5 Insurance Payments

Co Clare CIS (Kilrush CIC) 04/07/2005

Client on Disability Allowance had lost his arm from the shoulder down. On applying for Invalidity Pension, he left it for approx 2 months. When I phoned to see what the delay was in processing his claim. The reason was he has to be assessed. This assessment is not necessary as the total loss of his arm was documented on application for Disability Allowance. In this case his disability couldn't possibly have improved so the delay in processing the application was totally unnecessary.

Co Donegal CIS (Dungloe CIC) 31/08/2005

Client applied for Carer's Benefit (CB) on 1st June and it wasn't awarded until 1st September. The client had given their employer 6 weeks notice of intention to take Carer's Leave which would have left them going on leave on the 13th July but they have had to keep putting off their leave date several times while awaiting decision on CB being granted by Social Welfare. Not to mention the stress of trying to care for this family member while holding down a full time job in the mean time.

West Cork CIS (Bantry CIC) 27/08/2005

A Polish man came to the centre as he was concerned with the delay in receiving his Unemployment Benefit. He had been waiting for 5 months and had called weekly to his local social welfare office to check if the payment had come through and he was told each time to come back in a week. I contacted the social welfare office to query the delay and I was told that a cheque was ready to be issued and it had been there for 'some time'. I asked why the client had not been informed that his payment was through and no reason was given. I informed the staff member at the social welfare office that the client had been in to them last week and was told that the payment had not come through. The social welfare office staff member said they must not have been checking the computer.

Meath CIS (Navan CIC) 26/07/2005

A client on a means tested social welfare payment (means tested payment). He moved back into his parent's home. While a means test was being carried out based on his new circumstances, (i.e. his father's income) client was left for 20 weeks without any form of assistance. No supplementary welfare was paid either.

Fuel Allowance **No of Cases 9**
Of which 1 General Social Welfare, 8 Assistance Payments and 0 Insurance Payments

Cork City (North) CIS (Hollyhill CIC) 01/08/2005

Client on Carers Allowance had applied for Fuel Allowance and was turned down. When they came into us to enquire as to why, I found out that people on Carers Allowance are not entitled to Fuel Allowance. When I asked for the reasoning behind this, they could not answer me. The person I spoke to was unaware as to why this is so, feeling perhaps it was because they could receive Household Benefits. Yet if a person is in receipt of Disability Allowance they can receive both Household Benefits and Fuel Allowance if they fulfil the requirements and satisfy a means test. This seems very unfair to those on Carers Allowance, in this instance the woman had switched from a One-parent Family Payment and although they will receive the

Household Benefits Package, they will be losing out this winter because they will not receive the Fuel Allowance.

Cork City (North) CIS (Hollyhill/Knocknaheeny CIC) 01/09/2005

Client received grant to get central heating into corporation house, now having problems affording to heat the house due to the massive hikes in heating bills. Perhaps the solution needs to be an increase in Fuel Allowance to allow those who are finding it most difficult to meet the higher costs in heating to stay warm this winter.

Household Benefits Package **No of Cases 6**
Of which 2 General Social Welfare, 3 Assistance Payments and 1 Insurance Payments

Meath CIS (Navan CIC) 26/07/2005

Client had been in receipt of the Household Benefits Package for a number of years. They moved house within the Meath area recently. Yet, they had to complete a new application for Household Benefits Package and return to Social Welfare. This application would be processed in due course (at moment some applications take a number of weeks). In the meantime, the client finds that they are paying full bills again.
Surely, if it is just a change in ESB/ Telephone account numbers and giving proof of a new address, there should be an easier way to adjust details without going through the whole application process again?

Anomalies **No of Cases 20**
Of which 7 General Social Welfare, 9 Assistance Payments and 5 Insurance Payments

Co Roscommon CIS (Roscommon CIC) 08/09/2005

The client is a recently arrived UN Resettlement Quota refugee from Chechnya. He has been claiming Unemployment Assistance since his arrival and was recently offered a place on a FÁS training scheme.
The client speaks very little English and is having serious difficulties in managing his money and paying his household bills. In view of this, our volunteer Integration Officer brought the client to MABS and the result was that he joined the Household Budget Scheme. He was very happy with this, because it means that it was easier for him to manage his payment and bills.
He was also delighted to obtain a place on the FÁS course, but it transpired that to take up the place he would have to come off the Household Budget Scheme because his FÁS payment would go to the bank and the scheme only applies to payments going through a Post Office. This client depends on the Household Budget Scheme and it seemed unfair that he would have to choose between help with managing his payment and a training course.
Perhaps FÁS training allowances could be incorporated into the scheme, even though they are not Social Welfare Payments.

Co Roscommon CIS (Boyle CIC) 22/08/2005

The client was on Unemployment Benefit (UB). When his UB ran out, he applied for One-parent Family Payment. He subsequently left Ireland to visit the United States for 6 months. When he returned, he was required to satisfy the Habitual Residence Condition again. On his return the Community Welfare Officer (CWO) refused Social Welfare Assistance and refused to supply the client with an emergency payment, leaving him and his child completely destitute.
Another Community Welfare Officer gave him a €240 emergency payment, but his usual Community Welfare Officer refused any applications for Exceptional Needs Payments while his One-parent Family Payment claim was being assessed. It took six months for a decision to be made and the client was awarded One-parent Family Payment.
This client, because he was not aware of the rules in relation to means-tested payments, fell through the cracks in the system for a time. However, what concerns us in a social policy context is that the father's failure to acquaint himself with the rules meant that his child was penalised and thrown into poverty.
Secondly, one CWO refused an emergency payment while another awarded it, despite the circumstances being exactly the same. This shows that CWO discretion does not always benefit the client.

Cork CIS CIC, 28/09/2005

Man on Unemployment Benefit for the last three weeks unable to claim for his two daughters (both in education) as he is on a short term payment even though he has paid his PRSI all his working life. It seems unfair that he has to wait until he is on the payment for 156 days.

Co Westmeath CIS (Athlone CIC) 28/07/2005

A client in full time education is working for the summer months. He has been working from June until end July, but has injured himself and is unable to continue working. His doctor has advised him to apply for a Disability Payment.
Social Welfare have checked his record and have advised him that he should qualify for Disability Benefit. In the interim he was advised to visit the Community Welfare Officer (CWO) as the payment would take a few weeks to come through.
On meeting the CWO he is informed that he will not qualify for Supplementary Welfare Allowance as he is in full time education. The client leaves without being given the opportunity to apply for Supplementary Welfare Allowance.
The Client feels very aggrieved, and feels that he is being unfairly treated. He feels that he has being paying his contributions for years, while working part time, and is currently in full time employment as opposed to full time education (as it is the Summer period). He feels that he should qualify for Supplementary Welfare Allowance, as he is going to qualify for Disability Benefit.

Meath CIS (Navan CIC) 26/07/2005

Client was in receipt of Rent Supplement. Commenced work on a Community Employment Programme (which gave same income level) and advised their Community Welfare Officer accordingly of the change in their circumstances. Obviously a review had to be carried out but client's payment was stopped pending outcome of this review. The existing system causes hardship for many as their rent

allowances are stopped and they find themselves in difficulty with their landlords as they run into arrears.

Free Travel/General Transport **No of Cases 5**
Of which 1 General Social Welfare, 3 Assistance Payments and 1 Insurance Payments

Co Donegal CIS (Donegal Town CIC) 19/08/2005

At an outreach session locally in Donegal a group of pensioners expressed strong feelings in respect of the Free Travel Scheme. Although they were all in possession of Free Travel Passes they were unable to access transport locally, on a day-to-day basis to go to the Post Office, Chapel, shops, etc, despite the fact they had a pass, as the services are not available locally.
They felt that the issue of rural transport needed to be addressed to enable those in rural areas such as Donegal to access transport within the county particularly on pension day.

Co Roscommon CIS (Roscommon CIC) 04/07/2005

The client's husband is in prison, serving a lengthy sentence. She lives a long distance from the prison in which he is being held and has no access to her own transport. She and her children live on Social Welfare.
She receives assistance under the Supplementary Welfare scheme to enable her to visit her husband, and to bring her children to see their father. However, this assistance is only available once a month, and the client does not feel that this is sufficient, given that the children are very young and that she would like them to maintain some kind of relationship with their father while he is in prison.
Consideration should be given to providing qualified applicants -- particularly those with children -- with the means to visit spouses in prison twice a month.

North Kildare CIS (Maynooth CIC) 25/07/2005

Clients who live in Dunboyne, Co. Meath, have to travel to Maynooth Co. Kildare to sign on for unemployment payments. It is a journey of almost 7 miles and there is no bus or train service. This is very inconvenient for anyone who doesn't have a car, and taxi fare would be quite expensive, especially when on a restricted budget. Clients who are referred to FÁS by Social Welfare, under the National Action Plan also have to travel to Maynooth, even though there is a FÁS office in Dunboyne. Clients should be given the option of using the Trim Social Welfare office which is on a bus route.

Co Donegal CIS (Donegal Town CIC) 26/08/2005

A 64-year-old woman has been resident in Ireland for 2 years. Until age 60 she was in receipt of UK incapacity Benefit. At age 60 she was transferred to UK Retirement Pension. She queried her eligibility for a Free Travel Pass. The DSFA Free Travel Section have said that if she furnishes them with evidence that she was in receipt of Incapacity Benefit prior to reaching 60 she will qualify for a Free Travel pass. The DSFA Free Travel Booklet does not indicate this. I feel this is a lack of information issue which in turn can lead to gender and age inequality for women between age 60

and 65, who were in receipt of UK incapacity benefit prior to reaching UK retirement age.

Carer's Allowance **No of Cases 5**
Of which 0 General Social Welfare, 5 Assistance Payments and 0 Insurance Payments

Co Leitrim CIS (Drumshanbo CIC) 09/07/2005

A lady who cares for her disabled husband in her own home also cares for her mother-in-law who is disabled and lives close to her. Her mother-in-law cannot reside with her, as the facilities in her house would not accommodate her needs. Her mother-in-law has her own home modified to meet her needs. This lady spends her day going from one house to another, and was disallowed Carers Allowance in respect of the care provided for her mother because of the fact that she did not reside with her. Full time care and attention means caring for a minimum of 40 hours per week and it appears that the allowance payable for caring for a second person is not allowed unless they reside with the carer.

Co Roscommon CIS (Roscommon CIC) 28/07/2005

The clients are a married couple with three severely disabled children. They applied for Carer's Allowance and were awarded the payment for the first two children, but nothing for the third.
The Department of Social and Family Affairs when contacted noted that the regulations provide for payments for caring for up to two people but carers providing care for more than two people receive the same, depending on means.
There is a level of inequality here. The parents are providing the same standard and level of care to all three children, and they are surely entitled to be treated equally. Obviously, their caring duties are much more onerous than if they were caring for just two children.
By caring for all three children at home, these parents are saving the State a very substantial sum in long-stay residential care costs.

Hospital Care disallowing Benefits **No of cases 2**
Of which 0 General Social Welfare, 2 Assistance Payments and 0 Insurance Payments

Co Leitrim CIS (Carrick on Shannon CIC) 04/08/2005

A mother, whose child is very ill, applied for Carer's Allowance. When awarded there was a gap of six weeks for which no payment was given. When the relevant department was contacted with regard to the matter, they explained that no payment would apply for the six weeks as the child was in hospital. However, the mother was with the child in the hospital for five of the six weeks as the child was an acute patient and needed a parent there at all times. [ii]

Pensions **No of Cases 12**
Of which General Social Welfare 2 Assistance Payments and 10 Insurance Payments

Co Galway CIS (Tuam CIC) 06/07/2005

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

Meath CIS (Navan CIC) 06/09/2005

Client is returning to work having been a homemaker and lone parent for the past 23 years. She wished to start her own small business but found that because her social welfare payment was changed recently from One-parent Family Payment to Unemployment Assistance (because her last dependent reached 23 and has completed her full time education) that she does not qualify for the Back to Enterprise Allowance. I rang that Department of Social and Family Affairs and was advised that she needed to be on Unemployment Assistance for 3 years or One-parent Family Payment (OFP) for 12 months. She would have received the payment if she had stayed on OFP and applied before her last dependant finished college. They would not look at the fact that she had a qualifying payment for 23 years.

Dublin 8 & Bluebell CIS (Liberties CIC) 13/07/2005

A client's husband is on Retirement Pension and he is 72, she is in her early 60s and is a dependant on his payment. Due to ill health they need to downsize their family home.
This meant they sold their present home for €315,000.00 and bought a smaller home for €165,000.00 leaving them with a profit of €150,000.00. While the husband is on Retirement Pension his money is not assessed, however, because his wife is a dependant she is liable to be means tested. The way this is calculated is their profit of €150,000.00 is divided by two to give us €75,000.00 and the means are assessed against the dependant. So based on this figure she does not qualify for the Dependant Allowance and will not now be a dependant on her husband's book. It also means that she will not qualify for a Non Contributory Old Age Pension.
Retirement Pension is not a means tested payment and, therefore, is not subject to a disregard, however, if you are claiming for a dependant they are subject to a means test and a disregard. We feel this to be unfair as it puts the dependant in a position where they are totally relying on their spouse. We are aware that there is a exemption limit of €190,000.00 for people aged 66 and over who are selling their property, however, in this case our client is under the age and therefore will not benefit.

One Parent Family Payment **No of Cases 7**
Of which 2 General Social Welfare 5 Assistance Payments and 0 Insurance Payments

Dublin North West CIS (Finglas CIC) 05/09/2005

The client is 25 years of age, mother of one child on One-parent Family Payment receiving rent allowance. She was offered employment receiving €180 per week. If she took this employment opportunity she would lose 25% of her rent allowance (€220 per month). Her other Social Welfare payments would also be cut meaning that she would only gain €100 per week. When child care and travel expenses are taken

into account her earnings are reduced even further. The client decided it would not be worthwhile to take up the job.

Co Waterford CIS (Waterford CIC) 07/07/2005

One-parent Family Payment income disregard has not been reviewed since 1997. With the increase in minimum wage etc. this disregard should be reviewed upwards to encourage lone parents to remain in the workplace.

Co Westmeath CIS (Mullingar CIC) 21/09/2005

A client is a young single mother on One-parent Family Payment. She was offered employment for 10 hours per week (rate of pay €135.00). If she takes the job she will lose €85 on her rent supplement. She has decided not to take the job as she has too much to lose. However she stated that she would like to return to work.

Deserted Wives Benefit **No of Cases 2**
Of which 2 General Social Welfare, 0 Assistance Payments and 0 Insurance Payments

Northside CIS (Northside CIC) 01/07/2005

I had a lady in with me recently, she was very disappointed having been notified from Social Welfare that her Deserted Wife's Benefit (DWB) would finish, as her earnings had now exceeded €17,776.33 with her new increase on J1 for 2005. When this lady went on JI in 2004, she contacted Social Welfare and was told her earnings would not affect her DWB payment.
Women prior to 1992 on DWB continue to keep their benefit but after 1992 and up to 1997, when it changed to One-parent Family Payment it now appears that there is an earnings limit between this period. It seems very unfair, despite the fact that this woman's status is exactly the same as pre 1992.
I rang Social Welfare and spoke to the person that had written this letter to the lady, she explained that legislation was passed in 1992 by the then Minister for Social and Family Affairs, women on that payment after 1992 would have an earnings limit, unfortunately there is very little this lady can do. Once again it highlights the anomalies in the system, where women prior 1992 can earn very high salaries and still not effect their payment.

Northside CIS (Northside CIC) 23/09/2005

Deserted Wives Benefit payment was a social insurance payment. Entitlement to it was based on Social Insurance Contributions paid by the wife or her husband. This payment (DWB) was closed to new applicants in January1997 but those who qualified for it before then can continue to claim it. Where a claim for DWB was made on or before 30th August1992 no earning limit applied. For claims made on or after 31st August 1992 there is an income limit. The current earning limit for DWB is €12,697.38 a year (gross earnings). If earnings are over €12,697.38 a year a woman may be entitled to a reduced rate of DWB provided earnings do not exceed €17,776.33 a year (gross).
The clients at the C.I.S who are seeking social Welfare Appeals feel that this is unfair as women who are own DWB payments prior to August 1992 are not subject to a

means test. The criteria for DWB has always been the same right up until it was done away with in January 1997(it was based on social insurance contributions). The clients at the Northside C.I.S who are appealing this ruling feel that they are been discriminated against because recipients on DWB before August 1992 are not subject to an earning limit when in employment and their status does not change. It was unjust of the DSFA to differentiate between women on DWB before August 1992 and women on DWB after August 1992

Back to School Clothing and Footwear Allowance No of cases 4
Of which 2 General Social Welfare, 2 Assistance Payments and 0 Insurance Payments

Co Donegal CIS (Dungloe CIC) 31/08/2005

Several people have highlighted that the costs of uniforms and books are ever increasing and that while the Back To School Clothing & Footwear Scheme is a help it is not nearly enough given the high costs incurred at this time of year. Families surviving solely on Social Welfare Income find this a huge pressure.

Health

The majority of Social Policy Records received (13) in the health category were in relation to Medical Cards and the administration of the scheme. The administration of the GP Visit Card caused some problems for information providers and clients. There is confusion about the scheme and there is a lack of reliable information as to who is entitled to a GP Visit Card and what the process is for applying for the scheme. Also it seems that although the Medical Card scheme has been extended it is still not covering those most in need of a medical card. Many of the problems to do with application forms have been resolved since these records were received. Other problems with the process remain.

The lack of resources and facilities for certain patients who have difficulty with travel to and from medical appointments was also pointed out. In many cases, patients had to spend a lot of time and money on transport to and from clinics that were local to them previously. The fact that public transport links in rural areas are not sufficient is not taken into account in the decision to relocate health services.

Problems were also highlighted with regard to a lack of services available. This was highlighted in the case of Occupational Therapists in particular areas in Dublin.

Problems with awareness of various schemes were also highlighted. Although there is no onus on many health professionals to supply information on social welfare or health schemes many do. Clients were not, for example, finding out about the Drugs Payment Scheme from their pharmacist. This resulted in some clients paying more than was necessary for prescribed drugs. GP Surgeries are not obliged to supply application forms for Social Welfare payment s but many do. Often the distribution of incorrect forms to clients when they had an injury or illness that prevented them from working resulted in delays in payment for Disability Benefit or Allowance.

A selection of the Social Policy Records relating to Health is displayed here.

Medical Cards **No. of Cases 13**

Dublin 8 & Bluebell CIS (Liberties CIC) 17/08/2005

The new Medical Card Application Form has no section to be signed by a General Practitioner. This is causing great difficulties as people are submitting their application forms and they are being returned to them asking them to get a letter from their General Practitioner. We would like to point out that no where on the application form does it state that this has to be done and we feel that either a section should be added to the new application forms or a note at the bottom stating that the Applicant should enclose a letter from their G.P.

Co Roscommon CIS (Boyle CIC) 28/07/2005

The recent national advertisement in relation to income guidelines for the Medical Card and GP Visit Card has caused confusion among a number of clients. The advertisement is misleading because it gives the impression that the over-70s card is

means-tested. We contacted the Department of Health who explained that this only applied where one of a couple was aged under 70 and where the couple were jointly applying for the card. If this is what the Department meant, why didn't they simply say so. The advertisement should be adjusted and published again.[iii]

Co Roscommon CIS (Boyle CIC) 28/07/2005

There was some welcome for the Government's intention to introduce a GP Visit Card with a higher income guideline than that pertaining to the Medical Card when it was announced in the last Budget.
However, people earning the minimum wage will not qualify for the GP Visit Card on income grounds.
The GP Visit Card does not go far enough. Minimum wage workers, as well as those on social welfare, should qualify.

Co Roscommon CIS (Boyle CIC) 19/08/2005

The client mislaid his medical card. Because of literacy issues, he did not know how to go about applying for a replacement card. The CIC assisted him with this.
The client, however, said he was being charged by his doctor for every visit since he had lost the card, even though the doctor's records would show that he was a GMS patient.
Doctors should not charge patients in these circumstances. It would be easy for the practise to check with the HSE to find out if the patient has a valid card, even if the card itself is not presented on the day of the consultation.

Waiting lists **No of Cases 4**

Ballyfermot CIS (Ballyfermot CIC) 05/08/2005

Ballyfermot has a long waiting list for Occupational Therapy. Ballyfermot has a high number of senior citizens who badly need the services of the Occupational Therapists. Also these people are forced to employ private Occupational Therapists to carry out the work that the HSE is supposed to provide for them due to the long waiting list. The delay is also causing huge delays in people applying for the Disabled Persons Grant, which depends on the Occupational Therapists report before the application can be processed.

City Centre (Dublin) CIS (City Centre CIC) 25/07/2005

An elderly man contacted the office to ask if we could be of assistance to him. His wife had received a bath lift from the Occupational Therapist some time ago but as her illness had progressed it was of no use to her. The man reckoned that there were a lot of people who would benefit from the use of this aid so he was offering it back to the local HSE for someone else's benefit. He had spent 3 months contacting the local health centre about this but no one had come to collect it.
I contacted the occupational therapy department concerned and was told that there was a waiting list for the returning of aids and appliances.

Westmeath CIS (Athlone CIC) 26/07/2005

A client had applied for the Domiciliary Care Allowance. She had waited nearly 3 months, and had no response to her application. On telephoning, I was told that all applications were heavily delayed as they were in the process of advertising for new staff, and no applications were being processed in the interim.
The client felt this was unfair, as she needed this payment, and felt that the reason for delay was unacceptable.

Information Problems **No of Cases 4**

Kerry CIS (Killarney CIC) 01/07/2005

People who are applying to have their medical cards renewed who have been on an unemployment payment for 12 months and have recently returned to work are being refused a renewed medical card on the grounds of their income and are not being told that they can hold on to it for three years regardless of income.

Co Leitrim CIS (Carrick on Shannon CIC) 21/07/2005

An elderly resident in a private run nursing home came to the centre. He had been referred to the centre by a bank official. This man had spent some time in a private nursing home and received a bill for €23,000. He went to the bank and got a draft for this amount. The bill was not clear as to what the payment was for. No reference seemed to be made to dates, level of dependency, medication etc. This resident was in receipt of a Nursing Home Subvention payment and this was not indicated on the bill. When we suggested that the service contact the nursing home on his behalf, he was fearful and indicated that he did not want to bother them.
Situations such as this leave the elderly vulnerable and at risk of being exploited and shows the need for an Advocacy Worker for the elderly.

Co Donegal CIS (Milford CIC) 05/08/2005

We have noticed that in many cases when people attend their doctor for the first time in relation to a particular injury or illness, they are given certificates to take to their employer but are rarely given a Social Welfare cert, and on occasions when they are advised that they will need one, they are given the yellow intermediate certificate instead of a first cert which is in actual fact the application form for Disability Benefit. This causes a delay in payment and people may have to approach the Community Welfare Officer for interim payments etc. Since the doctors receptionists are the people who usually issue DB certificates, I feel that they should have a better understanding of the scheme and its guidelines and should actively promote the forms rather than only giving them out when asked specifically for them.

Travel to/from Medical Appointments **No of Cases 4**

Meath CIS (Navan CIC) 26/07/2005

Client called into office today. Both he and his wife have severe medical conditions. Both are over 70 and medical card holders. They cannot get help with cost of transport to either Drogheda Hospital or the Hearing Aid Clinic in Slane (the one in

Navan is now closed). They live in a rural area approximately 17 miles from Navan and a further 9/10 miles from Slane where the clinic is. It costs them €70 for taxi for each trip to the hearing aid clinic in Slane. I rang the ambulance service, community care and community welfare services. I spoke with client's local Community Welfare Officer in Moynalty and because their joint pensions bring them over the income levels for Supplementary Welfare, there would be no assistance available. The is a huge gap in services as there is no point in patients getting access to specialists or other medical appointments (on medical card scheme) etc. if they cannot attend because of difficulties with transport.

NB It is worth noting that if Hearing Aid Clinic continued in Navan, they would not have had such difficulty with transport as the would be on a main bus route. Again, when decisions are being taken to close or re-organise any health facilities, surely transport and location of new centre should be one of the major deciding factors?

Co Westmeath CIS (Mullingar CIC) 07/07/2005

Stroke victim called for appointment. He attended at enormous inconvenience and considerable expense. He did not see consultant as expected and nothing was done for him that couldn't be taken care of over the telephone.

West Cork CIS (Bantry CIC) 22/09/2005

A 74 year old woman approached Community Welfare Officer to ask for assistance with the cost of attending an out patients appointment. Her sole income is a Old Age Non Contributory Pension and she is living alone. Her GP sent her to Bantry hospital so the woman would not have to use public transport. She cannot board a bus because of her poor mobility. She explained this to the Community Welfare Officer who refused her the €15 to get a taxi to her appointment and told her that her family should look after her. The woman explained that her family are living in England. The Community Welfare Officer told her to use her bus pass as that is what it's for. The woman was very distressed after her experience and felt she would not be happy to deal with her CWO again.

Drugs Payment Scheme **No of Cases 3**

Co Longford CIS (Longford CIC) 05/08/2005

Our client, registered under the Drugs Payment Scheme, having exhausted her €85 in a month was charged €3.11on two occasions in the same month by the same pharmacy. (was given no explanation by the pharmacy but on both occasions was dealt with by a different person within the pharmacy). CIC checked this matter for our client with the HSE and was advised that this charge was incorrect and should not apply.

Co Longford CIS (Longford CIC) 30/08/2005

Client enquired about the Drugs Payment Scheme. She had paid out more than €300 in a recent month for prescriptions and was not aware that such a scheme existed and did not know how to go about getting her entitlements in this regard.

Co Louth CIS (Dundalk CIC) 07/07/2005

A pensioner came into our office to make enquiries about Carer's Allowance for her husband. During the conversation I discovered that her 47-year-old son, who does not have a Medical Card, has been paying for his drugs for epilepsy for 20 years and was never informed that people with epilepsy do not have to pay for drugs.
In all the years, he was attending the same chemist, no one told him about the Long Term Illness Card and when he mentioned it to the chemist they said 'oh yes that is correct'.

Gaps in Coverage **No of Cases 6**

Co Roscommon CIS (Boyle CIC) 17/08/2005

Citizens of the UK coming to Ireland, or UK residents returning to Ireland, are being charged for consultations in local medical practices despite being entitled to UK medical privileges for their first three months residence in this jurisdiction. This is happening very frequently. GMS doctors should be reminded that they are not entitled to charge a consultation fee for the first three months.

Meath CIS (Navan CIC) 05/09/2005

A child, named on parents medical card is not covered for dental treatment if they have left primary school and are under 16. Dental in primary school is free. If she had her own medical card at 16 she would be covered. Her mother is on a widows pension at a rate of €169.00 per week and had to pay €60.00 for her daughter (14 years old). They said she would only be covered for emergency treatment, not routine. However, the routine treatment led to x-rays which brought up the bill.

Meath CIS (Navan CIC) 26/07/2005

A 74 year old client rang the CIC. He lives alone in very remote area with no neighbours in sight. He has quite a number of medical problems but has never been visited by a Public Health Nurse or contacted by anyone from Health Services. There were other problems with the condition of his house which required repairs (private home) his telephone was out of order amongst other things. We assisted with these. Should anyone over 70 (who can be traced through Medical Card System) receive at least an annual visit to check that they are not in need of Health Services?

Housing

In all 30 Social Policy Records were received from CISs to do with Housing. This category covers issues that information providers dealt with in both the public housing and the private housing sectors. This section of the report also covers issues that CISs dealt with that can be categorised under Environment.

Incidences of unacceptable delays in the process of getting suitable housing were also reported leaving clients in unsuitable accommodation (in one case with five young children one of whom was a wheelchair user). Other problems arising out of delays either with Community Welfare Officers making decisions or Local Authorities meant that clients were left at risk of homelessness or without adequate funds.

Problems were also identified with grant schemes for house improvements. A Comhairle Social Policy report on the subject is available at http://www.comhairle.ie/social/social_research.html. The Social Policy Records relating to this were not included in this report as they are available at this link. Other problems with grants for household improvements were identified. In some cases, the grant given was less than the amount that was being charged by registered builders so rendering the grant useless.

One of the problems documented in the private rented sector was the lack of enforcement powers of the PRTB to ensure that all landlords register with them and provide rent books. Also highlighted was the insecurity of tenure of tenants who have been renting from the private sector for under a year.

The lack of facilities for people who find themselves to be homeless especially in Meath and Westmeath was highlighted. No emergency housing facilities exist in the counties which includes large population centres such as Navan. The strict enforcement of certain rules by housing officers left people homeless in some cases.

Other Social Policy Records identified problems with housing for travellers as the allocation of space in a halting site (unsuitable for children) mitigated against a young traveller getting housed.

The high cost of rent in both the private rented and local authority sector was also documented and a review of local area guidelines was suggested.

Finally, the problems that clients (who may or may not have literacy difficulties) had in filling out forms (some of which were 18 pages long) were also recorded.

General **Number of Cases 7**

Ballyfermot CIS (Ballyfermot CIC) CIC 05/07/2005

Client, her partner and their five children returned home to Ireland from England. They are homeless and staying in homeless accommodation provided by the Health Service Executive (HSE). They have been staying at the accommodation since 27th March 2005. They are on the homeless housing list with Dublin City Council. One

of their children is a wheelchair user. The accommodation they are staying at is not wheelchair accessible.
The couple have been told that Rent Supplement will be made available to them but every time they find suitable accommodation the landlords refuse to take them. The client feels that this is due to the child using a wheelchair and the number of children she has. The client has been informed that she is to move to another location provided by the HSE. While she knows that there are a number of problems with the accommodation she is currently staying at, she has not been consulted in the decision to move her and her family.
Following enquires, on her behalf, I was told she had no choice but to move. The children have settled into the local school, the child with disabilities is currently undergoing assessment for a place in Stewarts Hospital, she also attends Our Lady's Hospital and the family GP are all in the local area.
As I am writing this report, the client has contacted me again. The new accommodation is worse than before, it is not wheelchair accessible. Client contacted me yet again, the family is to be moved to another location. The client is very upset and fears for the welfare of her children, she feels that they are been thrown around from pillar to post.
Surely after four months of living in homeless accommodation this family should by now be in suitable accommodation especially considering the needs of the child with disabilities.

Meath CIS (Navan CIC) 01/09/2005

Client, a young traveller married with one child on housing list for 3 years living in very poor conditions on halting site but unable to avail of rent allowance in private rented accommodation because not regarded as homeless/ urgent because of place on halting site. Surely this is unfair as travellers are encouraged to live on halting site on the understanding it will help them in their position on housing list.

Meath CIS (Navan CIC) 01/07/2005

Rental Guidelines for Rent Allowance are totally unrealistic for area. One couple were unable to find suitable accommodation for their needs within the guidelines for the area. Guidelines need to reflect property costs in local areas.

Co Mayo CIS (Castlebar CIC) 27/08/2005

Woman whose brother has a serious illness and is living in very damp unsuitable accommodation was told by the council that they would build a council house for them. Work commenced last February but the builder has not been near the house since April. She contacted the council on a number of occasions, as she is very concerned that her brother has proper accommodation before the winter. They were very unhelpful. I wrote to council outlining the situation and received a very short response to say engineers were looking into it. A month later nothing had progressed so I wrote again and received a very curt reply to say "we've told you already our engineers will look into it. " Meantime- the wood that was supplied for the roof has been left out in the rain and is no longer suitable for the building (what a waste of public resources).

Co Tipperary CIS (Tipperary CIC) 23/08/2005

We have had a number of clients who are experiencing long delays when trying to access Rent Supplement. Previously, the Community Welfare Officer vetted the accommodation of the tenant and then he or she made the decision as to whether or not the applicant was granted rent allowance. Now when a person applies for rent allowance the Community Welfare Officer sends them to the urban council to apply for housing benefits. This means a Housing Officer must interpret the accommodation to be rented and this is leading to long delays and, in some cases, evictions.

Discourteous Treatment **Number of Cases 5**

Co Louth CIS (Dundalk CIC) 01/07/2005

A young woman telephoned the CIC office to complain about a local Community Welfare Officer's discourteous manner to her and a friend.
This woman moved with her two children from the Midlands fleeing an abusive relationship. She applied and received Rent Allowance and all was going fine until the Community Welfare Officer called one day to her home. A family friend from her previous town was staying with her for a day or two and then returning to his own home.
The Community Welfare Officer reacted immediately on seeing her friend and asked who is he and requested his PPS Number. His manner and tone was disrespectful and rude according to this lady. He then insisted on knowing who the father of her children was and on discovering that they had two different fathers his reaction was a sneer. He then said she should go back to where they were from and he was stopping her Rent Allowance.
This friend was on holiday and stopped over for a day or two to see the family before returning to his own home. This woman does not want to return to her previous town and now feels she is going to have to grovel and plead to the Community Welfare Officer to retain her Rent Allowance.
This woman found the attitude of the Community Welfare Officer disrespectful, demeaning and invasive. Is she not allowed to have a male friend call to see her without suspicions that they are in a relationship.

West Cork CIS (Bantry CIC) 26/09/2005

A man called to the centre to get advice. His brother in law's corporation house was to be demolished as it was deemed to be derelict and also rat – infested. The man was told by council officials that it was his and his wife's responsibility to look after the man who was now made homeless. The client was extremely upset and said that he couldn't continue to have his brother in law in his home because of his brother in law's alcohol problem and over crowding. He had approached the council on several occasions to seek clarity and request that they fulfil their obligation to re-house his brother-in-law as he had been made homeless by the council in the first place. To date he had received no response or assistance from the council. Client was advised to contact Threshold for further assistance.

Grants for Essential Repairs/Modifications **Number of Cases 5**

Co Mayo CIS (Castlebar CIC) 27/09/2005

An older woman who has no bathroom or toilet facilities in her home had applied to both Health Services Executive (HSE) and the council for a grant. The amount that they were willing to pay was considerably short of the amount that the builder was charging for the building of the bathroom. The lack of bathroom facilities is causing considerable hardship for this woman. It is not unreasonably to expect the council or HSE to cover the cost of building a bathroom for a person in these circumstances.

Kilkenny CIC (Kilkenny CIC) 01/07/2005

People in Co Kilkenny applying for a grant to modify a house for a disabled person are required to pay an application fee of €10. This fee does not apply in other local authority areas.

Private Rented Sector Issues **No of Cases: 3**

Co Tipperary CIS (Thurles CIC) 28/07/2005

Housing queries make up a large no of queries received to this office. A large number of landlords are not complying with their obligations as regards the Residential Tenancies Act 2004, particularly registering with the Private Residential Tenancy Board (PRTB) and providing Rent Books. On ringing the PRTB, we were told that they are unable to police this Act at the moment as they have not got sufficient staff. It is now nearly a year since the Tenancy Act 2004 came into play. And it is extraordinary that the board have not got sufficient staff to police the Act. Landlords still, as far as tenants are concerned, are blatantly disregarding the Act and are not being held accountable for breaking the law.[iv]

South Kildare CIS (Newbridge CIC) 08/08/2005

Clients have reported difficulty in relation renting from private landlords.
They have experienced difficulties with security of tenure. A tenant can still be asked to leave their accommodation in their first six months without the landlord having to give any reason for the termination.
One client had a leak from the washing machine in her apartment, which destroyed most of her belongings and caused some damage to the floor. She came to the office very upset as she had received notice to vacate her apartment. Unfortunately because she was renting the apartment for less than six months her landlord gave her no reason as to why she was asked to leave. She felt it was because of the leak and her argument was that the washing machine was already in the apartment and had been faulty. She also felt it was not her fault that the leak happened and that the landlord was being extremely unfair. As she requires a ground floor apartment due to her disability, she has been finding extreme difficulties with sourcing alternative accommodation. This eviction has affected her health both physically and mentally and she feels it will be an uphill struggle to get back on her feet due to the eviction.

Homelessness **Number of Cases 5**

Co Monaghan CIS (Monaghan CIC) 18/08/2005

A young man had a dispute with his partner who asked him to leave. He then found himself homeless (so he cannot get his Social Welfare payment) and without money. The CIC directed him to the responsible agency, the County Council . They gave him a list of hostels, most them more than 30 miles away. The CIC contacted all the hostels and found that they were all full. He went back to the County Council who claimed that he made himself homeless and is therefore not entitled to any assistance. His partner however confirmed his story. The council continue to refuse assistance. The CIC contacted a local politician who made representations on his behalf. This gets him one night B&B. In the course of the day the CIC has talked to the council, the Health Services Executive, Community Welfare Officer, the church and various voluntary organisations. The man's situation is still unclear.

Meath CIS (Navan CIC) 13/09/2005

Client presented as homeless. Had been evicted from Local Authority House in Meath Area. Therefore cannot receive further housing or rent allowance in this area for some time (at least 12 months). However, client is sleeping rough (in tent) since eviction. His mother was also evicted at time so he has nowhere to stay. His unemployment payment was stopped because he has no fixed abode but the local Settlement Officer is going to intervene and explain that he is homeless etc.
I rang both Drogheda and Dundalk Homelessness shelters, both full and look like they will be for quite some time. Surely Navan - given it's ever-growing population - should have its own shelter. There is also the problem that councils in other Counties feel that clients should be housed in the area where they become homeless. This is not always possible - as in the situation above.
Although this case is quite complex, there have been many simpler cases with the same problems - clients being sent to Drogheda/ Dundalk for a period of time to a homeless shelter as there is none here in Meath.
This is an urgent and sometimes hidden problem that needs to be addressed.

Meath CIS (Navan CIC) 26/07/2005

Client has violent partner and has no legal rights to their family home (unmarried, her name is not on deeds). She has two children and both were extremely distressed when her partner put both her and the children out of the family home on to the streets a few months ago. They ended up in the women's refuge locally. She returned to family home and partner was subsequently arrested as he had violated a protection order. He has not returned to the home since but obviously all legal entitlements to said property stay with him.
Client presented as potentially homeless and settlements officers locally were contacted. However because there is violence in this particular situation the only way they can assess her housing needs more urgently is if she goes to the shelter and contacts them from there. This may still take a few weeks. She does not wish to return as she feels it has traumatised her children. There could be other ways to deal with such situations, e.g. assess needs and refer client directly to CWO who can then look at possibility of rent allowance. Each situation should be looked at based on individuals circumstances and some flexibility surely would speed up processes and save unnecessary hardship or grief.

Information problems **No of Cases 1**

Meath CIS (Navan CIC) 26/07/2005

Client who is already housed by Meath County Council, had applied for a transfer to another area some time ago because of anti-social behaviour within his present environment. This man was quite elderly and was given a full application (standard format) to fill up (approx. 18 pages long) to simply find out if he still required a transfer. Surely a shorter version of this form should be available or a simple meeting with a housing officer/ admin. staff could ascertain his needs more quickly and precisely without the hassle of starting a new application?

Environment **No of Cases 3**

Co Donegal CIS (Carndonagh IIU) 12/07/2005

An elderly lady came to the centre. She is on Social Welfare. She needs two bin tags at €5.50 each to put on her black bin. She cannot afford €11 per week for bin charges. She could leave the bin collection to once a fortnight but she feels that this would attract vermin. The waste collection company is a private company and charges have increased steadily in line with increase in landfill charges. The local authority also deals with household waste but charges are similar and waste is not collected, but has to be left at nearest waste transfer site.
There is no waiver for people on low incomes/social welfare. People who work and pay tax (PAYE) can claim a tax credit for bin charges.

Co Roscommon CIS (Roscommon CIC) 30/07/2005

The client wished to complain about a breach of the legislation in relation to smoking in the workplace. This concerned a person engaged in petrol pump duties who consistently smoked while working at the pumps: given the proximity of the underground fuel tanks, the client was extremely concerned about her own safety and that of others in the area. She asked this worker to stop smoking, but he declined to do so, noting that she would be in more danger from a car's tail-light[!]
The client approached the CIC because she was unable to find out what body would be appropriate to complain to. She first approached the Health and Safety Authority, on the basis of the information contained in Comhairle's 'Where to Complain' book. This states: The Health and Safety Authority is a statutory body which is responsible for the promotion and enforcement of workplace health and safety. The Authority monitors compliance with occupational health and safety legislation and takes enforcement action [including prosecution] where necessary.
The client said that any ordinary person reading this would assume that the Health and Safety Authority were the agency required in this instance. She rang the H&SA and was told that they mainly dealt with the construction sector. She was referred to either the Environmental Protection Agency or the County Council -- the H&SA official said she wasn't sure which dealt with the matter.
The client then telephone the EPA in Castlebar. The official she dealt with was not sure if this problem fell within their remit. She telephoned back however, and informed the client that it was not part of their remit, and advised the client to try either the County Council or the Health Service Executive.

At this point, the frustrated client contacted the CIC, where she was pointed in the direction of the Health Service Executive Environmental Health Officers who are responsible for policing the ban on smoking in the workplace.
The client was satisfied with this information, but noted that it would be easier for the public if various agencies made an effort to familiarise themselves with work of agencies with a similar type of remit.

Migration

Fifteen of the 26 queries with regard to migration had to do with the Habitual Residence Condition. Some (7) of the clients affected by the Habitual Residence Condition were returning Irish citizen emigrants others were migrant workers who may have needed social services. The problems that arose for people in these situations meant that they were unnecessarily denied access to their entitlements while their status was investigated.

The social policy records that had to do with migrant workers were included in the employment section of this report.

Problems with contacting the Irish Born Child Unit and with getting any information on the status of applications caused massive problems for migrants and information workers. The fact that the clients passports were retained by the Irish Born Child Unit office meant that clients could not leave the country until their application was processed. Because they could not contact the office they could not interrupt the processing of their application to get their passports so that they could return to their country of origin in an emergency.

General **No of Cases 1**

North Kildare CIS (Maynooth CIC) 25/07/2005

A man, originally from Senegal, married an Irish woman and lived in Ireland for 4 years. He was given a residence permit by the GNIB and went to work. When his passport expired he sent away for a new one. Many months later he still had not received his new passport. When his residence permit ran out the Gardaí would not issue a new one without his passport or a letter from the Department of Justice. When we contacted the Department on his behalf we were told he would receive notification of their decision in due course. This took weeks to come through. When we contacted the Department a second time we were told the person dealing with this case was on holidays and no one else could deal with his case. In the meantime he lost his job as his employer could not employ someone without a valid residence permit. Because he had no residence permit he could not get rent allowance from CWO. He was told he had to be maintained by his wife. He had separated from his wife the previous year and she would not support him. He was then evicted by his landlord for non payment of rent. The delays in dealing with cases like this are totally unacceptable. Because of this the man is now unemployed and homeless through no fault of his own.

Habitual Residence Condition (see also Employment Section) No of cases 12

Dublin 8 & Bluebell CIS (Liberties CIC) 25/07/2005

Young client called to the Centre. He was an Irish citizen, living in Ireland all his life. Working for 6 months and laid off. Applied for Unemployment Assistance. Because he has no documentation to show what he was doing before this employment, he has to fill out a Habitual Residence form. Last month the time for processing these was 4

months. Now it is 6 months. It seems that everyone who applies for a means tested payment, unless it is very clear through employment records etc. that they were resident in Ireland over the last 2 years is now being asked to fill out HRC forms. Given that they can only go to the CWO for a once off emergency payment which they may (or may not) get, 6 months is a very long time to wait and is going to cause hardship and homelessness.

Dublin 8 & Bluebell CIS (Liberties CIC) 01/08/2005

A man came into the Centre. He had been working and got laid off. He did not have enough contributions for Unemployment Benefit, so he had applied for Unemployment Assistance. He is an Irish National and has never lived outside of the Country. There was two gaps in his record over the past two years where he wasn't working or getting a Social Welfare payment, totalling approximately six months. Because of this he was asked to fill out a Habitual Residence form and was told that his claim could not be dealt with until there was an answer from the Habitual Residence Section. We contacted the Social Welfare Office and were told that this was the case. They told us that the waiting period for a response from the Habitual Residence Section was now six months. In the meantime he is not eligible for a payment from the Community Welfare Officer as they also cannot pay until there is a response from the Habitual Residence Section.
We feel that this is a very long time for anyone to wait to receive a payment what are they suppose to live on during this waiting period.

Co Mayo CIS (Castlebar CIC) 28/07/2005

Irish citizen who has been studying abroad in U.S for the past three years has to pass the same criteria for habitual residence condition as people who are not Irish citizens for U.A This is a ludicrous piece of legislation that has not been properly thought out.

Co Galway CIS (Tuam CIC) 06/07/2005

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 residence condition, they would not be eligible for any short term social welfare support

City Centre (Dublin) CIS (City Centre (Dublin) CIC) 26/08/2005

A man from Scotland who has lived in Ireland for two years and worked at various employments was refused a payment by the homeless unit in St James. They said he did not qualify under Habitual Residency Conditions (HRC). They would not give him a refusal in writing and sent him to Dr Steevens Hospital to make an appeal, (which is the wrong place). I spoke to them on the phone and still they would not give him a written refusal, so I helped him to fill in the appeal and faxed it to the appeals office for urgent review, as he has no money left. It seems the HRC is being applied very harshly and proper procedures are not being observed by the Health Board.

Co Clare CIS (Kilrush CIC) 18/07/2005

Latvian female, working in Ireland, She has an unemployed husband. She is pregnant and as she has worked since arriving in Ireland, she has enough contributions to receive Maternity Benefit. She simply will not be able to pay the rent while she is on Maternity Leave.
The Habitual Residency Condition prevents her from receiving Rent Allowance as her Maternity Leave starts before she is two years in the country. She would only need assistance for 3 months as she intends to return to work again after her maternity leave is up.

Co Donegal CIS (Letterkenny IIU) 01/07/2005

A Latvian couple came into our office stating that the husband's hours of work had been cut down to 12 hours. The couple had gone to the local Social Welfare Office to see if they could get any help.
They were informed that they did not fit the Habitual Residency requirement although Social Welfare only asked them how long they had been living here? The couple and their child had been living here for 9 months but Social Welfare looked at no other criteria. Social Welfare informed them to contact the Community Welfare Officer. The Community Welfare Officer would not make a payment although this was at their discretion.
A local County Councillor informed me that his party liaises with different State bodies for people in this situation and that he will try to help them. State bodies should be more flexible in this situation and perhaps make a temporary payment to people in this situation, rather than depending on the influence of political parties.

Dublin 8 & Bluebell CIS (Liberties CIC) 13/07/2005

A person came in who has applied for Carer's Allowance. He is awaiting a decision from the Habitual Residence Section before his claim can be processed. He made the application on the 28th of February 2005 it was now the 27th of June. We phoned the Habitual Residence Section and they said that it was taking 4 months for them to deal with applications and that it would be another two weeks before they would have dealt with our client's application.
This has serious repercussions for people whose claims are referred to the Habitual Residence Section. It means that they will have no payments for up to 4 months while they await a decision as they are not eligible for payments from the Community Welfare Officer until there is a go ahead from the Habitual Residence Section. Because of the delay we feel that people awaiting a decision should be able to get payments from the Community Welfare Officers.

Problems contacting the Irish Born Child Unit

City Centre (Dublin) CIS (City Centre (Dublin) CIC) 15/07/2005

Clients called to our office today quite upset. They have applied for residence in Ireland due to the birth of an Irish born child. They had submitted their documents and passports to the Department of Justice Immigration office in February and received an acknowledge letter but no reference number.

They need to return home, as their father in law is seriously ill. They wish to get their passports back to travel home. They have been trying to contact the Immigration Office and have telephoned and called to no avail. They sent a fax to the office last Friday; to date they have received no response. I also sent a fax on their behalf today. I rang several times on their behalf, but was unable to speak to anyone.
The office hours are 10am – 12.30pn Monday, Wednesday and Friday only. I have tried ringing at this time still unable to contact anybody. It appears the only contact with the office is through letter or fax. The main Department of Justice switchboard was also unable to help.
On their application for residence here because of an Irish born child they still have received no correspondence. This is a most unsatisfactory way to deal with people who are in a very vulnerable position.

Kerry CIS (Killarney CIC) 01/07/2005

On the application form for permission to stay on the basis of having an Irish born child it states that 'all applications will be acknowledged upon receipt if you don't hear from us within a week please write to the address given' a few people have applied over a month ago and have not been notified that their application has been received. I have written to the Irish born child office for three of them and still they have not heard anything. There is no contact phone number for the office concerned and these people are very upset because they are worried about their passports.

Meath CIS (Navan CIC) 27/09/2005

Clients applied for leave to remain under the Irish Born Child application process in March 2005. It was hoped originally that the Department of Justice (Irish Born Child Unit) would have all decisions processed by June at latest. However, this couple are still awaiting a decision. This delay is affecting possibility of work, travel and creating major problems with coping with finances etc. Better communication for Department to clients would help. Also a time limit for completion of applications would also help.

Refugees and Asylum Seekers Direct Provision

Co Mayo CIS (Castlebar CIC) 26/09/2005

At a recent conference in Mayo organised by CIC and RIA on dispelling the myths around Asylum Seekers and Refugees it emerged that the direct provision accommodation for Asylum Seekers is causing a great deal of distress to the people who have to live in hostels. Many people are living six to a room, have to have the food provided when it is provided and are not allowed to leave the hostels for any great length of time. The experience seems to amount to little more than prison accommodation for many of the people involved and does not in any way enable people to integrate into the local community even though many of them have to remain in this situation for long periods until their claims are processed.

Visas
Co Mayo CIS (Castlebar CIC) 27/07/2005

Client is from Ukraine living and working in Ireland for five years and married to an Irish citizen. The mother applied to the Irish consulate in Ukraine for a visitors visa to come and see her daughter and grandchildren in Ireland. Her daughter supplied all the relevant information for the application. The application was refused. The client contacted Department of Justice by phone, to appeal the decision and they requested additional information on obligation to return home. The client's mother furnished a letter from a local organisation (Chervonenska Selyshchna Rada) which verified her strong social ties with her home in Ukraine. The appeal was rejected on the grounds

a) Obligation to return to home country e.g. no social, economic or professional ties in home country
b) Observe the conditions of the visa e.g. the applicant may overstay following her proposed visit or work illegally in state or branch into common travel area.

Her mother is a pensioner, living in Ukraine where she cares for her ill husband and sister. The refusal seems unreasonable in light of information supplied by applicant and client. There is no clarity in decision process.[v]

Facilities for Quota Refugees
Co Roscommon CIS (Roscommon CIC) 16/09/2005

The client is a UN Resettlement Quota refugee from Chechnya. He had been claiming UA but took up a place on a FÁS training course. He was delighted to have the opportunity to learn new skills and mix with Irish people in the training centre. A number of families from Chechnya have been settled in Roscommon town in recent months, mostly through the efforts of a voluntary Integration Officer who provides her services with supervision from this CIS, Roscommon Partnership and Roscommon County Development Board.
On arrival, the refugees are provided with pre-arranged housing; application forms for all payments and schemes are filled in for them and they are personally escorted to the various offices and agencies. The RIA provides translation services for one day or, at most, two. The VEC are extremely helpful in relation to language classes, as is the local CWO and local Social Welfare Official in relation to payments.
However, once the RIA has delivered the refugees to Roscommon, CIS staff and the voluntary integration officer have to rely on possibly inaccurate website translations to communicate complex information to new arrivals who do not understand how the social welfare or other systems work here. Indeed, some refugees may not be able to read these translations: we have no knowledge of their level of literacy.
Lack of funding for translation services is now at a critical stage. Our arrivals from Chechnya are not being served as well as they should be in information, advice and advocacy terms simply because we cannot speak their language and they cannot speak ours.
While Ireland accepts its quota of refugees and therefore fulfils its international obligations, on an individual level the service provided to them is ad hoc and depends on the efforts and willingness of volunteers, CIS staff and employees of other agencies to help them settle in. Funding should be available to deal with this gap in services. Agencies dealing with this matter are, at present, trying to provide translation services from their usual resources; this is unfair on the agencies concerned.

Consumer Issues

Certain Consumer issues were identified in the Social Policy Records received in the third quarter of 2005.

Some clients at CICs were misinformed of their rights as consumers by retailers. Suppliers of goods and services are not obliged to provide receipts for goods and services that a consumer has paid for. In this case the lack of receipt as a proof of purchase was used by the retailer as an excuse not to replace items that were labelled incorrectly.

Consumer Rights on Goods and Services **No of Cases 5**

Co Longford CIS (Longford CIC) 05/08/2005

Client purchased article in local boutique did not receive receipt of payment. When she returned the article as it was labelled incorrectly and was not the size she hoped would fit. She was informed customers only receive receipts on requests and she would not be entitled to a refund, as she did not have a receipt of payment. There was a notice in the shop to this effect.

Co Longford CIS (Longford CIC) 14/09/2005

Client purchasing sale garment in local boutique was informed not to return garment for any reason, as she did not have any rights on sale goods. As client was purchasing the garment for a family member she was unsure if it would be suitable. Upon advocating on her behalf to the Office of the Director of Consumer Affairs she was informed she had the same rights purchasing goods bought in a sale as non-sale goods. Many consumers are not aware of this right.

Co Westmeath CIS (Athlone CIC) 24/08/2005

An elderly client came into the centre to query his telephone bill. He was curious about the miscellaneous charge which amounted to €19.
On speaking to the telephone company it transpired that the client was on a bonus scheme.
It was explained that this option was an offer to customers to make savings on calls made on the condition that a minimum spent of approx €12 was made. In the situation that this minimum spend was not made then the customer was charged a fee for not meeting the requirements outlined in the option.
The client was very surprised to hear that he was part of this option and was adamant that he had never agreed to accept this scheme.
In discussion with the telephone company I asked how customers would be approached in relation to signing up to this option. I was told that the customer would request this option or alternatively would have been cold called, and that no signature was needed to initiate the option. Again my client had no recollection of any such call.
On further examination and while speaking to a customer service representative it transpired that the client was part of this option for one year, and that he had never

met the minimum spend and as a result had been charged a total of €102 over a period of one year for this option which was designed to save him money.
I found it difficult to get someone in the telephone company who could actually answer our questions and resolve this situation. I was on hold for quite some time and had to speak to a total of four people (some of whom where not very courteous) before it was agreed that the client should never have been targeted for this option.
I was told that the client's account would be credited. However I felt this was not a satisfactory resolve for this client and eventually the company agreed to refund the amount in cheque form to the client.
The client was extremely angry, and wondered how many other people were being inappropriately targeted for this and similar options, which is essence were costing them money under the pretence of a saving option.

Education

In all 11 Social Policy Records were received on the general topic of Education. All the records reported various problems with the rules for and the administration of financial supports for education.

One problem highlighted the difficulties for resident non-nationals to access Third Level Supports. The other records received highlighted the difficulties that many students and potential students had in accessing supports.

Issues with the Back to School Clothing and Footwear Allowance were documented under Social Welfare.

City Centre (Dublin) CIS (City Centre NW Info Centre) 01/07/2005

Client is Portuguese, married to a Chinese national. Both have been living in Ireland for 5 years. Wife is in 3rd year of a degree in Dublin Institute of Technology (DIT). DIT is charging her full non-EU fees, as she is a non-EU national. They refuse to consider her status as the spouse of a EU national in her entitlement for free fees.
I contacted the Department of Education third level fees section. They informed me that as she is married to an EU national that has been living in the EU for 3 of the last 5 years she should be considered an EU national for fee purposes and comes within the free fees scheme.
I contacted the Higher Education section in Dublin City Council in relation to her eligibility for a Higher Education Grant. They informed me that they would consider her as having the same rights as a EU citizen and she satisfies the nationality requirement for the grant. I explained this to the client who went back to the DIT with this information,
Client returned to the Citizens Information Service a few weeks later. DIT still refused to recognise her status. I contacted the Department of Education again who gave me the same information as before. I explained the difficulty the client was having with DIT. The Department told me to send the client back once more and if DIT still insisted on charging full fees, they would contact DIT directly and take it from there. They gave me a contact name in the Department to give to the client in the event that he had any further difficulties with DIT.
The client had also been back on to Dublin City Council who told him his wife did not come under the scheme. I rang Dublin City Council once more and they told me that she does in fact qualify. After the client had left, Dublin City Council phoned me back to say that in fact she does not qualify as she is midway through her course and was not married to an EU national at the beginning of the course. I thought this sounded peculiar and questioned them further but apparently this is a term in the regulations of the Higher Education Grant Scheme.

Co Donegal CIS (Carndonagh PSC) 29/08/2005

Client has been allocated a place on a 2-year B.Sc. (Hons) Fast-Track Degree in Social Work through Magee Campus. The client had already received funding for a Degree through Donegal County Council and she has been informed that Donegal County Council will not fund a second degree, as per Department of Education rules.

However, this fast-track degree was in fact a Post Graduate qualification up to two years ago, and it was then re-classified as a Fast-Track Degree. Only graduates can apply for this degree, so it is contentious whether the course is still not, in real terms, a Post-Graduate qualification. Donegal County Council could fund the course in this instance, for up to four years.
I have spoken to Student Support, Donegal County Council, on the matter and they have clarified the situation with the Department of Education. It sounds like this case might be worth taking to the Ombudsman for a final ruling.

Co Donegal CIS (Carndonagh PSC) 30/08/2005

A lady - 25 years old - assessed as an 'independent mature candidate' for third level grant. She has completed first year of Teacher Training Degree in England and is going into second year. She received the full student grant but not the special rate 'top-up' for persons on low income. Her income in the year of assessment was just over €4,000, well under the limit for the top-up. Under the DOE scheme she was not eligible to get the 'top-up' as she had no social welfare income in the year of assessment. This seems unfair where the client had such little income in the year of assessment and was barely making ends meet through part-time work.

Co Donegal CIS (Dungloe IIU) 01/07/2005

Lone parent since February has decided to go back to college in September opting to take child with her and pay childcare. She feels frustrated that she will not qualify for Back to Education Allowance as she is not long enough unemployed for a Third Level option on Back to Education. She feels that the Social Welfare system should be encouraging people who are unemployed and trying to educate themselves with the aim of getting employment. As she would benefit more financially if she deferred her course for a year and remained unemployed longer until she met the criteria. However she has chosen to do something constructive and feels she is being penalised by the Social Welfare System.

Co Kerry CIS (Kenmare CIC) 05/08/2005

Client refused Back to Education Allowance (BTEA) previous year because he had to repeat his certificate. So he obtained a loan to take him through the year. Over the summer break he worked to pay back the loan. So he was not signing on and was therefore refused BTEA again.

Co Longford CIS (Longford CIC) 30/09/2005

Mature student returning to college after working for a number of years. Eligible for higher education grant as he was living independently of his parents. Due to the high cost of renting accommodation in Dublin he feels aggrieved that there is no other financial help available to him after paying tax and PRSI whilst others who often ‘choose’ to draw Unemployment Benefit etc. for a year and can get the Back To Education Allowance and Rent Allowance. He feels there should be some incentive for persons like him to who want to work and use every opportunity to get work, and then decide to return to college to improve their long-term employment prospects.

Co Longford CIS (Longford CIC) 14/09/2005

Lone parent aged under 21 doing a Post Leaving Certificate (PLC) course is not eligible for any assistance towards Childcare costs / Crèche etc under PLC guidelines. If she were eligible for VTOS, she would be eligible for such help and the reason she is not eligible is age related, being under 21. She will not be 21 until January 2006 and does not have any family support to take care of her child, so in this case she feels that she will not be able to take up the PLC course which is starting this week. Client felt that VTOS should be available to younger people.

Co Tipperary CIS (Thurles CIC) 18/08/2005

A student applying for a County Council Educational Grant found when her parents means were assessed, their income means was €150 over the threshold for a 50% grant for a family of two children (€39,915). The parents were then only eligible for a 25% grant. We think there should be a more precise income grading as the gap is too wide between 25% and 50% for a person barely over the threshold. Maybe a 35% grading or a 40% grading would be more applicable. The Department of Education should review their policy with regard to thresholds for Education grants.

Kerry CIS (Killarney CIC) 14/09/2005

A single parent on one parent family payment is attending a VTOS course. All of the information in any of the available booklets states that books and course materials are provided by the school or centre. In the VTOS the older people are getting the books free but the young people are being told they have to pay for them. I rang the Irish Vocational Education Association and the Kerry education service and neither of them could give me a straight answer as to why only the young people have to pay for the books. My client did not want me to ring Killarney VTOS in case the organiser would guess who it was who was complaining. If the rule is that books and course materials are provided free of charge why would the Kerry Education Service not give me a straight answer. If one person has to pay surely everybody should.

Family

Queries on the Family centred around problems with information from various sources. Issues to do with Grandparents rights formed some (3) of the queries - these have not been included in this report as they are included in a more in-depth Comhairle Social Policy Report (see http://www.comhairle.ie/social/social_research.html). Other Social Policy Records received dealt with issues to do with probate, guardianship and cost of childcare. A selection of cases is laid out below.

Inheritance **No of Cases 1**

Co Longford CIS (Longford CIC) 14/07/2005

Naming "next of kin" on application forms to open Credit Union Accounts: In the event of the death of the account holder, the person named as the "next of kin" on the application form filled out originally at the time of opening the account is the person(s) who receive payment of money in the account. The money therefore does not necessarily go to the account holder's personal estate. The person named as "next of kin" may also stand to benefit from insurance on the savings that comes into effect if the account holder dies before reaching 55yrs. This would lead to a total payout equal to double the amount of savings. Many people might not be fully aware of this and could for example just name their son or daughter who might happen to be with them on the day of opening the account, and might not realise that their other family members will have no entitlement if they are not named also. If the term "beneficiary" was used on the form instead of "next of kin" it might better focus people's mind as to whose name or names should be entered, or perhaps they could have the option of having the monies passed on to their estate.

Guardianship / Custody **Number of Cases 3**

Co Westmeath CIS (Athlone CIC) 17/08/2005

The clients' query was in relation to getting a passport for her daughter. The client, a lone parent, had completed the passport application form and had gone to the local Garda Station to have the application stamped. The Garda on duty asked the client if the child's father was living in the town. When she answered yes she was told that he would have to sign the application form. The child's father subsequently refused to sign the form. On reviewing the situation I enquired if the father was a legal guardian of the child. The answer to this was no. As a result of this I explained that his consent was not needed for the client to apply for a passport for her daughter. I explained that the client could sign an affidavit in the presence of a Commissioner of Oaths, and in this way go ahead with her passport application.

Meath CIS (Navan CIC) 26/07/2005

Client presented who has separated from his partner. They were not married and he was trying to gain access to his children and this was proving very difficult. When a

couple co-habits the mother is automatically the child's guardian whereas the father must apply for guardianship through legal channels to have the same rights.

Maintenance **Number of Cases 1**

Meath CIS (Navan CIC) 01/09/2005

Client was getting maintenance for her child through court order, child's father stopped paying for two months and brought it back to court for a decrease in payments due to a change in job, however he did not turn up in court, maintenance order left in place as before, but he is still not paying. The only course of action left is an arrest warrant but all of this takes time and in meantime client has no maintenance for nearly four months. Surely there must be a system which follows up on such a case and does not take this amount of time as it often means financial hardship for the parent in receipt of an maintenance order.

Cost of Childcare **Number of Cases 6**

Meath CIS (Navan CIC) 20/09/2005

Client in full time, secure and pensionable employment. She has recently had her third baby and because of the high cost of childcare has been forced to resign her position and remain at home. By working she would have been €10 worse off financially (after paying for childcare and transport costs to and from work). She cannot qualify for any payment and the severe drop in income will have an effect on the couple's joint mortgage, future credit rating etc. Surely this situation should not arise where a person is forced to resign a job they like because of the cost of childcare. We have had several cases like this where women were being forced to leave their employment.

Meath CIS (Navan CIC) 26/07/2005

Client contacted CIC. She is at the end of her Maternity leave and is due back to work (works full time). She has 2 children now, one newborn and one toddler. She most likely will have to resign her position (even though she loves her job and wishes to stay in employment) as she cannot afford the very high childcare costs for her two children.
This problem has arisen before. To clients this feels like they are being discouraged from returning to work and staying in employment. This not only cuts down on their independence but may be an issue of equality.

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[i] This case was abridged. Another very similar case was also received but not included in this report. Contact Sinéad Hyland (sinead.hyland@comhairle.ie) for details.

[ii] This is a misapplication of the rules regarding eligibility for payment of Carer's Allowance. Please see the following
'Carer must be caring for the person on a full-time basis A Carer may continue to be regarded as providing full-time care and attention to a person while either s/he, or the person being cared for, is undergoing medical or other treatment, in a hospital or other institution for a period not longer than 13 weeks'. (http://www.welfare.ie/foi/carers_all.html, 03 Jan 2006)

[iii] This problem has since been resolved

[iv] Another CIS reported that the Small Claims Court no longer deal with these types of cases and refers them to the PRTB leaving tenants with no redress mechanism if they have a complaint against a landlord.

[v] This case appears in the Comhairle Social Policy Report Supporting Grandparents caring for their grandchildren which is available to download here.