

Social Policy Records Quarterly Report October- December 2003

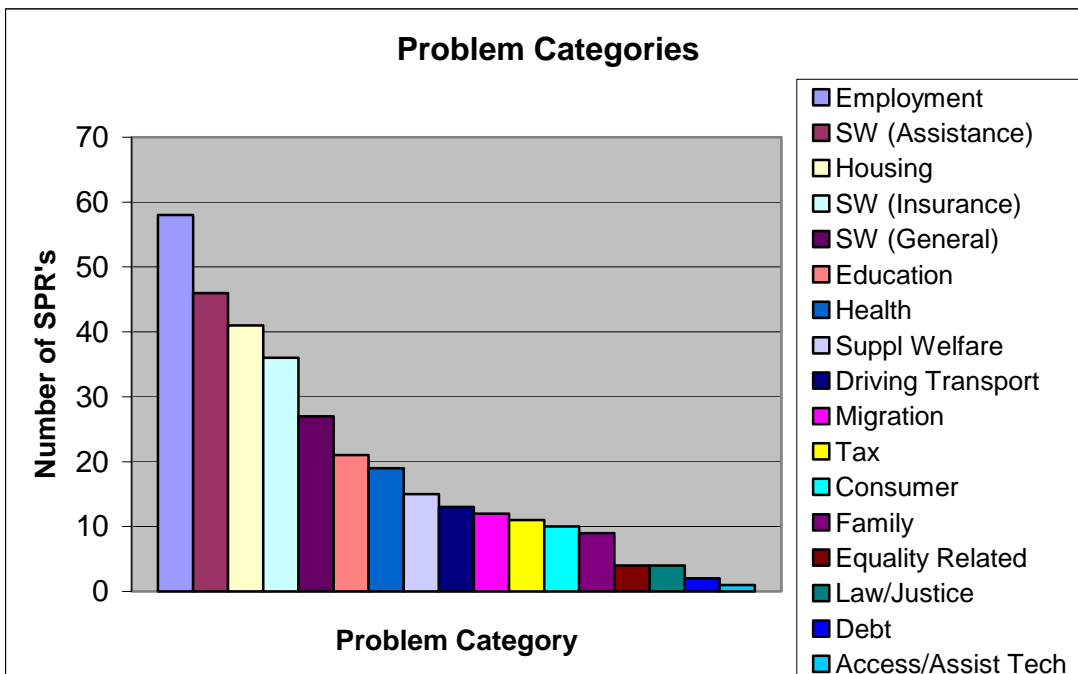
Introduction

This quarterly report contains a review of the social policy records compiled by Citizens Information Centres around the country during the final quarter of 2003. The data provided by CICs allows Comhairle to examine the nature of the problems and queries that bring the majority of clients to CICs. Where possible the data is translated into policy relevant findings, which are then used to inform the policymaking process.

The topics discussed below, broadly represent the issues arising in the social policy records. It should be noted that any views and /or recommendations contained in this report are those of the CIC concerned and have not been subjected to any broader policy analysis.

Examination of the social policy records submitted by CIC's around the country for the months of October, November and December 2003, revealed that the largest proportion of queries related to employment, housing and social welfare assistance.

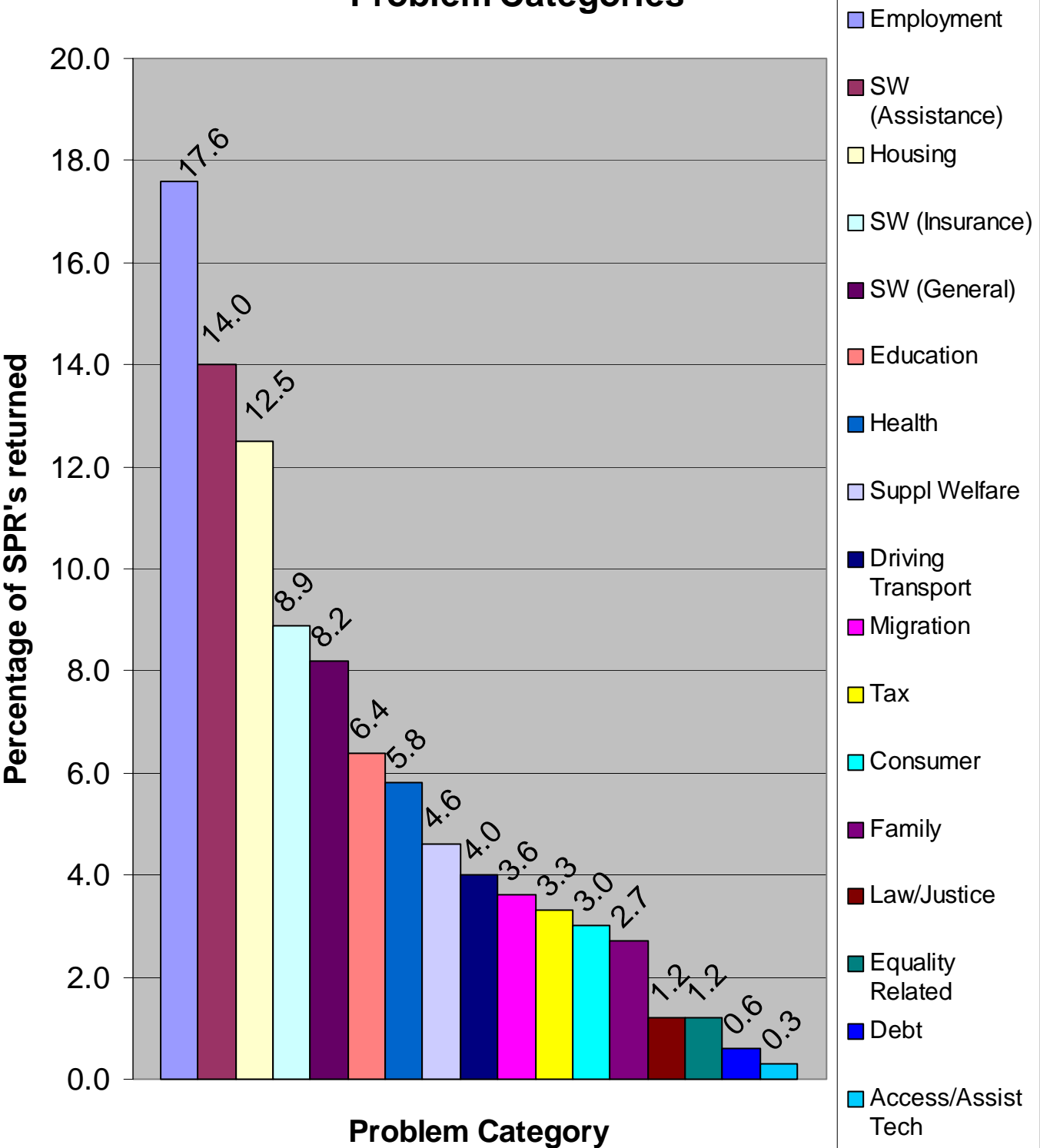
Numbers of Social Policy Records returned by Problem Category



Problem Category	No.	%
Access / Assistive Technology	1	0.3
Debt	2	0.6
Law / Justice	4	1.2
Equality Related	4	1.2
Family	9	2.7
Consumer	10	3.0
Tax	11	3.3
Migration	12	3.6
Driving / Transport	13	4.0
Supplementary Welfare	15	4.6
Health	19	5.8
Education	21	6.4
Social Welfare (General)	27	8.2
Social Welfare (Insurance)	36	10.9
Housing	41	12.5
Social Welfare (Assistance)	46	14.0
Employment	58	17.6
Total	329	100.0

Percentage of Social Policy Records returned by Problem Category

Problem Categories



Case Studies

This report presents a sample of case studies from the main categories of concern, Social Welfare (Assistance), Housing and Employment.

Social Welfare (Assistance)

Within the category of Social Welfare Assistance, CIC information providers reported numerous queries regarding Old Age Non-Contributory Pension, the One Parent Family Payment and entitlement to the Disability Allowance payment. The following cases illustrate the difficulties experienced by clients.

08/10/03

An elderly couple made inquiries to a CIC regarding tax exemption on renting out a room in their home. Both clients were receiving Old Age Pensions, one a Non Contributory Pension. The couple was happy to fix a weekly rent which kept their income below the €7,620 annual threshold. However, when informed of the effect the extra income would have on the Non Contributory Pension and fuel allowance they decided against offering the room for rent.

The CIC information provider queried the effectiveness of the tax exemption if its purpose is to encourage people to make rooms available yet those people are penalized on other payments for so doing. The information provider suggested that a limit on income from renting a room be set at a certain figure with anything at or below this figure disregarded by Social Welfare in calculating other entitlements.

03/10/03

An information provider received a number of calls from One Parent Family Payment recipients who alleged Social Welfare Services had contacted them stating that clients must obtain Court Ordered Maintenance in order to retain or receive One Parent Family Payment. The information provider was concerned as the callers were often distressed and frightened. *“They worry about the cost and sometimes the consequences of employing solicitors and going through the court system. They fear their spouse/father of their child might react badly to a court summons”.*

CIC workers advised callers in relation to entitlement to legal aid. The CIC information givers also recommended that clients go straight to the court clerk, avoiding solicitors' fees, in cases where separation from a partner/spouse was amicable. The information provider involved in this particular case drew attention to Social Welfare guidelines highlighted in document A03135 that acknowledges voluntary documented maintenance as acceptable proof of eligibility for the One Parent Family payment. The information provider felt Social Welfare's request for Court Ordered Maintenance might place undue stress, worry, and extra financial burden on recipients already in potentially vulnerable situations (Waterford CIC).

05/12/03

A client was in receipt of the maximum rate of Supplementary Welfare Allowance while an application for Disability Allowance was processed. Upon refusal the woman successfully appealed the decision on medical grounds, however this decision was subject to a means test. The client's papers were sent to the local social welfare inspector on 14 August 2003. The client was still awaiting the means test on the 5 December 2003.

The information provider asked why a person who has already undergone a means test, in order to receive the maximum rate of Supplementary Welfare Allowance, has to undergo another one. "*If a claimant was entitled to maximum Social Welfare Allowance they should be entitled to receive the maximum rate of Disability Allowance*". The information provider highlights the unnecessary duplication of work involved. There should be better co-ordination between Health Boards and the Department of Social and Family Affairs so that claimants are not subjected to unnecessary means tests, which lead to delays in processing applications and a waste of valuable resources.

Housing

As in the previous quarters of 2003, housing issues were a prevalent concern in this final three-month period. Difficulties encountered by clients in the private rented sector dominated queries on housing just as they have done in social policy records throughout the past year. The major difficulties experienced by clients lay in the receipt of Rent Supplement and in particular the disincentives to work encountered by those dependent on this payment. Other related issues included the impediments to sourcing private rented accommodation as a result of the ceilings placed on Rent Supplement payments, which do not reflect current rental market rates.

31/10/03

A young married woman approached a CIC. The woman's husband was in receipt of a Disability Allowance payment and she was the dependent adult on his claim. The couple had one child and an income of €224.00 a week. The client's husband had become very ill and was unable to work. The client consulted with an information provider on the possibility of taking up work in order to increase the family's income. However criteria governing Medical Card eligibility meant that taking up work would cause many problems for the client. The income bracket for a married couple with one child is €225.00 (2003 income guidelines) so if the client secured a job she would automatically lose her Medical Card, which would not be feasible due to her husband's illness.

An alternative for the client would be to apply for a place on a Community Employment Scheme in which case she would be entitled to keep her Medical Card. Unfortunately, participation on such a scheme would bring the couple's income to €330.00 a week pushing them over the cut off point for Rent Allowance, set at €317.000. The family's rent cost €1,000.00 a month so she could not afford to give this up either.

The information provider noted on the Social Policy Record that the young lady left the CIC in a very distressed state since she felt the only option available to her was not to work and to remain in the home.

The information provider involved in the case noted *“this is a classic case of the poverty trap at work, where people who are willing and able to work are prevented from doing so. We document similar cases two or three times a week at least. We feel that the Rent Supplement eligibility criteria and Medical Card Income Guidelines need to be urgently reviewed otherwise this problem can only worsen”*

17/11/03

A gentleman living on Contributory Old Age Pension contacted a CIC. At the time the man was sleeping on a couch in a friend's one bedroom flat. The client was informed that he was not considered to be homeless by the County Council and therefore would not be eligible for assistance. The gentleman had also found it impossible to source accommodation for less than €85 a week and therefore was considered ineligible for Rent Allowance by his local Health Board.

The Information Officer involved in the case argued that a person who has to depend on a friend for the use of a couch due to a lack of any viable housing alternative should be regarded as homeless. The information provider also argued that in cases where claimants are unable to source affordable accommodation below the rent cap outlined in Health Board guidelines, Rent Allowance should be paid with the claimant making up the difference

Employment

By far the largest proportion of queries related to employment. 2003 has seen a steady rise in client queries pertaining to employment rights as well as the effects of participating on Community Employment Projects, and issues regarding social welfare entitlements. Under the heading of employment rights, cases of unfair dismissal by employers and a disregard for the protection of pregnant employees under maternity legislation were most common.

04/10/03

A man approached a Citizens Information Centre having been dismissed from his employment. The gentleman had worked for his employer for over 3 years. At his behest the CIC Information Officer represented this man at an Employment Appeals Tribunal in March 2003. The client argued for unfair dismissal and won in June 2003. The Tribunal awarded the gentleman €15,359.50.

The employer did not appeal the Tribunal's decision but to date (04/10/03) had not paid the employee any compensation. In response to this the Information Officer contacted the Enforcement Section of the Department of Enterprise, Trade & Employment. They forwarded this case to the State Solicitor, who in turn took a case against the employer.

The information provider involved in this case commented that this was not an unusual outcome for a tribunal case. *“Employers frequently renege on payment for a number of months and in some cases it can take 1-2 years for the employee to*

receive the compensation owed them. In fact, some employees never receive any of the compensation granted to them”.

The information provider suggested a number of deterrents as possible solutions to this problem. Firstly they recommend employers incur penalties for delaying compensation payments owed to employees. Secondly, the extra work involved in chasing these payments, carried out by the Department, should be charged to the employer even on occasions when the employer paid the compensation before another court action was taken.

13/11/03

A client approached a CIC in relation to her rights as an employee. The woman had returned from Maternity Leave to be told that her job was no longer available to her. The person who replaced her during her maternity leave had taken over her job permanently. The client had not received any notice and her employer seemed to be unaware of Maternity Protection legislation.

07/11/03

A single parent on a Community Employment Scheme was in receipt of a Rent Allowance of €110 per week. The client was unaware that participation on the scheme would effect her entitlement to Supplementary Welfare support. When the woman went to her Community Welfare Officer with an application form for the Back to School Clothing and Footwear Allowance it was discovered that the client was on a CE Scheme. The Community Welfare Officer also discovered that the woman was over the income limit of €317.43.

The CWO responded by cutting the client's Rent Allowance to €60 and told her that she would have to pay the difference. *“This woman was very upset, as she did not know there was an income limit or that she had to declare it to the CWO. I think FAS should give CE participants every available piece of information before making a decision to take up the Scheme”.*

Social Policy Returns Relating to Other Issues

While the largest percentage of social policy returns from Citizen's Information Centres during this quarter fell into the categories outlined above, other issues documented in the past increased in regularity. In Social Welfare (general) difficulties encountered with Free Schemes were recorded regularly. Largely problems arose due to confusion surrounding the discrepancy between the retirement age of 65 and the 66-year age requirement to avail of the free schemes. Similarly clients complained of a lack of readily available and accurate information regarding eligibility for the schemes.

In the area of Social Welfare (insurance) problems relating to Unemployment Benefit were common. Other difficulties in this category, which appeared frequently, related to pensions, both Contributory Pensions and the Pensions Forecast service, which had been temporarily postponed by social welfare services due to increasing workloads.

Recurring Issues

Analysis of social policy records for the three previous quarters of 2003 shows many recurring problems in policy relating to social welfare entitlements and services among others. These issues include:

- Medical Card eligibility & qualifying criteria
- Discourteous treatment by Community Welfare Officers
- Back To Education Allowance and qualifying conditions for third level grants.
- Mistreatment of foreign nationals on work permits by their Irish employers.

Other issues, while persistent in previous quarterly reports, are so pervasive in the social policy records of this quarter that they warrant further mention. These include:

Delays (by post/phone) in dealing with queries

Delays in dealing with client queries have been a persistent problem referenced on numerous occasions in Social Policy Quarterly Reports. The following example illustrates the considerable delays encountered by CIC clients when trying to access Social Welfare services and information.

03/10/03

A client applying for Family Income Supplement waited 13 weeks for his application to be processed, due to a complication with his pay slips. The client was eventually refused. While awaiting a decision on his eligibility for Family Income Supplement this man was told he would not be considered for an unemployment payment because he was working three days a week. This led to a loss of income of approximately €60 per week for the thirteen-week period. The information provider dealing with this particular case suggested that people working three days a week or less should be entitled to claim Family Income Supplement

Cohabiting Couples and the Tax System

28/11/03 (See also 20/10/03)

A single man co-habiting with a mother of three children approached a CIC in relation to his tax options. The client earned an average industrial wage and his partner had forfeited her 'One Parent Family Payment' by moving in with him. She was not in receipt of any maintenance for her children. The client was devastated when a CIC information provider explained that:

- (1) He would continue to be taxed as a single man
- (2) Neither person would be entitled to claim One Parent Tax Credit
- (3) He would not be eligible to claim the 'Home Parent Tax Credit'

The family would qualify for a reduced rate Family Income Supplement. The client feared that the children in this family would be reduced to living in poverty. The CIC information providers involved in this case argued for an amendment to the

Constitution, which would help resolve this tax difficulty for other co-habiting families in similar circumstances.

Disincentives to Work for those claiming Social Welfare payments.

02/10/03

A client queried the loss of the Medical Card if the spouse of a recipient of Disability Allowance were to start work. The client was a qualified adult on her husband's claim and their weekly payment totalled €207.60. The income limit of €200 for a couple under 66 prevents the couple retaining the Medical Card if the client takes up work. The information provider remarked that for someone on Disability Allowance the Medical Card is likely to be of great importance and the loss of the card would surely act as a disincentive to taking up employment. The first €88.88 of the client's earnings would not be counted as means in applying for Disability Allowance. This acts as an incentive to take up work however the Health Board guidelines on the Medical Card negate this incentive.

New Issues Emerging

Analysis of this quarter's CIC returns reveals the emergence of a number of new issues causing clients difficulty and concern.

These issues include:

Insurance for Older People (car/travel)

A number of independent queries to various CIC's have been about travel insurance for older people.

30/10/03

An information provider at one CIC commented on the lack of insurance companies willing to insure older people traveling, especially to America. *"There is a general lack of information regarding which companies will quote and which will not. Many older people are forced to travel without insurance because they are unable to afford it"*.

The Equality Authority is powerless to reprimand the insurance companies, providing they can produce statistics that show older people to be a higher risk. However, such statistics make erroneous assumptions about the levels of health and illness of all customers over the age of 70.

Driving and Transport – Travel difficulties encountered by the visually/physically impaired, anomalies with Free Travel.

17/10/03

A client claiming Carers Allowance for her 5-year-old severely handicapped son contacted a CIC. The client had been granted Free Travel in view of the full time care and attention required by her son. The Free Travel also covered travel for her spouse. However, her handicapped son was refused Free Travel until he reached 16 years of age.

The CIC information provider noted the irony inherent in this situation. *“The child’s parents are the recipients of Free Travel purely because of his disability while he himself is excluded from Free Travel until his 16th birthday”*

Childcare services for students on Youthreach and VTOS courses

Queries relating to childcare supports for students on VTOS and Youthreach Courses have increased greatly this quarter as a direct result of recent budgetary changes. The following letters are a sample of a number sent to a CIC by a local centre for the unemployed and submitted as social policy records on the 02/12/03.

“I am sending this letter to you to voice my strong disagreement with recent budgetary cuts. I am a lone parent with one child. I am currently enrolled in a computer course, which is due to finish in January. Firstly, if child-minding supports are withdrawn I will not be able to complete the present course I am attending, as I am financially unable to bear the cost of childcare in its entirety. Also, I live at home with my mum, I would like to rent a house of my own but I am unable to afford it. I can’t live with my mum forever. How do you expect us to start a life with all these cuts coming in? I urge you to think strongly about these cuts and their consequences for the entire community”.

“I am writing to you in relation to the LTI (Local Training Initiative). I am currently enlisted on this course and it is due to finish in December. Thankfully I was able to attend this course as a result of the child minding assistance provided by the Department of Education and Science. I have heard that this funding may not be available in the New Year.

On top of this information I discovered that if I get a job as a result of completing the course I won’t even be entitled to apply for a half rate One Parent Family Payment which means it wouldn’t be worth my while working at all. I am pleading with you to overturn your decision and give the poorer people a break”.

Summary

This report highlights data obtained from social policy records from Citizens Information Centres during the last quarter of 2003. The largest percentage of queries related to the categories of employment, housing and social welfare assistance. Within these categories recurring issues related to employment rights and difficulties with Rent Supplement and One Parent Family Payments. Emerging issues included work place supports, insurance for older people driving and traveling, childcare supports for students on Youthreach and VTOS courses and difficulties accessing entitlement to free travel.

Social Policy Records (SPR's) Returned October-December 2003

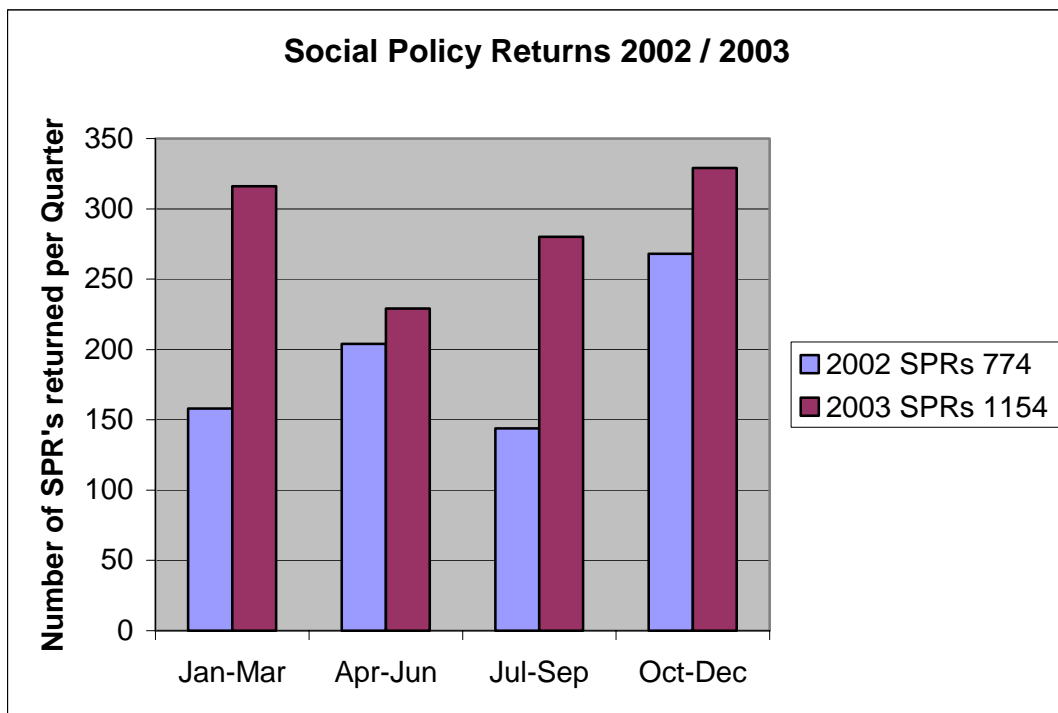
	CIC	Number of SPRs returned
1	Athlone	2
2	Ballina	7
3	Blackrock (Cork)	2
4	Blanchardstown	4
5	Bray	2
6	Caherciveen	4
7	Carlow	41
8	Carndonagh	10
9	Cavan	12
10	Castlebar	10
11	Clondalkin	7
12	Cork (South Mall)	5
13	CIPS	1
14	Dublin (City Centre North West)	1
15	Claremorris	2
16	Clifden	1
17	Cork	8
18	Crumlin	6
19	Dublin (O'Connell St.)	4
20	Dundalk	9
21	Dungloe	11
22	Galway	9
23	Kilkenny	12
24	Killarney	2
25	Killorglin	1
26	Leitrim	7
27	Letterkenny	37
28	Limerick	12
29	Listowel	3
30	Longford	7
31	Maynooth	3
32	Milford	18
33	Monaghan	2
34	Mullingar	3
35	Navan	3
36	Navan (Summerhill)	4
37	Newbridge	3
38	Dublin (Northside)	3
39	Rosmuc	8
40	Portlaoise	1
41	Shannon	5
42	Dublin (SICCDA)	5
43	Swords	5
44	Thurles	4
45	Tralee	2
46	Tullamore	7
47	Waterford	12
48	Wexford	2
	Total	329

Total Social Policy Records Returned 2003

Citizens Information Centre	Jan – Mar 2003	Apr – June 2003	July – Sept 2003	Oct – Dec 2003	Total
Athlone	15	8	11	2	36
Athy	2				2
Ballina	4	4	5	7	20
Ballyfermot			3		3
Bellmullet			3		3
Blackrock (Cork)			1	2	3
Blanchardstown	2	6	7	4	19
Bray	5	4	2	2	13
Cahiriveen		1	3	4	8
Carlow	45	22	43	41	151
Carndonagh	2	4		10	16
Castlebar	22	12	18	10	62
Cavan		5		12	17
CIPS	5	23	6	1	35
City Centre North West			3	1	4
Claremorris	2		2	2	6
Clifden	2		4	1	7
Clondalkin				7	7
Clonmel	1				1
Cobh	3	2			5
Cork	3	10	9	8	30
Cork (South Mall)	4			5	9
Crumlin		2	4	6	12
Drumcondra Deaf Centre			4		4
Dublin (O'Connell St.)				4	4
Dun Laoghaire	2	2	3		7
Dundalk	2	6	3	9	20
Dungloe		5	3	11	19
Finglas			3		3
Galway	3	6	2	9	20
Kenmare			1		1
Killarney		1	4	2	7
Kilkenny	17	8		12	37
Killorglin			1	1	2
Kilrush			3		3
Leitrim	10	2	7	7	26
Letterkenny	40	9	1	37	87
Limerick	43	17	24	12	96
Listowel			1	3	4
Longford	4	13	16	7	40
Loughrea	1				1
Lucan			1		1
Maynooth	4	3	3	3	13
Milford	5	7		18	30
Monaghan	1	2	2	2	7
Mullingar			2	3	5
Navan	2		8	3	13
Navan (Summerhill)				4	4
Newbridge	1	4	6	3	14
(Dublin) Northside	3	3	3	3	12
Rosmuc	7	1	1	8	17
Roscommon	13	14			27

Portlaoise				1	1
Shannon	4	2	7	5	18
SICCDA	4	4	8	5	21
Sligo	5	3	2		10
Swords	1			5	6
Tallaght			1		1
Thurles	2	1	3	4	10
Tralee	3	1	2	2	8
Tullamore		1	15	7	23
Waterford	11	8	10	12	41
Wexford	11	3	6	2	22
Total	316	229	280	329	1154

Comparative Graph of Social Policy Records Returned 2002 / 2003



*SPR's = Social Policy Records