

# STATES OF JERSEY

## Health, Social Security and Housing Scrutiny Panel Income Support Sub-Panel

**MONDAY, 23rd FEBRUARY 2009**

**Panel:**

Deputy G.P. Southern of St. Helier (Chairman)

Deputy D.J. De Sousa of St. Helier (Vice-Chairman)

Deputy T.A. Vallois of St. Saviour

**Witness:**

Connétable A.S. Crowcroft of St. Helier

**Present:**

Mr. E. Le Quesne

Mr. G. Houghton

Ms. C. Le Quesne (Scrutiny Officer)

**Deputy G.P. Southern of St. Helier (Chairman):**

Welcome, Simon, to the second session this afternoon looking at income support and, in particular, the report produced by your welfare visitors, community service visitors, recently. Do you know everybody around the table already?

**Connétable A.S. Crowcroft of St. Helier:**

Yes.

**Deputy G.P. Southern:**

I think we are all familiar to you. Just over to you giving a summary of what you think you have found and your picture you are getting of income support a year in.

**The Connétable of St. Helier:**

Thank you, Chairman. Apologies that my team were unwilling to come to support me today. I am particularly sorry myself because I have got a very bad cold and I am pretty dosed up on pills. But I am sure they are very willing to elaborate ... I think they would be quite happy to appear in a camera session with you but they are just concerned about being, I think, in the public view, and not many members of the public here today but they were not to know that. They have been through the questions that you sent and they have really reiterated the concerns that they set out in their report. I think what has changed since the report that you have received is that we have had our first meeting with the Minister and that was held a couple of weeks ago, and was, I think, a very useful meeting. That was with the Minister and Mrs. Sue Duhamel from their side and with my community services team and my Finance Director. The Finance Director would be here except he is in England, his daughter is unwell. So that is why I am on my own. The essential points, I think, can be divided into 2 groups. One is the view of my staff who are very much at the coalface in terms of dealing with people who were on welfare and are

now on income support. They have 2 areas of concern: one they believe that the new system is not targeted enough, it is wasteful and it will be very expensive in the long run for that reason. The second group of worries is that the current system does not have the benefits in terms of care in the community that the welfare system had, and you will be familiar with the criticisms that have been raised. In terms of the background, it is very clear that in some ways the worst failings of welfare which, I think, for a lot of people were the intrusiveness of the system, Deputy Southern and myself have both represented clients at Parish level who have felt that the welfare system was undignified, invaded their privacy, was very hard to understand, involved money being allocated by complete amateurs, and very well intentioned amateurs, but some of them who could make the claimants feel very disadvantaged. I am sure the system improved. Certainly I hoped in the years I was Constable and looking after welfare the system did improve, but certainly when I first started as a Deputy the old welfare system was embarrassing in terms of what claimants had to go through in order to get their money, and they might be told: "Well, you can have some money this week but we do not really think you deserve it, come back next week and we might give you some depending on how hard you are trying to find a job." Now that approach was clearly unacceptable but on the plus side it did mean that the team of staff at the Parish knew their clients very well and so if someone did not arrive the next week, even if they thought the person was work-shy and they have told them so to their face, if they did not arrive next week they would wonder why they were not there. If they were a vulnerable person, an elderly person or someone with health problems, then they would go and find out why they had not come. I think the big concern now is that that system of checking up on people is not being undertaken by Social Security as far as we know. That is why we have had these well-publicised and very tragic examples of people not being picked up by the Social Services and being found dead in their flat. I do not entirely agree with Mr. Le Gresley on this matter because I think certainly the thrust of the comments and the case studies that my team have given you, the thrust of those case studies is that these people would have been okay if the old system had been operating. They have repeated in their aide-memoire one particular example: "One person found in very poor circumstances, unable to contact income support due to their poor physical condition. Community services were alerted and found him in a critical situation with income support cheques piled on the doormat uncashed." If that is what is happening then I think my staffs' concerns are valid. That the old system meant that if someone who is getting a weekly payment did not arrive to collect it then a phone call would be made and if that did not work a visit would be made to find out. That system appears to have stopped. One of the recommendations of my team is that the possibility of weekly payments needs to be looked at. Of course, the other point that they make, and I am sure will make again if given the chance to speak to you privately, is that the people they are dealing with mainly are vulnerable and elderly and have very little ability to manage money. So the great benefit of the old system was that they would only be given ... everything will be taken off that needed to be taken off, so all the bills, electricity bills, rates bills and so on, will be taken off. The people would know that they had this much for the week and they would spend that during the week and they would come back the following week and the same thing would happen. With monthly payments and items like rates not being deducted they are getting more for the month and happily spend that and then they cannot pay their rates bill and then the Constable is being asked to assist them because they have spent the money that they should have spent on rates. A lot of people on welfare, on income support, do not have the ability to control personal finances that some of us have. I say some of us because I do not think we all have that. I think again one of the things, and I have seen this happening because I have been with my staff to do visits, one of the things they do very well is they just talk a client through how much they have got to spend this week, are there any bills coming up, how are they going to pay for such-and-such, so they are really providing much more than just a payment of that amount of support. I have been asked why St. Helier simply does not do what St. Clement, I think very impressively, are setting up which is a community support team, and it is certainly something that I discussed with my staff when they first raised their comments with me. I think certainly for St. Helier it would be very difficult to achieve the kind of levels of care in the community that my team were providing. Certainly when we had a full complement of community visitors it will be difficult to achieve that kind of level. St. Helier

is much, much the biggest Parish in terms of the number of people on income support - I have not got the data with me, but it is fairly obvious that we have the majority of people who need that kind of help living in the Parish. That is going to increase as the States policies of concentrating social housing in the urban areas are rolled out. I do not think it would be appropriate to expect a group of volunteers to provide this kind of service which, in some cases, is a life or death service. The other factors, of course, is that our staff are trained in dealing with some quite difficult clients. My staff know when it is safe to send one person or whether you have to have 2. Whether it safe at all for a woman to go to a particular client to visit them. There is, I think, a real need that the people working in the community, as is the case in Social Services generally, are properly trained, are properly police-checked and so on. So, I think the care in the community aspect that we have lost with income support does need to be put in place; whether it is put in place by Social Services which is, I guess, the obvious States body that should be doing this job, or whether the Parish takes that back and I employ the 5 or so staff that originally were passed to Social Security is, of course, one of the key questions. The final thing I will say in my opening remarks is that once again I think Mr. Le Gresley did not mention in his criticism of my team's response is that one of the whole points of the transfer of welfare to income support was the inequitable situation that St. Helier rate payers found themselves in of paying more towards the support of the less well-off in the community than their country cousins. Clearly, if you are a parishioner of St. Helier and you are responsible for care in the community as a ratepayer you are going to pay a lot more in your rates towards care in the community than someone living in St. Mary. Now if the Parish has to take that back we are going to effectively be worse off financially than we were before this happened because, certainly, for several years my team were being entirely paid for by the States in the form of the administration fee that the Parish was receiving for administering welfare. That fee covered us in terms of the people we employed. We are now employing 2 half-time members of staff to provide a safety net for the people we are worried and were originally worried might lose out but that is by no means enough, and if we are going to provide care in the community the Parish will have to effectively re-staff the Community Services Department. But, as I said earlier, I would not be happy while there is a role for amateurs, for volunteers, I would not want to go back to the days of welfare when the criterion for benefit were being applied by well-meaning volunteers because that was not always a very successful solution.

**Deputy G.P. Southern:**

I suspected that we were going to come straight face-to-face with what is quite a substantial problem, and that is in fact what you just stated very clearly. Here was a service that was being delivered, Social Security when they took on the welfare role, it was very clear that the role of officers at the Social Security would not be that care out in the community and that that was one of the prices they had to pay for this centralisation. It appears to me that here we are, a year in, and we are faced with the consequences of a cut back in what was delivered. How we are going to take it forward, I do not know. You are suggesting that certainly it would be inappropriate to use amateurs, as you put it, volunteers, but that there is a cost involved in that. Is that something that should be attached to the Island-wide rate? Is that appropriate? You know more about rating issues than I do. Is that a way forward perhaps?

**The Connétable of St. Helier:**

Yes, I think it would be important, if the Parishes are to take back the care in the community role, it would be appropriate that payment for that was equalised across the Parishes, and whether that is done out of taxation. The argument is it should not come out of rates because they are regressive in the way they apply. It should come out of general taxation. I can see the frustration from the Minister's side because he will be looking to the Minister for Social Services to be providing that role. Of course, there are other players out there; there are the Family Nursing and Home Care which provides a lot of care in the community. There are Meals on Wheels. There are various other church groups that also provide care in the community. I think there is a sense that if we are to move on to a better solution than the individual Parishes doing it then it may well involve some kind of cost-cutting body that pulls together

all of the agencies, all the voluntary agencies that are working in the community, and which equalises the costs across the tax payers.

**Mr. E. Le Quesne:**

Should it not bring in health as well because a lot of these people also need health care, do you not, primary health care? There is meant to be a new directions policy, is there not, because they need the health care as well.

**The Connétable of St. Helier:**

Yes, I think if it is going to be a States function it should be driven by Health and Social Services, but they obviously have a lot on their plate already and there are certainly going to be arguments that the Parishes know their people so surely the Parish is a better place to focus this kind of work? People used to say that it did not apply to the Island Parishes, but certainly having been on some visits with my staff I think it does apply to St. Helier as well. They have an uncanny ability to know whether so-and-so is well or not and they can cut through barriers that other agencies, particularly the States officialdom, will not get through. I am very much aware that the Constable is still regarded as the father of the Parish, responsible for the welfare of the Parish, and that responsibility I am not trying to discharge, it is just that if I am going to fully develop that and, as I say, re-staff the department, and I do have complete confidence in their ability to do a very good job, then we do need to tackle the financing of that because I do not want to put that bill back on the ratepayers having just spent some years getting it off.

**Deputy D.J. De Sousa:**

Do you have any real feedback from individual families of either how they have been serviced well or, likewise, not so well?

**The Connétable of St. Helier:**

I will leave these notes with you, but one of the things that come out of this later set of comments is that, of course, the staff that I have kept on at St. Helier Parish are only dealing with the people who are not getting on well with income support. If people are happy with income support they are not coming to us so we are only seeing the people who for whatever reason cannot get what they are trying to get. The quote is, from section 4 here: "We are dealing with those who are unable to access or understand the benefit system which requires forms to be completed for every need. These clients may be illiterate, disabled, elderly, frail, with mental health problems, or simply not be able to cope without assistance. If the form is not completed then no assistance is provided. This is causing hardship."

**Deputy G.P. Southern:**

It sounds awfully like the problems I have been having with postal ballot forms.

**Deputy D.J. De Sousa:**

Is there any real pattern coming in along those lines as well?

**The Connétable of St. Helier:**

It is tremendously varied. I am aware of the problem simply because my staff will come to me if they need money to help people, emergency payments I think is what it is called in income support, but I am still getting a request certainly every week from my team who will say: "Can I spend this amount on so-and-so's" whatever it is: teeth, carpets, removals, coffin. There will be a whole range of things. I have said to my staff: "You must go to the States banker first" because it is again trying to protect the ratepayer from picking up these costs. But for whatever reason they have been unable to access, or the client has been unable to access the benefit that should be coming through income support, it might be the person does not qualify because they are short of a few months of the criteria. Again, they will say: "Look, do we deny this person this benefit because they are X months short of qualifying for it?" and I

will say: "No, of course not. If you think as professionals that the need is there and valid then I will authorise the payment."

**Deputy G.P. Southern:**

Then you have been authorising payments?

**The Connétable of St. Helier:**

Yes.

**Deputy G.P. Southern:**

So this is on top of?

**The Connétable of St. Helier:**

Yes.

**Deputy G.P. Southern:**

This is coming out of the rates or coming out of a little pot, a charitable fund?

**The Connétable of St. Helier:**

This is coming out of charitable funds, but what we have agreed to do for the Minister is to supply him with a weekly contact sheet just explaining so that the Minister can better understand who are the people who are falling through the net and coming to the Parish for help.

**Deputy G.P. Southern:**

Is this an inflexibility in the new system? Certainly, it was one of the criticisms of welfare, that it was discretionary, but when it was discretionary it was positive in a sense of: "I am not supposed to pay you this according to the rules, but however in this instance I can, I feel I can." That certainly does not exist in the Social Security system, I do not think, or is it just a speed of response? We heard from Mr. Le Gresley that one of the things with special payments was it is on a fortnightly basis. Some of those special payments are, as you say, emergency payments. Is it speed or is it inflexibility or a mixture?

**The Connétable of St. Helier:**

It is a bit hard to say why some of the people are not being helped. It may be they simply have not gone to Income Support and they feel more comfortable coming to the person that they have always worked with. I am not saying it is always Income Support's fault. It is also worth pointing out that quite a proportion - I do not have the data yet because we have not had our first report for the Minister - of the people who are referred to me and I then refer to my staff I am subsequently told do not give this person a penny. So they are not just handing out money to everyone. There are some people who are trying to get money from the Parish because they will not be given it by income support, quite rightly, because they do not need the money.

**Deputy G.P. Southern:**

You mentioned one of the issues which was the element attached - nominally - to the rates sometimes disappears. Is that a heavy problem for you? Have you discussed it?

**The Connétable of St. Helier:**

It is a bit hard to tell at the moment, but I think it is going to become increasingly seen because legally the Constable can only waive the rates on grounds of hardship. If income support has already added hardship to the components the person receives but the person has spent that and the person comes to me to pay their rates and says they cannot pay their rates, what am I supposed to do? They are clearly in hardship. So I think it will inevitably lead to an increase in the amount of rates that are waived through

grounds of hardship.

**Deputy D.J. De Sousa:**

How do you think income support are addressing the poverty issues because it seems as though there are still people falling through the net and what more do you think could be done to stop this?

**The Connétable of St. Helier:**

I suppose we are talking about people who are unable to work?

**Deputy D.J. De Sousa:**

Yes.

**The Connétable of St. Helier:**

I think that is probably an area where Income Support, once they know about the person, once the person is in receipt of income support, given that the amount of savings that are allowed has gone up, as long as the person is able to manage their finances which is quite a big caveat, I think, for some people then that should help tackle poverty because it is a regular amount the person is getting. The area where the Parish, I think, was more focused was on people who could not manage their finances, people who were possibly able to work, but were simply unwilling or unable to find work and that is obviously where a lot of the efforts were spent. Where someone is effectively unemployable through disability or age or whatever then I think the new system, as long as it keeps a weather eye on rising utility costs, housing costs and things like that, should be adequate.

**Deputy G.P. Southern:**

We have spent quite a substantial time on one of the 2 broad criticisms that the report was making. The first, I believe, you said was it is not well targeted and is wasteful. Would you like to expand on that area?

**The Connétable of St. Helier:**

Yes, I will read what my staff have told me. They say that: "It is fundamentally flawed, weighed down with bureaucracy, wasting taxpayers' money by lack of control; reviews need to be more frequent." The example I mentioned earlier about the old system is that it was quite difficult to get stuff past the Community Services Board because they made it their business to know if somebody was getting a benefit they did not think should be getting it, even to the extent of what vehicle you arrived at the office in. It was nosy, it was intrusive which in one sense is very bad and this is, I know, a discussion that was held on many occasions by the Constables. Would the new system be as able to track down wastage as a system that was just a little bit nosy at times, which was very good at working out so-and-so's cousin has just been on holiday: "How did they afford it?" These kinds of questions were talked about. You know: "Do you have satellite television? How much do you smoke?" these sorts of questions, but when you are not asking those questions then those expenses are not really being looked at.

**Deputy G.P. Southern:**

I think we could have an interesting philosophical debate on whether that is a good or a bad thing to return to those days. Evidence for wastefulness? Apart from that, as you say, it is admittedly an intrusive part of the old system.

**The Connétable of St. Helier:**

They raised one question which is to do with income support paying money to bank accounts outside the Island and they suggest that should be looked at. If large sums of money are going out of the Island then there is something very wrong there.

**Deputy G.P. Southern:**

I thought large sums of money were leaving the U.K. and coming into the Island, but that is called tax avoidance, and I thought we made plenty of money from it.

**Deputy D.J. De Sousa:**

By that, would you mean people that have been domiciled here for so many years but previously had been in the U.K. and not changed their bank accounts over?

**The Connétable of St. Helier:**

No, I think it is more just fraud here. I think people are claiming income support and either popping back here to do the necessary. It is much harder on the welfare because it would be every week, but you only have to be here every month so it is an opportunity to live in the U.K. and pop back every month on the ferry. Also, the question raised is, is money being sent off-Island to people living in places like France? I remember dealing with some difficult appeals from people living in France because they would come here and expect to receive help, but they had a house in France. We would say: "Why do you not live in it?" So I think it is certainly something that ought to be looked at. In terms of specific examples of wastage I am not personally aware of any, but I am sure that if you were to have a closed session with my team they might well be able to give you some suitably anonymised examples.

**Deputy G.P. Southern:**

I am not sure that we would be looking strictly at evidence there, but obviously I am prepared to investigate it. If we go out on the streets we can get all sorts of evidence that all sorts of scams are going on left, right and centre.

**The Connétable of St. Helier:**

Again, it is worth saying that the old welfare system included someone who was employed by the Parish, and this is pre the new law about how you gather intelligence. We had a chap whose job it was to see when people were taking the system for ride, someone who was claiming as a single person, but was actually living in a flat and he would be parked out watching the flat and so on. Those are the kinds of cases that were brought to me for adjudication, because someone's benefit would be cut because they had lied in their form and they are living with someone else who was supplying income to that household, but also because they no longer met the criteria because they had the benefit of this extra income coming in. We had quarterly reports on how much the ratepayer, as it turned out the taxpayer, was saving every quarter through the activities of this one member of staff. It easily covered his salary several times over. My staff have not raised it, but I would ask the question is Social Security carrying out the same kind of vetting that certainly St. Helier was carrying out until just over a year ago?

**Deputy G.P. Southern:**

I believe we did ask the Minister something like that on a previous occasion. He seemed to be quite happy that these security mechanisms were in place.

**The Connétable of St. Helier:**

I wonder if he can show you. The data we used to have was quarterly reports on how much has been saved: "Mr A, cohabiting, total saving every quarter."

**Deputy T.A. Vallois of St. Saviour:**

You mentioned a couple of times about people managing their own finances. Would you say this was in so many cases maybe a fundamental flaw and whether there is anything that the States could possibly do to help? I know in my previous jobs I have seen people just splashing money out and then not being able to pay the essentials. I think the question is, is it our job to be helping these people manage their finances and if so how would we go about that, do you think?

**The Connétable of St. Helier:**

It is a very good question. I think the Community Bank is filling a real need here because my staff are referring people to the Community Bank and I know income support is as well. So where someone cannot manage their finances they are being encouraged to put their benefit into a bank account where they do get advice and they can have the kind of confidential chats with advisers that are more difficult to get in a busy Income Support office. I think that is happening and it needs to be encouraged. The Community Bank is now housed in the Parish of St. Helier Town Hall as well so it is good that it comes under the Parish roof in a way and hopefully that is going to provide that level of assistance. Again, there will be some people who will not go to the Community Bank, particularly, I suppose, elderly and mobility-impaired people, and they are the sort of people who really look forward to the visit of the community visitor who will sit down with them and go over their accounts for the month.

**Deputy G.P. Southern:**

Finally, under the old system it was my impression that often the officer would look at: "What is your expenditure? How much are you paying for electricity, what is your heating bill, how much are you spending on food, what is your rent?" That would also be taken into the balance of: "Shall I award welfare or not?" Certainly, it seems to me that in the new system that expenditure outlay, apart from the rent element, is no longer part of calculation. So it becomes: "Here is what your income support is assessed at, here is your income." Where is the balance? Where is the match? If you go over that line, no income support and that lack of flexibility to cater for an individual's needs is part of the problem.

**The Connétable of St. Helier:**

I agree with you. I think flexibility is what it has always been about. At the parochial level it is flexibility and the ability to adjust things according to the sudden needs that come in, i.e. the fridge breaks down, somebody is sick in the U.K. and they have to travel tomorrow to go and see them, these kinds of things. It was very easy for the Parish system to deal with that. There is no form to be filled in. It was just often a phone call or a visit to the welfare office and it would be dealt with.

**Deputy T.A. Vallois:**

Do you think that is possibly the reason why it is not being dealt with so efficiently at the moment in the current terms because I have heard communication and administration seems to be a big issue? Would you say it is due to possibly people in Social Security not understanding the system themselves?

**The Connétable of St. Helier:**

I do not really know. I am not really qualified to say what they are doing because I have not been around the new system. What certainly surprised me was when the Parish of St. Helier closed its welfare office we transferred the majority of our staff to Income Support and we were given assurances that our top people, with this incredibly valuable resource of knowledge about their parishioners on welfare, would be put to work where they were needed. Certainly, the anecdotal evidence I have is that that has not happened. They have been transferred into other zones, I think they are called. I was given assurances by the former Minister when we had a real problem over some of my staff, would they or would they not agree to transfer? I was told these people are desperately required to make income support work so you can imagine my disappointment when I find that these people are not doing the sort of jobs which brings them into contact with the most needy people in the community.

**Deputy G.P. Southern:**

It is certainly a message that might have got to you and tailored for you, but certainly not a message I heard from what was going to happen to your staff. The job was seen as completely different to the old role. Certainly, the impression was we will not be doing any of that. Anything else that you feel that you ...?



**The Connétable of St. Helier:**

No, I think I have covered most of the areas. I will leave these comments from the staff if I may, and as I say, if you want them to come and meet you in closed session out of the glare of the media they would be delighted to do that. Thank you.

**Deputy G.P. Southern:**

Thank you for your time.