

Social Affairs Scrutiny Panel Income Support Sub-Panel

Meeting 6

Date: 12th June 2006

Location: Le Capelain Room, States Building

Present	Deputy J.A. Martin, Chairman Senator B.E. Shenton Deputy G.P. Southern Deputy S. Pitman, Vice Chairman	
Apologies		
Absent		
In attendance	Mr. C. Ahier, Scrutiny Officer Mr. W. Millow, Scrutiny Officer	
Ref Back	Agenda matter	Action
	<p>1. Minutes of Previous Meetings</p> <p>The Sub-Panel approved the minutes of the meeting of the 15th May 2006.</p>	
<p>[24/04/06 Item 6]</p> <p>[02/05/06 Item 1 (iv)]</p>	<p>2. Action Updates</p> <p>The Sub-Panel noted the action updates with further actions agreed for the following:</p> <p>2. Establish if the information relating to the Childcare Component of Income Support has been received and distributed.</p> <p>4. Establish if a response has been received from the Comité des Connétables concerning the amount of Welfare currently paid to non-residentially qualified persons in respect of housing.</p> <p>The Sub-Panel discussed when the results of the Household Expenditure Survey would be forthcoming. The Sub-Panel were advised that the statistical analysis would not be available until Wednesday 12th July.</p> <p>The Sub-Panel discussed the Crisp Reports commissioned by the Department of Social Security in 1998 and updated in 2001/02. It was agreed to request the extended and condensed versions of the report in order to confirm the content of the basket of goods deemed necessary for a reasonable standard of life. It was further agreed to establish the relationship between the components under the new Income Support proposals and the data contained in the Crisp Reports. The Sub-Panel were informed that the Scrutiny Officers would be meeting with the Social Security Department on Tuesday 13th June at 2:30pm in order to discuss the Crisp Reports.</p>	<p>CA/WM</p> <p>CA/WM</p> <p>CA/WM</p>
	<p>3. Draft Law</p>	

The Sub-Panel discussed whether or not debts incurred through loans under the new proposals would be passed onto the estate of the deceased.

The Sub-Panel noted that the revised Law now defines an adult as being above compulsory school age. The Sub-Panel also noted the reference to the eligibility of those people seeking full time work and the lack of a definition of full time work in the draft law. It was agreed to seek clarification as to the definition of full time employment. It was agreed that this would disadvantage individuals seeking part time employment especially for those returning to work after bringing up children or returning to work after illness or injury. It was further agreed that, as there is no reference to full time education, the reference to full time employment should be removed from the draft Law.

CA/WM

Having considered the draft Law and discussed when the subsequent regulations were likely to become available to the Panel, the Sub-Panel agreed to request a draft copy of the regulations at the earliest opportunity.

CA/WM

The Sub-Panel noted the degree of flexibility inherent in the draft Law for reclaiming money from individuals. The Sub-Panel further noted that this differed significantly from the current system.

The Sub-Panel discussed the appeals system under the new proposals and considered how robust it would be. The Sub-Panel went on to consider the composition of the Appeals Panel and commented that members should be independent, not employed by the Department of Social Security or associated with the original decision being appealed. The Sub-Panel were particularly concerned that the Medical Appeals Tribunal would be independent and fair under the new system. It was agreed to ask what training would be given and clarify the constitution of the Tribunal.

CA/WM

The Sub-Panel discussed the possible introduction of a job seekers allowance dependent upon an increase to Social Security contributions. It was agreed to seek clarification from the Social Security Department as to the necessary increase in the rate of Social Security for such an initiative and whether this increase had been factored into the new proposals.

CA/WM

The Sub-Panel agreed that the forced disposal of an individual's assets was still a concern and agreed to clarify whether an individual could be forced to dispose of their assets to pay for care under the new proposals.

CA/WM

The Sub-Panel considered the addition of the word 'reasonable' to 3(a)(c). It was agreed to ask why this word had been added and the consequent effect, if any, upon the actual costs.

CA/WM

The Sub-Panel discussed the calculation of entitlement to Income Support under the new proposals. Concern was expressed about

the risk of adult children supporting their household. The Sub-Panel went on to discuss the required academic qualifications for Determining Officers. It was agreed to ask the Social Security Department to confirm the grade, academic qualifications and training for these posts.

CA/WM

The Sub-Panel noted the sentence under 16(c) and agreed to ask the Social Security Department if it should read ‘...up to 7 years...’

It was agreed that the Sub-Panel would request a written explanation from the Social Security Department as to the definition of ‘capital’ and ‘income’ under ‘Calculated Income’ 7(2) (a), (b) & (e).

CA/WM

The Sub-Panel discussed the definition of a Social Security Tribunal as set out in the draft Law and agreed to ask the Department of Social Security if a Statutory Board was still planned and, if so, why it was not included in the draft Law.

CA/WM

The Sub-Panel considered the issue of eligibility for Family Allowance. It was agreed to ask the Social Security Department how many people who currently receive family allowance will no longer be eligible under the new proposals.

CA/WM

The Sub-Panel further expressed concern as to whether released prisoners would be eligible for Income Support. It was agreed to ask the Social Security Department for confirmation.

CA/WM

Following their consideration of the draft Law the Sub-Panel; agreed to forward the following comments to the Minister for Social Security:

CA/WM

1. The Sub-Panel has concerns regarding the reference to ‘full-time’ work and has considered whether the removal of references to ‘full-time’ would allow greater flexibility. It has noted the provision of Article 3(b) but would be grateful for clarification of the current interpretation of ‘full-time’.
2. What will be the constitution of the “Medical Appeal Tribunal” referred to in Part 4 of the draft law (Article 9(2)(a)).

When the Social Affairs Scrutiny Panel attended a presentation on Income Support on 25th January 2006, it was informed that an ‘Appeals Tribunal’ would be established and that this statutory body would be independent of the Department of Social Security. Where does this ‘Appeals Tribunal’ sit in the draft law?

3. Why has the word ‘reasonable’ been inserted into Articles 5 (3)(a) and 5(3)(c) in comparison to earlier drafts of the law?
4. Are the regulations to accompany the Law already in draft form?
5. What Civil Service Grade will the Determining Officers be and what academic qualifications will the job description

	<p>require. What training will be given to Determining Officers and other front-line staff involved in administering the Income Support system to ensure they are fully qualified and prepared?</p> <ol style="list-style-type: none"> 6. With regard to Article 16, the Sub-Panel has questioned whether the wording should be 'up to seven years' when referring to the penalties for committing an offence. 7. The Sub-Panel would be grateful for clarification of Articles 7 (2)(a), (b) & (e) 8. Has the possible introduction of 'Job Seekers Allowance', requiring an extra 0.5% increase in the rate of Social Security, been factored into these proposals? 9. The Sub-Panel understands that eligibility for family allowance is gained after one year's residency. Given that 5 years' residency will be required to claim Income Support, the Sub-Panel would be grateful for an indication of how many people currently receiving family allowance will be affected by the requirement for 5 years' residency. 10. How will people coming out of HMP La Moye be affected by the introduction of the Income Support system? 	
	<p>4. Adviser</p> <p>The Sub-Panel were advised that all previously recommended Advisers had been contacted and sent the specification for required qualifications and experience, the Terms of Reference for the review and the original Income Support proposition. All had been asked to confirm their interest, their qualifications and experience in the areas defined, availability for 10-15 days work between July and November and their daily rate.</p> <p>The Sub-Panel considered the provisional dates agreed for Public Hearings and discussed possible witnesses. It was agreed to invite the Minister for Social Security, the Chairman of the Comité des Connétables and the Citizens Advice Bureau (CAB) to attend a Public Hearing on either the 14th or 25th July to discuss the involvement of the Connétables in the proposed Citizens Fund and the involvement of the Parishes in the administration of the new proposals. The Sub-Panel agreed that the Minister should be scheduled first, the Chairman of the Comité des Connétables second and the CAB third.</p> <p>The Sub-Panel agreed to issue a call for evidence in the Jersey Evening Post in respect of the topic of the Public Hearing. It was also agreed to contact Channel 103 to ask if they would run a 'vox pop' for listeners on the involvement of the Connétables. The Chairman and Deputy Southern agreed to write and issue a press release</p> <p>It was further agreed to ask the Comité des Connétables if their response to the earlier questions could be passed to the Minister</p>	<p>CA/WM</p> <p>CA/WM</p> <p>JM/GS</p> <p>CA/WM</p>

	for Social Security in advance of the proposed meeting on 7 th July.	
	<p>5. Future Meetings</p> <p>a) The Sub-Panel agreed the dates for future meetings with one exception. The next scheduled meeting on Monday 26th June would now take place on Monday 3rd July at 9:30pm in the Le Capelain room, States Building.</p> <p>b) The Sub-Panel noted that they were due to meet with the Minister for Social Security on Friday 7th July at 9:30am, Social Security Department.</p> <p>The Sub-Panel also noted that the next scheduled meeting would take place at 2:00pm on Tuesday 30th May in the Le Capelain Room, States Building.</p> <p>Deputy Martin offered her apologies for the next meeting.</p>	

Signed

Date

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 Chairman,
 Income Support Sub-Panel,

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