



SOCIAL WELFARE
APPEALS
OFFICE

OIFIG ACHOMHAIRC LEASA SHÓISIALAIGH

Annual Report 2000



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Oifig Achomhairc Leasa Shóisialaigh

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PN10040

To the Minister for Social, Community and Family Affairs,
Mr Dermot Ahern, T.D.,

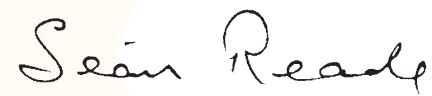
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Cuirim tuairisc maidir le gníomhartha na hOifige Achomhairc Leasa Shóisialaigh i 2000 faoi bhreith de réir fhorálacha Ailt 254(1) den Acht Leasa Shóisialaigh (Comhdhlúthú), 1993.

In accordance with the provisions of Section 254(1) of the Social Welfare (Consolidation) Act, 1993, I submit the report of the Social Welfare Appeals Office for 2000.



Sean Reade
Chief Appeals Officer

May 2001

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The Business of the Social Welfare Appeals Office in 2000

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The provision of a system of redress for the legitimate grievances of customers is a principle in the Department of Social, Community and Family Affairs Strategy Statement 1998-2001, "Inclusion, Innovation and Partnership".

International Instruments in the field of social security ratified by Ireland also require that "every claimant shall have a right of appeal in the case of refusal of the benefit or complaint as to its quality of quantity".

The Social Welfare Appeals Office provides such a service as a statutory right. The Office also provides a right of appeal to persons dissatisfied with certain decisions by Health Boards relating to Supplementary Welfare Allowances.

In line with these requirements, the mission of the Office is "to provide an independent, accessible and fair appeals service for entitlement to social welfare payments and to deliver that service in a prompt and courteous manner".

The business plan of the Office for the year 2000 focused primarily on the service to appellants, including the scope for improving the service through the use of new technology.

The interests of other parties to the process - the Department, Exchequer and the personnel of the Office - were also recognised.

The appeals system, involving as it does in the oral hearing process the personal presentation of views by appellants, provides the opportunity to hear at first hand issues which customers of the Department see as of concern to them. Feedback to the Department on such issues arising on appeals is seen as an important feature of the appeals process.

Procedures are in place to effect this, such as meetings with the Department's Decisions Advisory Officer and also directly through input at courses organised by the Department for its Deciding Officers.

In that such procedures provide the opportunity to inform Departmental officers of the functioning of the appeals process, they thereby also help to ensure that the system is used to best effect in the primary function of resolving issues of contention. The need to provide value for money in respect of the resources deployed is, of course, an integral part of the management practices and is so provided for in the business plan.

Recognition of the commitment and contribution of the personnel of the Office also featured prominently in the business plan for 2000. Through the proposed introduction of the Partnership process, the aim was to enable all staff to contribute as stakeholders to the operation of the Office and, through appropriate formal and other forms of training, to develop their capacities to optimise that contribution.



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Introduction

The year was marked by another substantial increase in the workload which put considerable pressure on the personnel of the Office.

The 17,650 appeals received represented an increase of 14% on the 1999 figure and, with the 6,947 appeals on which work was in progress at the start of the year, gave a very demanding workload of over 24,000 appeals.

During 2000, the number of appeals disposed of increased by 2,663 (18%) on the 1999 figure but, notwithstanding this very positive response by the staff of the Office, because of the substantially increased intake the number of appeals on which work was in progress rose to 7,537 at the end of the year.

Table 1 (page 11) sets out the receipts and output in summary format as between the various types of appeals dealt with. The figures are considered in greater detail in the paragraphs following.

Appeals received

Appeals received in 2000 (17,650) increased by 14% (2,185) on the 1999 figure, which in turn was up by over 10% on the 1998 figure.

Table 2 (page 11) shows the numbers of appeals received in the last five years, broken down as between the various categories of appeals.

Since 1996, annual intake has increased by 45%, from just over 12,000 in that year to last year's figure of 17,650. In that five-year period, over 73,000 appeals have been received. While the introduction of new schemes - mainly Disability

Allowance - would account for some part of the increase over the five-year period, the increase in 2000 over the 1999 figure is due solely to increased numbers of persons availing of the appeals service.

Appeals relating to Unemployment Benefit and Assistance payments mainly account for the increase. The question at issue in these appeals for the most part is that the statutory conditions of being available for and genuinely seeking suitable employment are not deemed to be satisfied. The number of such appeals increased by almost 1,700 (47%) in 2000.

On the other hand, the number of Unemployment Assistance appeals where the issue is a means assessment continued to decline and is now at 1,757 as against 2,246 in 1999 and 3,652 in 1996.

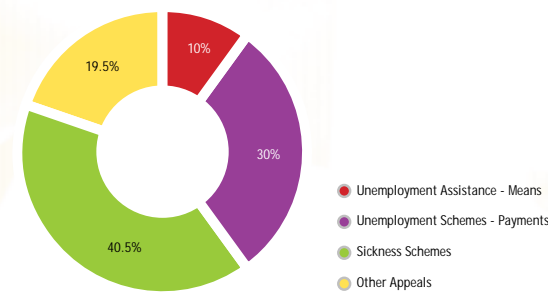
The only other changes of significance during the past year were in the Carers' Allowances and Disability Allowances schemes, both of which showed increases in excess of 30% over the previous year.

The conditions for entitlement to Carer's Allowance have been amended over recent years, extending and easing entitlement to the scheme, and it is considered that the increased number of appeals is as a result of these changes.

The increase in the number of appeals in the Disability Allowance scheme may be due in part to recipients of long-term Unemployment Assistance applying for Disability Allowance when their continuing entitlement to the Unemployment Assistance payment was reviewed in the context of the greater availability of employment in the current more buoyant labour market.

The chart at Figure A (below) shows appeal receipts by broad programme categories - sickness schemes account for 40% of appeals with the unemployment payment schemes accounting for a similar proportion.

Figure A
Appeals Received 2000



Appeals disposed of - summary

Table 3 (page 12) shows the number of appeals disposed of during the year. Output, at 17,060, is 2,663 (18%) above the 1999 figure and is a very satisfying return in a demanding year.

Appeals are disposed of where (a) a decision is made by the Deciding Officer revising his/her earlier decision on foot of the grounds of appeal, (b) where the question at issue is decided by an Appeals Officer, or (c) where the appeal is not pursued by the appellant.

Revised decisions by Deciding Officers

Where an appeal is submitted against a decision of a Deciding Officer, that officer must be afforded an opportunity of

indicating to what extent the facts and contentions in the grounds of appeal are accepted or rejected. It is open to the Deciding Officer at this stage to revise the decision if such a revision would be in favour of the appellant. This statutory process is useful in that it can enable an early resolution of the question at issue in favour of the appellant.

As shown in Table 3, 3,788 (22%) appeals cleared last year were resolved under this process.

The majority of these arise in the sickness schemes where, in the context of commenting on the grounds of appeal, a second medical examination is undertaken by one of the Department's Medical Assessors which reverses an earlier clinical finding that the person is capable of work.

Determinations by Appeals Officers

At 10,671, the number of determinations made by Appeals Officers during the year increased by 1,628 (18%) on the corresponding 1999 figure.

Of these decisions, 2,956 were wholly in favour of appellants while a further 604 resulted in some improvement for appellants (Table 3). These latter normally would be where a reduction was made in the amount of means assessed, in the case of an assistance scheme, or an increase was made in the percentage of disablement benefit awarded, under the Occupational Injuries Benefit Scheme.

In the remaining 7,111 cases decided by Appeals Officers, the initial decision of the Deciding Officer was adjudged to be correct and the appeal was disallowed.

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Of the 10,671 appeals determined by Appeals Officers, 59% (6,261) followed an oral hearing of the appeal. These appeals were heard at venues around the country, a list of which is contained in Appendix 1.

In a small number of exceptional cases, where the appellant was unfit to travel, a hearing at the person's home was arranged.

In all, however, arrangements were made for almost 7,500 oral hearings during the year. The number of occasions where the appellant did not turn up, or s/he or his/her representative was not in a position to present the case fully at the initial scheduled oral hearing, is still disappointingly high - the situation in around 1,200 (16%) of the oral hearings arranged. Through timely notification and the provision of explanatory leaflets on the appeals and the oral hearing process, every effort is made to ensure that appellants fully understand the procedures and are given adequate opportunity to prepare for the presentation of their case against the decision being opposed. In the circumstances, the number of cancellations and adjournments is disappointing.

Appeals withdrawn

During the year, a total of 2,601 (15%) of appeals were withdrawn or otherwise not pursued by appellants. The corresponding figure in 1999 was 1,838.

The majority of these cases are in the sickness schemes appeals where, following a second examination by a Medical Assessor of the Department and a clinical finding that the person is not deemed to satisfy the medical conditions

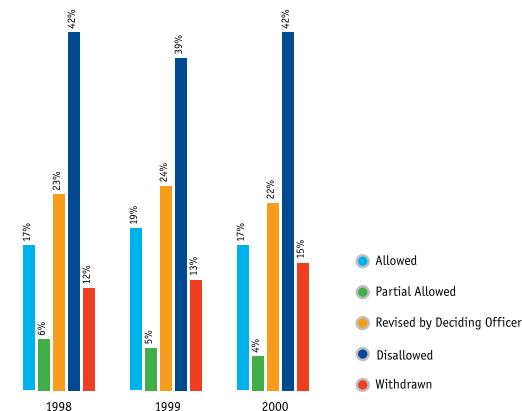
of the scheme, the person does not pursue the appeal further.

No cases arose in 2000 where the provisions of Section 253A of the Social Welfare (Consolidation) Act, 1993 were applied. This Section provides that, where the normal appeals process is deemed inadequate for the processing of the appeal, the Chief Appeals Officer may direct that the appellant pursue the appeal through the Circuit Court.

Outcome of appeals - Summary

Of the 17,060 appeals cleared during the year, 7,348 (43%) had favourable outcomes for appellants. These are the cases where revised decisions are made by Deciding Officers or where decisions are made by Appeals Officers wholly or in part in favour of appellants.

Figure B
Outcome of appeals 1998 - 2000

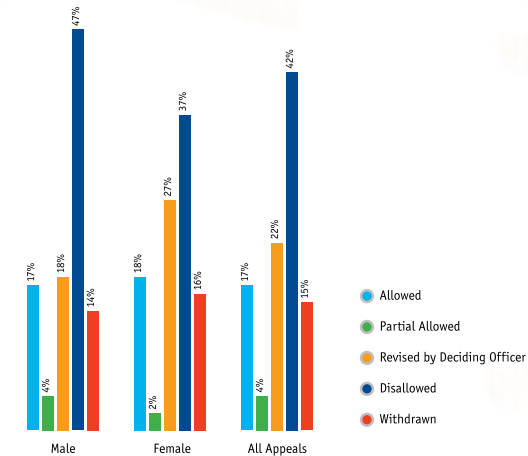


The figure of 43% successful cases compares to a figure of 48% in 1999 - Chart B, above. The reduction is attributable to the very considerable increase in the number of unemployment payment appeals received and dealt with,

the majority of which are deemed to have been correctly decided initially and disallowed on appeal.

A breakdown of the outcome of appeals as between the main schemes is set out in Table 3 (page 12). Schemes where the outcome is mainly in favour of appellants are the sickness schemes and the One-Parent Family Payments scheme, in both of which a substantial proportion of cases are revised by Deciding Officers.

Figure C
Outcome of appeals by gender 2000



Appeals where the decision is most frequently upheld on appeal are unemployment payments appeals where the issue is meeting the statutory conditions of being available for and genuinely seeking employment.

A breakdown of the outcome of appeals by gender is set out in Figure C, above. Excluding appeals from corporate bodies, the percentage of appeals from men and women is 47% and 53% respectively, the same as in 1999. About 39% of men and 47% of women had successful outcomes to their appeals.

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Appeals in progress and clearance times

Because of the quasi-judicial nature of the appeals process, so designed so that both parties to the appeal - the appellant and the Deciding Officer - are afforded the opportunity to comment and be heard on the question at issue, there will always be some significant number of appeals on which work is in progress at any time. A figure of 4,000 is seen as the desirable target in this regard, though the very high number of appeals currently being received would make this target difficult to attain.

Notwithstanding the significant increase in the number of appeals disposed of in 2000, the increased intake resulted in an increase in the number of appeals - to 7,537 - on which work was in progress at the end of the year. The position in this regard as between the various schemes is shown in Table 4 - page 12.

The work on hands is at various stages of the procedural process as follows (1999 figures in brackets):

Appeals had been heard and decisions to be made or notified	454	(449)
Oral hearings scheduled for following weeks	205	(64)
Work in progress in Social Welfare Appeals Office	2,867	(2,657)
Receiving attention in Social Welfare Services office	3,302	(2,906)
Response awaited from appellant	709	(871)

Notwithstanding the higher caseload, the average clearance time for all appeals closed during the year remained almost unchanged at 20.6 weeks, of which 9.4 is attributable to work in the Social Welfare

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Appeals Office. The corresponding figures for 1999 were 20.8 and 9.8 respectively.

For varying reasons some appeals can be quite protracted - e.g., sickness appeals requiring further medical reports, insurability appeals where counsel are retained by the parties and have to be briefed, occupational accidents where parallel action regarding the accident may also be before the High Court for determination (and which must first decide the issue). If allowance is made for the 25% of most protracted appeals, the average clearance time is under 14 weeks.

While these figures compare favourably with similar type appeals systems in other jurisdictions, there is a realisation that further improvement is possible and the objective of reducing the number of cases on hands and improving clearance times is constantly to the fore. The provision of additional resources as a means of achieving this is not necessarily the only response. For example, the procedures for explaining the reason for the initial decision to claimants and so making them informed of their entitlements and what can or can not be achieved for them in the appeals process is also very important. Inviting claimants, as is the practice in some Sections of the Department, to seek a review of the decision by the Deciding Officer in the light of any additional evidence before going the route of the formal appeals process is also helpful. Most efficient use of the resources available would dictate that the appeals process be used for resolving matters of contention or legal complexity.

A management consultancy study of the appeals process generally is proposed for 2001 and consideration of the procedures involved in dealing with claims to the appeals stage will be included in this study (page 35).

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Table 1 Appeals received and disposed of - 2000

	In Progress 01-Jan-00	Receipts	Decided Appeals Officers	Revised Decision Deciding Officers	Withdrawn	In Progress 31-Dec-00
Old Age Pensions	275	558	455	72	43	263
Retirement Pensions	10	23	11	3	7	12
Pre-retirement Allowances	21	48	26	1	6	36
Old Age (contributory) Pensions	43	77	43	15	15	47
Disability Benefit	1,770	3,968	1,143	1,621	1,298	1,676
Invalidity Pension	254	626	171	229	128	352
Disability Allowance	695	1,750	547	500	452	946
Occupational Injuries Benefits	522	806	692	63	84	489
Treatment Benefit	1	5	1	0	1	4
Unemployment Benefit	618	2,481	2,102	187	128	682
Unemployment Assistance - Payment	686	2,821	2,531	141	116	719
Unemployment Assistance - Means	644	1,757	1,387	281	140	593
Widows and Orphans Pensions	64	151	66	26	10	113
One-Parent Family Payment	379	779	286	258	46	568
Maternity Benefit	7	16	12	5	1	5
Child Benefit	33	50	39	21	5	18
Carers Benefit and Allowances	449	1,009	482	230	55	691
Family Income Supplement	19	63	29	10	3	40
Farm Assist	301	298	354	98	31	116
Supplementary Welfare Allowances	34	239	206	4	13	50
Rent Allowance (Private Rented Dwellings Act)	0	1	1	0	0	0
Liabile relatives (contributions)	2	18	1	12	0	7
Insurability of Employment	120	106	86	11	19	110
Totals	6,947	17,650	10,671	3,788	2,601	7,537

Table 2 Appeals Received 1996 - 2000

	1996	1997	1998	1999	2000
Old Age (non-contributory) and Blind Pensions	715	665	570	503	558
Retirement Pensions	38	22	29	29	23
Pre-retirement Allowances	63	117	81	38	48
Old Age (contributory) Pensions	57	37	98	87	77
Disability Benefit	3,444	3,530	3,813	3,917	3,968
Invalidity Pension	665	551	543	554	626
Disability Allowance*	6	1,243	1,254	1,302	1,750
Occupational Injuries Benefits	881	830	793	741	806
Treatment Benefit	3	3	1	1	5
Unemployment Benefit	919	1,263	1,370	1,738	2,481
Unemployment Assistance - Payments	421	974	1,157	1,865	2,821
Unemployment Assistance - Means	3,652	3,449	2,911	2,246	1,757
Widows and Orphans Pensions	134	152	125	103	151
One-Parent Family Payment	491	571	578	597	779
Maternity Benefit	31	22	14	20	16
Child Benefit	78	100	116	85	50
Carers Benefit and Allowance	222	288	285	756	1,009
Family Income Supplement	201	63	64	57	63
Farm Assist**				481	298
Supplementary Welfare Allowances***			115	213	239
Rent Allowances (Private Rented Dwellings Act)	2	1	1	2	1
Liabile Relatives (contributions)****				3	18
Insurability of Employment	160	123	96	127	106
Totals	12,183	14,004	14,014	15,465	17,650

* Commenced 2nd October 1996 ** Commenced 7th April 1999 *** Commenced 6th April 1998
**** Commenced 4th May 1999

Table 3 Outcome of appeals by category - 2000

	Allowed	Partly Allowed	Revised DO Decision	Disallowed	Withdrawn	Total
Old Age (non-contributory) and Blind Pensions	71 12%	66 12%	72 13%	318 56%	43 8%	570
Disability Benefit	764 19%	13 0%	1,621 40%	366 9%	1,298 32%	4,062
Invalidity Pension	96 18%	0 0%	229 43%	75 14%	128 24%	528
Disability Allowance	209 14%	21 1%	500 33%	317 21%	452 30%	1,499
Occupational Injuries Benefits	364 43%	108 13%	63 8%	220 26%	84 10%	839
Unemployment Benefit	459 19%	87 4%	187 8%	1,556 64%	128 5%	2,417
Unemployment Assistance-Payments	379 14%	76 3%	141 5%	2,076 74%	116 4%	2,788
Unemployment Assistance-Means	171 9%	91 5%	281 16%	1,125 62%	140 8%	1,808
Widows and Orphans Pensions	5 5%	7 7%	26 25%	54 53%	10 10%	102
One-Parent Family Payments	98 17%	15 3%	258 44%	173 29%	46 8%	590
Carers Allowances	178 23%	12 2%	230 30%	292 38%	55 7%	767
Family Income Supplement	11 26%	2 5%	10 24%	16 38%	3 7%	42
Farm Assist	63 13%	85 18%	98 20%	206 43%	31 6%	483
Supplementary Welfare Allowances	48 22%	14 6%	4 2%	144 65%	13 6%	223
Insurability of Employment	27 23%	4 3%	11 9%	55 48%	19 16%	116
Other Appeals (OA(C)P, Pre-retirement Allowances, Treatment Benefit, etc)	13 6%	3 1%	57 25%	118 52%	35 15%	226
Totals	2,956 17.3%	604 3.5%	3,788 22.2%	7,111 41.7%	2,601 15.2%	17,060

Table 4 Appeals in progress at end of year

	1996	1997	1998	1999	2000
Old Age (non-contributory) and Blind Pensions	289	335	229	275	263
Retirement Pensions	9	12	13	10	12
Pre-retirement Allowances	30	60	23	21	36
Old Age (con) Pensions	19	19	30	43	47
Disability Benefit	1,313	1,212	1,696	1,770	1,676
Invalidity Pension	255	227	231	254	352
Disability Allowance*	5	582	625	695	946
Occupational Injuries Benefits	481	478	521	522	489
Treatment Benefit	1	1	1	1	4
Unemployment Benefit	295	406	448	618	682
Unemployment Assistance - Payments	142	315	387	686	719
Unemployment Assistance - Means	1,171	1,434	950	644	593
Widows and Orphans Pensions	72	93	58	64	113
One-Parent Family Payment	303	343	340	379	568
Maternity Benefit	14	7	8	7	5
Child Benefit	42	52	41	33	18
Carers Allowances	61	118	133	449	691
Family Income Supplement	49	42	46	19	40
Farm Assist**				301	116
Supplementary Welfare Allowance***			14	34	50
Rent Allowance (Private Rented Dwellings Act)	0	1	1	0	0
Liable relatives (contributions)****				2	7
Insurability of Employment	135	118	84	120	110
Totals	4,686	5,855	5,879	6,947	7,537

* Commenced 2nd October 1996 ** Commenced 7th April 1999 *** Commenced 6th April 1998
**** Commenced 4th May 1999

Meetings of Appeals Officers

Meetings of Appeals Officers

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As provided for in the Regulations relating to the appeals system, meetings of Appeals Officers were held on a number of occasions during the year. The meetings seek to establish consistency of practice among Appeals Officers in administering the code governing entitlement to social welfare.

This is to ensure that every person will have his/her appeal dealt with in the same fully-informed and fair way, irrespective of which particular Appeals Officer makes the decision on the appeal.

Some of the matters which were addressed are set out in the material following. Where appropriate, issues arising are discussed and followed up with the Department.

Unemployment Payments

The greatly increased numbers of Unemployment Assistance and Unemployment Benefit payments appeals received in the year (5,302 as against 2,237 just 3 years ago in 1997), placed heavy demands on resources and particular attention was given to the issues arising in these appeals.

The principal grounds for disallowance of unemployment payments claims by Deciding Officers were that the statutory conditions requiring that a person be available for and genuinely seeking employment were not satisfied. The reason for the increased numbers of appeals arose out of departmental efforts to ensure that claimants on the Unemployed Register were responding to the greatly increased opportunities in the labour market. A special meeting was had with representatives of the Department

and with FÁS to get a fuller understanding of the policy and practice in place.

The condition that a person be genuinely seeking employment is, perhaps, self-explanatory, requiring that a person shows that s/he is taking reasonable steps to obtain work, due allowance being made for such factors as education, normal occupation and place of residence.

The availability for employment requirement is satisfied when a person is not imposing unreasonable restrictions on his/herself in relation to his/her willingness to take up full-time employment. Such restrictions could leave him/her with little or no meaningful opportunity of getting employment, i.e. the claimant is realistically speaking not in the labour market and not able to take up a full-time job. It might, perhaps, be added at this point that a cardinal principle of unemployment payments is that such payments are to provide for loss of income arising from involuntary unemployment, i.e. from unemployment which is not of a person's own making.

It is not surprising that the more intensive application of the conditions meant that appellants with particular occupational or social characteristics were encountered during 2000 at appeal in substantial numbers. These would have been met before only infrequently because of the then fewer job opportunities. These categories included seasonal and part-time workers and persons for different reasons not positioned to take up employment.

In less buoyant times, seasonal or part-time employment may have been the only and best employment that particular people could obtain. Now, however, when such is no longer the case, the question as to whether a claimant to

unemployment payment meets the requirements that s/he be genuinely seeking work at all times and be available for full-time work can be realistically tested against the general plenitude of opportunities to pursue full-time employment.

One issue here, which has been conveyed to the Department, arises from the experience of hearing appeals of seasonal or part-time workers, who had received unemployment payments during previous similar periods of unemployment but had now been disallowed. That issue is the desirability of an early warning system of alerting such a person, before s/he makes a further claim, to the necessity of satisfying the applicable qualifying statutory conditions in the circumstances of the changed labour market.

Such a step is desirable because of understandable natural expectations on a claimant's part to go on receiving payments which had been made previously for corresponding periods, such as unpaid holiday time. Such expectations when not met and without warning may create considerable dissatisfaction.

The part of the country in which a person is residing may be a very relevant issue in relation to a person's efforts to get work. Residence in, or close by, an urban area where there is extensive economic activity generally means that travelling to and from work is not a barrier to finding employment. Access to private or public transport also puts employment opportunity within reasonable reach of a claimant.

However, it may be that a claimant has grown up in a particularly remote area of the country and is availing of whatever

employment s/he can get to the best of his/her efforts, be it seasonal or occasional. Clearly, there is a point at which it is clear that it is not reasonable to expect a claimant to journey to find full-time work, as is recognised by the provisos to the genuinely seeking work condition.

There is, however, another situation of remote residence where the code does not permit unemployment payments. This is where a person removes himself/herself from a place of good job opportunities to an area in which there is little or no work is to be found. The person thereby places limitations of distance on his/her availability for employment, such that s/he has deprived himself/herself of reasonable opportunity of getting employment. Consequently, the person no longer satisfies the mandatory availability for employment condition for entitlement to unemployment payments.

Of particular concern to Appeals Officers - as indeed it is in the Department - are claimants who, because of factors such as illiteracy, some impaired mental or physical abilities, or a socially deprived background, are at a real disadvantage in securing employment. Where there are indications that the appellant is disadvantaged, Appeals Officers have asked that the Department's comments (obligatory on all appeals) include full briefing on measures which have been taken to help the person to become job-ready. Such measures would include availing of the assistance of the Department's local job facilitator and/or of assessment and training by FÁS. Consideration of the appeal by Appeals Officers is greatly facilitated where such documentation is available, particularly

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Meetings of Appeals Officers

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where the Deciding Officer may not be available to present the Department's case at the oral hearing.

Unemployment Assistance Means - Benefit and Privilege Assessment

The value of benefit and privilege enjoyed by a claimant to Unemployment Assistance is assessable as means. As would be expected, circumstances, apart from the financial ones, of claimants vary, factors involved including marital status and the numbers of dependants. In the case of persons living in the parental home, situations can vary because of, for instance, the amount and source of parental income, time lived away from home or the work record of the claimant while at home. Again, a person may be residing with a person who is not a parent or may have free lodgings only.

Recognising the overall circumstances of a person's situation, both those of himself/herself and the household of which he is a part, rather than seeing factors in isolation, is considered the appropriate and realistic way in which to take account of benefit and privilege enjoyed by a claimant.

Carer's Allowance

The numbers of Carer's Allowance appeals received increased from 222 in 1996 to over 1,000 in 2000 (Table 2). While this is not a hugely significant figure in relation to the overall number of appeals of 17,650 received in 2000, of their nature these appeals require particular attention.

Basic qualifying conditions (apart from a means test) are that the cared-for person must be so incapacitated as to require full-time care and attention, and the carer has to be providing that full-time care and attention. Oral hearings are more often than not required when either of these conditions is the appeal issue, in order to determine the extent of the cared-for person's incapacity, or the amount of the care which the carer provides. Appeals dealt with by way of oral hearing are inherently time-consuming.

Another factor associated with these appeals is that normally the carer only can be invited to, and his/her evidence only heard, at the oral hearing. This is because the medical condition of the cared-for person is, by the nature of the payment involved, contended to be extensively incapacitated (and, indeed, a request for the attendance of the cared-for person at the oral hearing might be viewed as prejudicing the appeal case being made that the cared-for person is extensively incapacitated).

Consideration of the evidence as to whether the cared-for person requires full-time care and attention is all the more difficult in that, unlike sickness schemes, no medical examination would normally have been carried out by a Departmental Medical Assessor in the context of the application. Where, however, the cared-for person is in receipt of a payment from the Department, any papers arising from such claim could be relevant to the issue under appeal and of assistance to the Appeals Officer in his/her assessment of the appeal. The submission of such papers as part of the departmental response to the grounds of appeal has been suggested.

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Appeals arising from non-co-operation by claimants

The statutory appeals system exists to address claimant dissatisfaction with the decision of the Department on his/her claim. The role of the Appeals Officer is then to consider the grounds of appeal to determine whether, having regard to all the evidence, written and oral, and the law, the decision of the Deciding Officer is sustainable.

The process envisages that the grounds of appeal possess substance and that an appeal does not arise in the system merely because of a claimant's failure to comply with straightforward and reasonable obligations necessarily associated with making a claim. Such an obligation would be to furnish documents or information fundamental to establishing a complete claim.

However, numbers of cases in which these basic procedures are not being met find their way into the appeals system. In social assistance cases, such happens, by and large, through a decision by the Deciding Officer to the effect that the claimant has failed to show that the means test is satisfied.

It is considered that if a person is uncooperative and or unwilling to assist the Deciding Officer with sufficient information to enable him/her to make a decision on the claim, then there the matter should rest. The appeals process should not be offered as a further tier of basic investigation.

The Department has undertaken to review their procedures in this regard so that inappropriate issues do not have to go to an Appeals Officer for determination.

The elimination of inappropriate issues is, of course, of considerable importance also to the Office's objective of processing appeals in the shortest possible time (particularly so in the face of ever-increasing appeal numbers) through the elimination of matters from the appeals system which are not appropriate to it.



Some Appeals Officers Decision Cases



Some Appeals Officers Decision Cases

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Occupational Injuries Benefit: Whether a particular accident covered

Payments in respect of occupational accident injuries are provided under the Occupational Injuries Benefits scheme. The fundamental and long-established test for determining if any particular accident comes within the ambit of the scheme is whether the accident has arisen out of and in the course of employment. The test is a question of law and the determining authority has no discretion the matter.

The claimant was a prison officer who made a claim for Disablement Benefit (for loss of faculty) under the Occupational Injuries scheme. He had been socialising with some colleagues when one of them was attacked by another party. He went to the assistance of the colleague and he in turn was set upon by another person. During the course of the struggle, the claimant heard his assailant refer to his occupation in derogatory terms.

The claimant submitted that the assault on him had happened because of his occupation and that consequently it was a work accident covered by the Occupational Injuries scheme.

Having considered the matter the Deciding Officer disallowed the claim for the reason that it failed to meet the basic occupational accident criterion which governed the scheme.

The claimant appealed the decision on the grounds that the happening was work-related and the Appeals Officer held an oral hearing. The appellant attended, accompanied by a witness colleague, on whom the initial assault in the incident had been made.

The appellant restated the circumstances in which he had been assaulted. The assailants were not known at the time to him or his colleagues, but they were satisfied that the assailants had identified them as prison officers. An officer could be identifiable from contact made during a visit by a person to a prisoner.

The Appeals Officer considered that there was no evidence to the effect that the appellant was on duty at the time of the incident. Consequently, the requirement that the happening must, not alone have arisen out of employment, but have occurred in the course of employment was not satisfied and the Deciding Officer's application of the law was correct.

Carer's Allowance: Provision of full-time care and attention

Carer's Allowance is a social assistance scheme of payments for persons who are caring full-time for incapacitated persons. The qualification test for the person receiving the care is that s/he requires (for a minimum of a year) continual supervision and frequent assistance with his/her ordinary needs or, alternatively, requires continual supervision in order to avoid danger to himself/herself.

The claim for a Carer's Allowance was made by a woman for caring for her husband who was certified as suffering from post-traumatic stress disorder. Both persons were foreign nationals and the claim was submitted on their behalf by a refugee organisation.

Related medical reports stated that the man's condition was as a result of

detention and torture in a concentration camp during a recent war abroad. He was under the care of a psychiatrist, who had arranged for psychotherapy, and was being treated with medication. The extent of the illness was described as moderate to severe. The problem was compounded by the couple's sense of isolation and separation from other family members left behind in their own country.

On the basis of the particulars furnished, it was not considered that the condition of the cared-for person was such as to require the degree of care necessary to satisfy the relevant test of incapacity and the claim was disallowed by the Deciding Officer on that ground.

The refugee organisation lodged an appeal and the Appeals Officer held an oral hearing. Both the carer and the care recipient attended. An interpreter was also present.

Through the interpreter, the appellant restated her husband's traumatic experience of detention and torture during a time of war in their homeland. She referred to the medical reports which had been submitted setting out how he was affected and the treatment needed. One of the reports expressed concern about the effects of severe and repeated head injuries inflicted.

The appellant also stated that her husband needed continuous help with the very basic tasks of living, such as washing and dressing. He was most forgetful and unable to look after himself to such an extent that he was a danger to himself if left alone.

On consideration of all the evidence which had been presented, the Appeals Officer found that the extent of care requirement

for entitlement to a Carer's Allowance was fulfilled and, consequently, the appeal was allowed.

Old Age (Non-Contributory) Pension: Loss of means

Where there are real grounds for doubt about a claimant's financial circumstances, the onus is on the person to show that s/he satisfies the statutory means test.

Investigation of the claimant's means in connection with an earlier claim to Widow's (Non-Contributory Pension) showed that the person had received a substantial sum of money from the sale of a business following her husband's death. However, the capital sum had been dissipated by another party, who was a co-resident at her address and of whom she was fearful. Her means consisted of a small sum in shares and rent from the other party mentioned and a pension was awarded.

When the situation was reviewed some time later the pensioner had sold her home. She claimed that she had not received any money from the sale. She was living as a non-paying guest in a boarding house owned by a friend. The other party referred to was also resident there and stated to be working at the premises for his keep.

The report of the investigation Social Welfare Inspector recommended that the payment of the pension be terminated on the grounds that the person had not explained satisfactorily how she had failed to receive money from the house sale. The report also expressed reservations about the earlier claimed disposal of the

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capital realised from the preceding business sale. The person stated that, apart from some expenditures of her own, the bulk of the money from the sale of her home had gone to pay off debts incurred by the earlier referred to other party. The Deciding Officer, having considered all the available information, terminated the pension.

On reaching the qualifying age for old age pension some years later, the person applied for a non-contributory pension. She was living alone in a flat at a new address and was assisted by friends to pay the rent. She worked in a part-time manual job in a business owned by one of her friends and had a small income from that. A solicitor had been engaged to look into the disappearance of monies due to her.

The pension application was refused on the grounds that it had not been established that the means condition was satisfied.

In the written grounds of appeal the appellant explained how she believed that she had been defrauded of substantial bank funds by the person, who had formerly been a co-resident with her, and another person. She also stated that when she had been in hospital for a time, the co-resident had disposed of all her home belongings, valuables and furniture, apart from her clothing. She understood that he had also defrauded other individuals and was known because of that to the Gardai.

At the oral hearing of the appeal the appellant was accompanied by a friend and the investigating Social Welfare Inspector was also present. The appellant's accompanying friend had had business dealings with the party who had been a co-resident of the appellant.

A comprehensive and detailed account was given by the Social Welfare Inspector of his investigations of both the widow's and old age pensions claims.

The appellant re-iterated her claims that she had been defrauded of substantial amounts of money, initially by the co-resident party alone and, subsequently, by that same party and another person working together.

The accompanying friend supported the appellant's version of events and related efforts made to take court proceedings against the alleged defrauding parties. Proceedings were not undertaken because of the costs which would be involved and, assuming a favourable court finding, the improbability of there being assets to meet an award. The friend and the appellant had contacted a Sunday newspaper about publishing what had happened to the appellant, but the appellant had backed out of that because of the publicity which it would involve for herself.

Another person and himself had paid the rent for the flat until she was awarded Supplementary Welfare Allowance by the Health Board.

The Appeals Officer acknowledged the considerable amount of work which the Social Welfare Officer had put into investigating the case and the grounds for his misgivings.

In considering the case advanced for the appellant, which was a most unusual one, a number of factors weighted with the Appeals Officer in particular. It was felt that if the appellant had any resources of the order involved in the case, she would not have to have friends pay rent for her accommodation nor would she have had to go out to work in a lowly paid manual

job. Also, he considered that the appellant was a credible person, as was her accompanying friend.

On balance, despite the nature of the events verging on the implausible related by the appellant, the Appeals Officer considered that the case had been made by the appellant warranting allowing her appeal and an award of pension was made accordingly.

Old Age Pension: Sale of home for more suitable accommodation

Old Age (Non-Contributory) Pension is a means-tested social assistance payment for persons aged 66 years and over. Where a person of pension age sells his/her home in order to fund other specified accommodation (the purchasing or renting of another home, or for nursing home fees), sale proceeds up to a prescribed amount are exempt from the means test.

A sibling applied for an old age pension on behalf of a parent who was over the qualifying age of 66 years for the pension. The pensioner was resident in a nursing home and unable to act because of a severe stroke a number of years earlier.

A capital sum in a bank account in the joint names of the parent and the sibling was declared. The money was from the sale of the home by the parent, so that she could move to more suitable accommodation. The pension had not been applied for at an earlier date, as it was thought that the amount of the capital would prevent the award of pension.

The capital sum was not being currently drawn on to meet the nursing home fees, which were being paid by family members.

As the proceeds from the sale of the claimant's home were not being used to pay for the nursing home, the capital sum was assessed as means and a pension at a reduced rate only was granted by the Deciding Officer.

The ground of appeal was that the situation was imposing considerable economic strain on family members. An application for a Health Board subvention had been refused.

The appellant was accompanied at the oral hearing by another member of the family. The Social Welfare Investigator also attended to report on the facts established.

In relation to the capital in the bank account, the appellant explained that it was the considered stance of family members that the only legally acceptable way in which it could be ensured that the money was expended wholly in accordance with the parent's interests was to have the parent made a ward of court.

The outcome of such a step could, however, be the moving of the parent to cheaper accommodation and the family would effectively have no say in the matter. The parent was very content in the present nursing home and, as well, the location was convenient to the persons who visited her.

The Appeals Officer considered that as the parent had disposed of the home for the purpose of funding acceptable alternative accommodation and, the parent having reached pensionable age at

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the time of sale, the provisions of the law allowing for a disregard of the capital from the means test applied. The appeal consequently succeeded.

Supplementary Welfare Allowance: Rent Supplement - separated parent and access to children

Supplementary Welfare Allowance is an Exchequer-funded payment made by a Health Board to a person whose means are insufficient to meet his/her needs and those of his/her dependants. Rent Supplement is one of the forms of the Allowance and is payable to a person who is in need of accommodation, reasonably suited to his/her residential and other needs, and is unable to provide it from his/her own resources.

The claimant, who was unemployed and living alone, was in receipt of a Rent Allowance for his accommodation. The accommodation consisted of a living room cum kitchenette and bedroom.

He and his spouse had parted when their marriage had broken down and their two small children continued to live with their mother. A Rent Allowance was being paid to the mother in respect of that accommodation.

His spouse was participating in a community employment scheme and was receiving FAS payments for herself and the two children. Both parties continued to live in the same town.

The claimant applied for an increased Rent Allowance to get a two-bedroom flat so that his children could stay with him

overnight when they came to visit him. His contention was that this was necessary to help maintain the proper relationship with the children.

There was no formal settlement of the separation and the claimant and his spouse shared joint custody of the children. Under an informal arrangement agreed between the parents, the children spent three nights a week with the claimant.

The application was refused on the grounds that the claimant was not in need of accommodation for his children, as they were already adequately accommodated in his spouse's house nearby. The claimant appealed the decision of the Health Board to the Social Welfare Appeals Office. The ground of appeal was that the refusal was unfair because the children spent up to half the week with the appellant.

At the oral hearing held by the Appeals Officer of the Social Welfare Appeals Office, the local Superintendent Community Welfare Officer represented the Health Board.

The appellant submitted that, as he continued as a parent to be joint guardian of his children and had them to stay overnight through an informal arrangement with his spouse, he considered that he was entitled to be paid increased Rent Allowance in order to have a two-bedroom flat. His own present accommodation was about a quarter mile from where his spouse resided.

The Superintendent Community Welfare Officer explained that the rate of Rent Allowance being paid to the mother took account of the accommodation needs of the children and that it was not

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considered that the case had been made to warrant the Health Board paying for the same accommodation needs twice.

In commenting on the case the Appeals Officer considered that, while there was no obstacle in law to the payment of Rent Allowance to provide for the residence of the children at two addresses, such payment could only be justified in exceptional circumstances and on a case by case examination basis.

In the particular case the residences of both spouses were in the same town and not at a great distance from each other. The children could, accordingly, spend considerable time with their father, who was not working. It was not as if it was absolutely essential for the children to stay overnight with the father in order to be able to spend time with him. The Appeals Officer consequently held that the position adopted by the Health Board was not unreasonable and confirmed it.

Unemployment Assistance: Assessment of house property

Means for Unemployment Assistance are calculated in accordance with statutory rules. In accordance with these rules, house property owned is assessable as means, unless it is being personally used or enjoyed, e.g. as home or residence.

The person claimed Unemployment Assistance after he had returned to Ireland from another country following the breakdown of his marriage. He and his spouse had gone to live abroad and he had worked there for some years. There was no legal settlement of affairs following the marriage breakdown and his spouse and their children continued to live in the home abroad.

The claimant was assessed with means of half the net capital value of his former residence, on which mortgage repayments continued to be made by the spouse, with consequent reduction in the amount of Unemployment Assistance payable to him.

Appealing through his solicitor the claimant contended that, though his marriage had broken down, the house abroad continued in law to be his home, there being no legal arrangement otherwise. Consequently, there ought to be no assessment of means against him in respect of the house property.

Accompanied by his solicitor at the oral hearing, the appellant explained that he had attempted to reach a settlement with his spouse in which he would obtain his share of the property, but his spouse was not agreeable to that. His spouse had not replied to communications from himself or from his solicitor. His solicitor stated that

he had contacted a number of legal firms in the foreign country to act for the appellant but to no avail.

In addition to the property abroad continuing to be his home in law, it was submitted that appellant was not able to derive any monetary benefit from it. Moreover, the house was not saleable as more recently it had been seriously damaged in a natural disaster.

The Appeals Officer considered that, irrespective of considerations in regard to the house continuing to be in law the appellant's home, the reality was that the appellant was being assessed with means from property which were incapable of being realised by him (at least in the short term). It was also observed that, in the case of marital separation occurring within the home jurisdiction, the question was not raised of assessing as means the house equity of the spouse departing the family home, while the spouse and any other members of the family lived there. The appeal consequently succeeded.

Decisions Advisory Office



Decisions Advisory Office

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Regular meetings with the staff of the Decisions Advisory Office continued throughout the year and once again the Social Welfare Appeals Office would wish to record its appreciation of the assistance of that Office in liaising with the Department. The provision by that Office of a ready means of communication between this Office and the Department enables experience and information to be exchanged in the interests of providing an ever better service to claimants who are mutual customers of both, though independently functioning organisations.

Among the areas further addressed during the year was the fuller briefing for Appeals Officers by Department Local Offices in required procedural submissions relating to the appeals of persons who have been refused Unemployment Assistance or Unemployment Benefit. The Office acknowledges and appreciates significant advances, as a result of the efforts of the Decisions Advisory Office, made by Local Offices in this regard in recent years.

The onus is on the claimant to show that s/he satisfies the conditions for entitlement to unemployment payment. However, the fuller the particulars provided about the employment (or training) opportunities in any particular area which are regarded as suitable for a particular claimant, be the area urban or rural, the more-informed and so fairer then is the decision which can be made on the individual appeal.

With the object of removing cases from the statutory appeals process to enable the resources of the Appeals Office to be more appropriately deployed addressing the issues of real contention, consideration is at an advanced stage on

how best to deal with cases where the Department Deciding Officer has effectively been denied the opportunity of full and meaningful claim examination, solely because of client failure to provide the basic relevant information.

It is also noted that some Sections of the Department, when rejecting a claim because underlying conditions are not satisfied, offer to review the claim in the light of any further information that may not already have been submitted. This does not take from the right of appeal but affords the claimant the opportunity to have the claim fully examined before involving the formal appeals process. This is a very welcome initiative, not alone in providing a high level of service to claimants by the Section concerned, but also in helping to ensure that the appeals system is used to optimum effect.

The Office would like to pay special tribute to the work over many years of Mr. Phil Melville of the Decisions Advisory Office in connection with matters raised by the Office and to his ready and well-informed assistance at all times. We wish him well in his new assignment.

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Court Proceedings



Court Proceedings

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Overpayment Provisions

By judgment delivered on 16th January 2001, the Supreme Court allowed an appeal by the Minister against a judgement of the High Court in May 1999 (Minister for Social, Community and Family Affairs and Michael J. Scanlon). The appeal concerned principally whether retrospection could be given to a legislative change relating to the setting up and recovery of overpayments of social welfare payments.

In the course of the judgement the Court held that the right to receive or retain benefit is derived from statute and does not constitute a constitutional property right. The judgement also dealt at length with the common-law and constitutional principles of interpretation *vis-a-vis* retrospective effect of legislation. Particular reference was made to benefit wrongly paid and to the overpayment, including recovery, provisions of the social welfare code.

A number of appeals against decisions of Deciding Officers involving the relevant legislative provisions which had been deferred pending the outcome of the Supreme Court appeal can now be proceeded with in the current year.

PRSI - Sharefishermen

A hearing took place in the High Court hearing in December 2000 of an action against the determination by an Appeals Officer that the social insurance status of certain persons working on a fishing vessel was at the PRSI class A rate. Judgment was reserved.

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Organisational and Operational Matters

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Resources

An Organisation Chart of the Office is set out at Appendix 2 to this report.

The number of staff serving at 31 December 2000 was 51½, a decrease of 1½ on the corresponding figure at the end of 1999.

Included in the figure was an additional 2 Appeals Officers appointed in January 2000, bringing the number of Officers to 16. This increase in the number of Appeals Officers is a response to the heavily increased intake of appeals in recent years.

The higher workload does, of course, have effects on all sections of the Office and I am appreciative of the contribution of all personnel of the Office for the unstinting efforts in providing the service during the very busy year. The response is all the more commendable given the high staff turnover at the clerical level which places great demands on training resources.

A small budget of around £200,000 is administered, mainly to bring the appeals service to appellants around the country at venues convenient to them. Regard is had, at all times, to the need for value for the money expended. The cost of hotel rooms used as venues for oral hearings in particular is constantly monitored as increases in these costs in recent years has put particular pressure on the budget.

Customer Service

The Department's Customer Action Plan embodies principles of quality customer service to which this Office fully subscribes in the delivery of the social welfare appeals service.

Standards

The processing of over 17,000 appeals generates considerable interaction with appellants and with the other parties involved in the appeals service. It is the objective that at all times such interaction is timely and informative with the aim of making the appeals process easily understandable to all. Leaflets are available outlining the appeals process and the oral hearing procedures. All appellants receive copies as appropriate. Interim letters are issued to keep appellants informed of the progress of their appeals.

The Office's customised computer system was designed with the two-fold purpose of monitoring the progress of appeals through the appeals process and to provide standard correspondence to a highly professional level.

All documentation is regularly monitored to ensure that it is achieving its intended purpose.

Tá deis le fáil chun seirbhís den chaighdeán árd chéanna a chur ar fáil do dhuine ar bith ar mian leo achomharc a dhéanamh trí Ghaeilge, éisteacht béil san áireamh, agus tabharfar gach aon cabhair do dhuine ar bith ar mian leo fónamh a bhaint as an deis sin.

Information

To facilitate contact with the Office, an E-mail address was provided during 2000 for anyone wishing to contact the Office in this way and new technology will be availed of to provide information concerning the appeals process on a Web site. Initially, it is envisaged that customers will be able print copies from this site of the standard form for submitting appeals. In conjunction with

the Department, it is also proposed to introduce Locall which will enable all customers from whatever location to contact the Office by phone at local call rates.

To give all a fuller understanding of the functions and operations of the Office, talks are given by the Office Manager to interest groups and to training courses for departmental officials. He also visits decentralised offices of the Department to discuss the appeals process with local management and the procedures for their responding to the grounds of appeal, including the submission of the relevant departmental papers in a timely manner. The co-operation received from the Department in this regard is greatly appreciated.

Physical access

In the Dublin area, appeal hearings are held at the Office's headquarters in D'Olier House and this accommodation is such that all customers can conduct their business in privacy and in some degree of comfort.

In line with the policy of making the service accessible, oral hearings are also held at venues convenient to appellants around the country. Such venues, normally hotel rooms, are monitored to ensure that an appropriately high standard is available to enable the parties to the appeals to present their cases in privacy. Where an appellant has special needs and may not be in a position to travel to an oral hearing venue, arrangements are made to conduct the hearing at the person's own home.

Because of the volume of appeals in Cork City, for some years past an oral hearing venue (and waiting room) has been retained on a full time basis in Connolly Hall. During the past year, this accommodation has been redecorated and new furniture installed.

Internal Customer

Principles of Quality Customer Service recognise that the staff of the organisation are internal customers who must be supported and consulted with regard to service delivery issues.

As described earlier, regular meetings of Appeals Officers are held to discuss all aspects of the work of the Office. Where appropriate, such meetings include presentations from outside experts on certain specialised issues.

All clerical staff in the Office have received Customer Service Training.

During 2000 initial steps were taken to set up a Partnership process in the Office and this will be completed in 2001. The objectives of this will be to develop a new participative approach, inclusive of management, unions and staff, to resolving issues and challenges generally, with particular emphasis on enhancing the quality and efficiency of the service and the quality of the work environment.

During 2001, the Performance Management and Development System will be introduced and appropriate training will be provided for all staff. The system will provide the opportunity for all to identify their individual contributions and to develop the competencies needed to make that contribution.

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Organisational and Operational Matters

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Correspondence and Parliamentary Questions

In addition to the normal level of correspondence associated with the processing of appeals, the Office receives enquiries and representations from public representatives of behalf of appellants. Here also, the aim is for a prompt reply outlining the current position in regard to an appeal where a final reply is not possible. This is regularly monitored to ensure that a satisfactory service is provided.

During the year, over 3,500 such enquiries were received, an increase of over 200 on the 1999 figure.

Where a Parliamentary Question is submitted on a case currently the subject of an appeal, the question is dealt with by this Office. During 2000, 372 Questions (213 in 1999) were received relating to

Unemployment Assistance (means issues)	57
Unemployment payments (statutory conditions)	105
Sickness payments	102
Pensions and other schemes	101
Policy issues	7

Such Questions are usually in the nature of a query as to the present status of an appeal and many are withdrawn by the Deputy concerned following contact with him/her and explanation of the position. 311 Questions were dealt with in this manner. Replies to the remaining 61 were given in Dáil Eireann.

Freedom of Information

The Social Welfare Appeals Office is a Public Body within the terms of the Freedom of Information Act, 1997 with the attendant statutory obligations.

During the year, 45 formal requests were received under the Act, of which 44 were in respect of personal information and one was a request for non-personal information. These were dealt with promptly by the Freedom of Information Officer. A request for review to the Internal Reviewer was made in relation to the decision in one of these cases.

During 2000, a decision was made by the Information Commissioner in relation to an appeal made during 1999 against a response by this Office to a request for information under the Act. That decision was in favour of the approach taken by the Freedom of Information personnel in the Office.

The Act requires every public body to publish manuals on the structure and operations of the body and to revise these not less frequently than every three years.

The Social Welfare Appeals Office published such manuals in 1998 and these manuals were reviewed during 2000. Revised manuals will be published in 2001.

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Consultancy Study

The Social Welfare Appeals Office is now 10 years in operation in its present structure. During that time, over 150,000 appeals have been dealt with.

Over the period the range and the nature of appeals coming for determination has changed. Where appropriate, procedures have been adapted to meet changing needs.

In-house surveys of customers show that the Office continues to satisfactorily meet the purposes for which it exists.

However, it is considered appropriate at this juncture to have a review of the appeals process conducted and during 2001 a management consultancy study of the role, functions and operations of the Social Welfare Appeals Office is proposed, including examination of its relationship with its various customers.

The study will also be concerned with the processes involved in dealing with claims to the appeals stage and seeking to identify procedural improvements.

Appendix I

Venues where oral hearings were held in 2000

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Arklow	Dungloe	Mullingar
Athlone	Dunmanway	Naas
Ballina	Edenderry	Navan
Ballinasloe	Ennis	Nenagh
Bandon	Enniscorthy	Newbridge
Bantry	Fermoy	Newcastlewest
Birr	Galway	New Ross
Buncrana	Gorey	Portlaoise
Carlow	Gort	Roscommon
Carrick-on-Shannon	Gortahork	Roscrea
Castlebar	Kells	Skibbereen
Castleblayney	Kenmare	Sligo
Castlerea	Kilkenny	Swinford
Cavan	Killarney	Thurles
Charleville	Kilrush	Tipperary
Claremorris	Letterkenny	Tralee
Clifden	Limerick	Tuam
Clonakilty	Listowel	Tullamore
Clonmel	Longford	Waterford
Cork	Loughrea	Westport
Donegal	Macroom	Wexford
Drogheda	Mallow	Wicklow
Dublin	Mitchelstown	Youghal
Dundalk	Monaghan	

Appendix II

Social Welfare Appeals Office Organisation Chart at 31 December 2000

