

Submission to the Tenth Open-Ended Working Group on Ageing: Social Protection and Social Security

January 2018

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| *The Scheme to Support National Organisations is funded by the Government of Ireland through the Department of Rural and Community Development* |

Age Action is the leading advocacy organisation on ageing and older people in Ireland. Our mission is to achieve fundamental change in the lives of all older people by eliminating age discrimination, promoting positive ageing and securing their access to comprehensive and high-quality services that meets their needs.

We want to make Ireland the best country in the world in which to grow old and we work with older people to build a society free of ageism where their rights are secured.

A central feature of our work is raising awareness about the lived experience of growing old in Ireland.

**Guiding Questions for the Focus Areas of the Tenth Session of the Open-Ended Working Group on Ageing: Social protection and social security, including social protection floors**

***National legal framework***

*1. What are the legal provisions in your country that recognizes the right to social security and social protection, including non-contributory and contributory old-age benefits? Do they have a constitutional, legislative or executive foundation?*

The right to social security and protection is enshrined in legislation in Ireland,[[1]](#footnote-1) and broadly speaking is divided into three types of social welfare supports: 1) social insurance payments funded by social insurance contributions paid by employees, employers and the self-employed, 2) means-tested social assistance payments for those who have insufficient social insurance contributions, and 3) other supports which are not based on social insurance contributions and are not means-tested.

It is important to note that the State Pension system in Ireland is linked to the annual national budget process, and the Exchequer. Annual changes to the rates of the contributory and non-contributory State Pension are set during the annual Budget Estimates. Ireland is unusual in setting the pension rate in the budget every year without using any particular formula.

**Availability**

*2. What steps have been taken to guarantee universal coverage, ensuring that every older person has access to social security and social protection schemes including noncontributory, contributory and survivor old-age pensions, to ensure an adequate, standard of living in older age?*

Ireland does not operate a system of universal coverage regarding access to social security and social protection schemes. Regarding social security (old-age pensions), a means test is applied to social assistance payments such as non-contributory pension, survivors’ pension, and increase for qualified adult pension. Additionally, one off means-tested exceptional needs payments are available for exceptional expenditure items but are issued at the discretion of the deciding officer.

*3. What steps have been taken to ensure that every older person has access to social security and social protection schemes which guarantee them access to adequate and affordable health and care and support services for independent living in older age?*

As indicated in Question 1, provisions exist in national legislation for both means-tested payments to guarantee access to adequate social protection rates under social assistance payments and other non-tested payments. It is the stated commitment of the Irish Government that social welfare payments will work as a safety net and work to alleviate poverty and reduce income inequality.

Ireland operates a separate system regarding access to healthcare and does not have universal free access to health care at the point of access, and access is means-tested for all the general population e.g. for medical card access to a primary health care doctor, hospital, consultants, support services and prescription charges. In addition, those over 70 years receive a non-means tested medical card for primary health care physician visits (‘GP Visit Card’). National budget changes for 2019 saw a specific small decrease in prescription charges for those over 70 who hold a ‘GP Visit’ card. Regarding independent living in older age, access to nursing home care is guaranteed for all via the statutory ‘Fair Deal’ scheme which provides financial support to help pay for the cost of care in a nursing home. Work is currently underway to develop a statutory scheme for homecare supports, however none currently exists.

**Adequacy**

*4. What steps have been taken to ensure the levels of social security and social protection payments are adequate for older persons to have access to an adequate standard of living, including adequate access to health care and social assistance?*

For those over 65 more than three-quarters of their income is made up of public transfers. The latest official poverty statistics from the CSO indicate that 8.6% of people aged 65 years and over were ‘at risk’ of poverty in 2017. The latest ‘at risk of poverty rate’ line in Ireland currently stands at €12,521. A full Contributory State Pension (with March 2019 increases) is just over the at risk of poverty figure and stands at €12,911 (€13,431.60 for those over 80). A State Pension for those with a yearly average of 39 or fewer annual social insurance contributions over the course of their working life is below the at risk of poverty rate, and for those on the top rate of the non-Contributory State Pension at €12.324.

The current process of setting social security rates via the annual Budget estimates process does not allow for the explicit linking of payments to inflation, average earnings or wages. Indexing of current and future pension rates facilitates proper planning, it provides peace of mind for older workers and crucially it depoliticises State pensions from the Budget process. Age Actione welcomes a commitment in the Roadmap for Pension Reform policy document (January 2018)[[2]](#footnote-2) to benchmark the State Pension to 34 per cent of average earnings for the State Pension,[[3]](#footnote-3) with future increases to depend on the Consumer Price Index or average wages.

**Accessibility**

*5. What steps have been taken to ensure older persons have adequate and accessible information on available social security and social protection schemes and how to claim their entitlements?*

In general, the National Adult Literacy Agency (NALA) works across Government departments to ensure that information regarding entitlements is provided in clear, accessible information. Information is also available for those who are hard of hearing or with vision issues, and is provided in person and by phone via a network of Government-funded Citizens Information Centres (CICs) and Citizens Information Phone Service (CIPS)[[4]](#footnote-4) and through the respective local social protection offices around the country.

All information regarding social security and protection entitlements and how to claim are provided online on the relevant website. However, efforts to address the low rate of digital skills among the over 65s are not complimentary across Government strategies. For example, the e-Government Strategy 2017-2020 commits to the continued and improved digitisation of government services to citizens while commitments contained in the 2013 National Digital Strategy are not sufficient to enable people to go online. Almost 440,000 older people in Ireland have never been online. Latest figures show that 50 per cent of people in Ireland aged 65-74 had never used the internet,[[5]](#footnote-5) with only 3 per cent of people aged 75 and over using the internet.[[6]](#footnote-6)

*6. The design and implementation of normative and political framework related to social security and social protection benefits included an effective and meaningful participation of older persons?*

There is no legislative basis in Ireland for the participation of older persons in the design and implementation of Government services, including those related to social security and social protection.

The National Positive Ageing Strategy 2013,[[7]](#footnote-7) which as yet as not been implemented fully, for Ireland commits to a society in which the participation of older people is pursued ‘at all times’, with National Goal 1 committing to ‘remove barriers to participation…as they age in all aspects of cultural, economic and social life in their communities according to their needs, preferences and capacities’.

**Equality and non-discrimination**

*7. Which are the measures adopted to ensure equitable access by older persons to social security and social protection, paying special attention to groups in vulnerable situation?*

As discussed, provisions exist in national legislation for means-tested payments to guarantee access to adequate social protection rates under social assistance payments and other non-tested payments.

Ireland operates a separate system regarding access to healthcare and assesses eligibility for benefits by way of means testing e.g. for medical card access to a primary health care doctor, hospital, consultants, support services and prescription charges. In addition, those over 70 years receive a non-means tested medical card for primary health care physician visits (‘GP Visit Card’) and a smaller prescription charges for those over 70 who hold a ‘GP Visit’ card. Access to nursing home care is guaranteed for all via the statutory ‘Fair Deal’ scheme which was introduced in 2008 to provide financial support to help pay for the cost of care in a nursing home. Work is currently underway to develop a statutory scheme for homecare supports, however none currently exists.

Changes to the calculation of pensions introduced in 2012 saw over 79,000 older people see cuts to their pensions, with older women disproportionately affected (43,300) due to the ban on working outside the home after marriage and time spent out of the labour market caring in the home. Age Action was pleased to see an announcement of policy changes to address this in early 2018, however anomalies continue to exist. Older women who reached pension age prior to the 2012 changes continue to be unaffected by the more generous 2018 policy changes for time spent out of the labour market.

**Accountability**

*8. What mechanisms are in place to ensure social security and social protection schemes are effective and accountable?*

The Public Spending Code[[8]](#footnote-8) ensures that all Irish public bodes are obliged to ensure that the best possible value for money is obtained where public money is spent or invested.

The relevant Government Department and/or agency is required to have mechanisms in place to hear complaints and to offer redress on individual cases. The relevant entities for appeals regarding access to social security is the Department of Employment Affairs and Social Protection (DEASP) and for access to health services it is the Health Services Executive (HSE). In the case of the DEASP, an appeals process is in place, with the average 2017 processing time for all social welfare appeals at 23.6 weeks.

*9. What judicial and non-judicial mechanisms are in place for older persons to complain and seek redress for denial of their right to social security and social protection?*

In general, judicial and non-judicial mechanisms in Ireland require individuals to follow the appeals and redress systems of Government Departments and bodies before being referred to oversight bodies.

The Health Information and Quality Authority (HIQA) hears concerns regarding the nature of healthcare services provided, including standards. The Office of the Ombudsman hears complaints from people who wish to make a complaint against (most) organisations that deliver public services Both bodies are enshrined in law.

1. *Social Welfare Consolidation Act 2005* (as amended) [↑](#footnote-ref-1)
2. Government of Ireland (2018). *A Roadmap for Pensions Reform 2018 – 2023.* Available at https://www.welfare.ie/en/pressoffice/pdf/PensionsRoadmap.pdf. [↑](#footnote-ref-2)
3. Age Action recommends a roadmap to reach the earlier Government commitment to index to 35 per cent of average earnings. [↑](#footnote-ref-3)
4. http://www.citizensinformation.ie. [↑](#footnote-ref-4)
5. Eurostat 2017 figure. Available at http://ec.europa.eu/eurostat/web/digital-economy-and-society/data/database [↑](#footnote-ref-5)
6. Government of Ireland (2013). *National Digital Strategy for Ireland*. Available at https://www.dccae.gov.ie/en-ie/communications/publicationsDocuments/63/National%20Digital%20Strategy%20July%202013%20compressed.pdf [↑](#footnote-ref-6)
7. Department of Health (2013). *National Positive Ageing Strategy*. Available at https://health.gov.ie/wp-content/uploads/2014/03/National\_Positive\_Ageing\_Strategy\_English.pdf [↑](#footnote-ref-7)
8. Department of Public Expenditure and Reform (2013). *Public Spending Code*. Available at https://publicspendingcode.per.gov.ie/wp-content/uploads/2016/08/Public-Spending-Code-Consolidated-Document.pdf. [↑](#footnote-ref-8)