Submission to Department of Employment Affairs and Social Protection on the revised Control and Anti-Fraud Strategy 2019-2023

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The European Anti-Poverty Network (EAPN) Ireland welcomes the opportunity to respond to the revised control and anti-fraud strategy.*

EAPN Ireland fully supports and acknowledges the Department's right to prevent and investigate fraudulent claims of social welfare in order to protect the integrity of the welfare system and ensure that payments are directed towards those who most need them. However it is important to emphasise, as part of this submission that the vast majority of social welfare recipients engage with the welfare system in good faith. We believe it is vital that the Departmental interactions with people receiving and seeking welfare payments stem from this reality and that any focus on welfare fraud, preventative, investigative, or otherwise, does not override the ethos of the DEASP in providing an essential service to eligible service-users. In particular, we note that the developing digitalisation of all welfare services needs to be fully aligned with this control strategy, in such a way as will enable, not prevent, full and open engagement with the range of services provided in both a user-friendly and transparent manner. There is a need to maintain the clear rights-based message around the essential role social welfare payments and social welfare supports play in the lives of those living below the poverty line. Social welfare payments are a right and an entitlement for the people who qualify for them under very specific conditions.

Within the Department of Employment and Social Protection statement of strategy 2017-2020, it acknowledges the need to promote solidarity by articulation of role of social protection in society, the role social transfers play in alleviating poverty and fostering a sense of social cohesion, and promotes the need for evidence based policy development.

 We believe it would be beneficial for these points to be at the forefront of all Departmental strategies, including the upcoming control and anti-fraud strategy. We believe it is importnant that the overriding objectives and actions within the upcoming strategy for the period 2019-2023, do not contribute to pre-existing prejudices and stereotypes relating to welfare recipients or those experiencing poverty, but instead will be part of a framework through which the message of the essential role social welfare system plays within a civilised and cohesive society, can be conveyed, alongside the importance of addressing fraudulent activity from this standpoint.

Prevention

EAPN Ireland believes that prevention has the most significant role to play within the revised control and anti-fraud strategy. We support the evaluation and development of staff structures and processes, and emphasise the need for ongoing staffing training, are per Departmental objectives, as a means to ensure that applicants are treated with dignity and respect in order to reduce the probability of human error or ill-informed/ illegitimate applications. Interagency collaboration, control surveys, and use of focused projects, to detect emerging trends around fraud, represent tools that can be used to ensure welfare payments are directed to those who are entitled to them and who will benefit the most. We view preventative measures as standalone activities which can be utilised to hinder attempts to defraud the system, we do not believe however that prevention should be at the expense of inclusivity or accessibility to the social welfare

system as a whole, which we fully support, and would only serve to negatively impact those most in need in society.

Accessibility of Social Welfare

EAPN Ireland has long campaigned around accessibility and inclusivity within the social welfare system and availability of information on welfare entitlements and payments.

EAPN Ireland has called for the process of claiming entitlements to be clear, dignified and available to all who are entitled and the scheme itself must therefore be simple, transparent, fair, responsive and effective. This will help to assist in effective communication between applicants and Departmental staff, and ensures the applicant understands the intricacies of applying for each payment as well as necessary qualifying criteria. We believe this approach is in line with the Departmental strategy as outlined for 2017-2020, in order to articulate the vital function social welfare has within society and for those most marginalised.

The mywelfare.ie (http://services.mywelfare.ie/) launch by the Department of Employment affairs and Social Protection, seeks to simplify the process of applying for particular welfare payments along with departmental service provision (such as scheduling appointments). We welcome this development and believe the notion of "My welfare" should be extended and further built to encompass the idea of "Our Welfare" for the purposes of inclusivity. We believe that ownership needs to be taken of the role social welfare play in the lives of *everyone* in society (via child benefit, pensions, paternity leave) as well as those living below the poverty line, and this should be done without stigmatising the vast majority who legitimately require and qualify for welfare payments and services.

Campaigns

The public awareness campaign "Welfare Cheats Cheat Us All" ran from April to July 2017. The campaign, designed to raise awareness around social welfare fraud, encouraged members of the public to report potential fraudulent activity. The Department has stated that by at the end of April 2018, overpayments and control savings from tips generated through the campaign amounted to 7 million Euro.

EAPN Ireland questions the legitimacy of campaign messaging that operates from a place of distrust regarding those who are within the welfare system and therefore assists in the further stigmatisation of poverty by implication, many people accessing social welfare already come from disadvantage communities that struggle against socioeconomic discrimination. A Government sanctioned campaign, can have one intention but a separate outcome once operating within the public domain. The public perception of the campaign revealed much more than the need to address bogus social welfare claims, and represented an underlying societal commentary on the integrity of those dependent on social welfare.

In the compliance and anti-fraud annual report 2017, the Department reports savings of 7 million Euro as a result of the campaign however the negative impacts of galvanising prejudices and stereotypes around those living in poverty, cannot be so readily measured. (We also note that of the 7,129 reports where people were identified, 2,071 reports did not contain relevant information or the information was insufficient to conduct a review, with only app. 10% or 738 claim reviews and/or investigations initiated.) We ask that the Department of Employment Affairs and Social Protection is mindful of the messaging in its bid to control and eliminate fraudulent claims and seeks to counteract, in a meaningful capacity, the negative and unfair stereotypes perpetrated on people reliant on social welfare. It must be noted that the two biggest payment categories under DEASP (accounting for 37% of Departmental spend) are Child Benefit and the State Contributory pension, these are not means test but based on entitlement and are also subject to control measures.

As stated within the current compliance and Anti-fraud Strategy 2014-2018, "*the vast majority of people who are supported by the Department are exercising their legitimate rights and receiving their appropriate entitlements".* Therefore the Department of Employment and Social Protection has a duty to purposefully and adequately reflect this fact within the public domain, as an integral part of any campaign enacted to respond to welfare fraud.

Attachments orders and proportionality

We support and accept that intentional fraudulent claims should be repaid in full, and court proceedings initiated in particular cases. In certain cases individual circumstances and the level of fraudulent activity, as well as the ability-to-pay should be considered and evaluated regarding how repayments are executed. Attachment orders should not be a factor that serves to push individuals and households deeper into poverty, which in turn encourages individuals to turn to extreme lengths in order to make ends meet, therefore contributing to issue of unlawful claims or activities. We believe attachment orders should be used proportionally, based on individual circumstances, as part of any response the issue of welfare fraud.

Technology

Technology has a significant role in to play in preventing fraudulent claims and payments and we recognise the advantages developing technology can present to the Department as part of the revised strategy.

However, with increasing digitalisation and use of technology within the welfare system, there is a risk that the human experience behind the application and the nuance of individual applications and circumstances will become increasingly irrelevant or wholly omitted, which therefore defeats the objective of the Department for client centred policies and services. The objective of the Department to achieve and enact evidence based policy development, means it is essential to maintain and reflect the real life experiences and circumstances of those accessing social welfare payments. All investigative processes and procedures, digital or otherwise, need to keep abreast of the changing nature of Irish society, (for example, in relation to emergent family forms and parenting arrangements, following family dissolution.)

The role technology plays in preventing fraudulent claims should not be at the expense of the dignity or the lived reality of individuals accessing social welfare payments or services and should work in tandem with but not overshadow the person at the centre of the welfare system, and the fact that the vast majority of people access social welfare on a legitimate basis.

* This submission contains relevant input from Onefamily