

Northern Ireland Assembly Disability Monitor



MONDAY 7 DECEMBER 2009

**Centre on Human Rights for
People with Disabilities**

**For further information, please contact Hannah Russell,
Research and Policy Officer**

hannahrussell@disabilityaction.org

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A Minutes from Committee Meetings, Week Ending 27 November 2009

Wednesday 25 November 2009

COMMITTEE FOR EDUCATION

Matters Arising

The Committee for Education noted correspondence of 16 November 2009 from Ms M Maugher on the SEN and Inclusion Review.

The Committee for Education noted correspondence of 18 November 2009 from the Principal of Longstone School to the SEELB regarding the SEN and Inclusion Review.

The Committee for Education noted correspondence from Ms R Hogan of the Children's Law Centre providing information requested by the Committee relating to the SEN and Inclusion Review.

The Committee for Education noted correspondence of 24 November 2009 from H Hamill regarding the SEN and Inclusion Review. The Committee for Education agreed that it would forward briefing papers on the SEN and Inclusion Review from the Department of Education and Children with Disabilities Strategic Alliance to Ms Hamill for information.

Presentation from the Northern Ireland Teacher's Council on the SEN and Inclusion Review

Seamus Searson, NASUWT, Mark Langhammer, ATL, Kevin Smyth, INTO, Aidan Dolan, NAHT, and Audrey Stewart, UTU joined the meeting. The witnesses gave a presentation on the SEN and Inclusion Review and answered questions from Members on a number of issues, including: the requirement for the modernisation of policy and practice of SEN and Inclusion provision in Northern Ireland; the current variation in SEN provision across the Education and Library Board areas; whether the proposals improve prospects for children with SEN; whether there was sufficient consultation with

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the Unions and other key stakeholders in the development of the policy proposals and prior to the publication of the Review; the varied interpretation and the use of the word 'Inclusion' within the Review document; concerns regarding class size and pupil teacher ratio figures in Northern Ireland; the role of the Multi Disciplinary Groups (MDGs) to 'challenge' schools; membership and composition of the MDGs and concerns that educational practitioners are not represented; that there should be an emphasis on the MDGs working collaboratively with teachers; experience of the 'prototype' of the MDGs which already exists within each of the education and library boards; implications for funding and resources; placing an unfair burden on schools by moving responsibility for funding to the schools and away from what will be ESA; the accountability of schools to several bodies – an imbalance in accountability; an 'off-loading' of responsibility onto schools; the assumption within the document of collaboration and partnership between schools; whether the competitive culture underpinning LMS is 'fit for purpose' in the context of these proposals; the Review of LMS; ring-fencing funding for the implementation of the proposals; the Scottish model of delegated management.

Implication of an increased workload for teachers; training and professional development of teachers in SEN; what happens after ring-fenced funding for teacher training is gone; increased fear of litigation; the role and responsibilities of the SENCOs; the requirement for early intervention; the legal protection offered by the existing statementing process; the bureaucracy and lengthy process involved in the current statementing process; a change in emphasis from 'diagnosis' to 'assessment' indicating a less expert based approach to early intervention; Co-ordinated Support Plans (CSP) and the frequency of CSP reviews; to what extent the school's pastoral system should interlock with special needs provision; and the link between the Review of Early Years and the SEN and Inclusion Review.

The Committee for Education discussed the 30 November 2009 deadline for the SEN and Inclusion Review consultation and agreed that further to its correspondence of 12 November 2009, the Committee would write to the Department to request that the

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Department consider a further extension to the consultation deadline to the end of January 2010.

In addition, the Committee agreed to ask the Department for: the analysis of the SEN and Inclusion Review consultation responses as soon as these are available; information regarding the link between the Review of Early Years and the SEN and Inclusion Review; and to request clarification on a reference made in paragraph 10.2 of the document to the OFSTED 2006 survey.

Members discussed the Committee for Education's role in looking at the SEN and Inclusion Review policy proposals and agreed to request the Clerk prepare an analysis of correspondence the Committee has received to date on this matter, highlighting key areas of concerns.

An Assembly Researcher presented a short briefing note detailing the parallels between the SEN and Inclusion Review policy proposals and the changes in SEN provision in Scotland in 2004 and 2009.

Forward Work Programme

The Committee for Education discussed a request from Special Needs Action Group (SNAG) to make a presentation to the Committee on the SEN and Inclusion Review. The Committee discussed the possibility of hosting an event in which they could hear from a number of stakeholders including SNAG on the SEN and Inclusion Review.

The Committee for Education instructed the Clerk to explore the options for hosting such an event early in the New Year.

Thursday 26 November 2009

COMMITTEE FOR HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Matters Arising

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The Committee for Health, Social Services and Public Safety noted a response from the Minister about difficulties experienced by visually impaired people reading appointment notifications and agreed to copy this response to RNIB who raised the issue with the Committee. The Committee for Health, Social Services and Public Safety also agreed to write to each Trust about this matter and to invite RNIB to an informal meeting with the Committee.

COMMITTEE FOR SOCIAL DEVELOPMENT

Fuel Poverty- Briefing by Assembly Research and Library Services

Eleanor Murphy from Assembly Research and Library Services briefed the Committee on fuel poverty issues. This was followed by a question and answer session.

The Chairperson thanked Eleanor Murphy for her briefing.

The Committee for Social Development agreed that the Clerk should write to the Department for Social Development to request an update on the recommendations from the Fuel Poverty Taskforce report including the development of a fuel poverty measurement tool and the measures being taken to address the issue of fuel poverty among seriously ill cancer patients.

Review of the Support Provision for Carers Report: Clerk's briefing

The Clerk briefed the Committee on the joint DSD/DHSSPS report on the Review of the Support Provision for Carers.

The Committee for Social Development agreed to forward a copy of the report to the Education Committee for information.

The Committee for Social Development agreed to forward related Departmental correspondence to the Health Committee for information.

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B Last Week's Assembly Business

Private Members' Business

Employment and Support Allowance

Mickey Brady (Sinn Fein) begged to move “that this Assembly urges the Minister for Social Development to urgently review the administration of employment and support allowance; and views with concern the adverse impact this benefit is having on the most vulnerable in our society.”

At the outset, Mickey Brady highlighted that the motion was being brought forward in response to the representations of claimants, and many advice centres, who have experienced difficulties with the employment and support allowance (ESA) and its administration. Any changes in the benefit system should benefit those who are claiming, rather than just make it easier for the Social Security Agency, which seems, to a large degree, to have abdicated its responsibility to administer the benefit properly.

Staff in local offices are under extreme pressure already, but dealing with a complex new system has caused more difficulties and put them under even more stress. Mickey Brady accepted that the legislation involved is parity legislation and that it cannot be changed at the moment. However, the Assembly can try to ensure that the benefit is administered properly and that vulnerable people who are entitled to claim are treated with sensitivity and dignity.

Mickey Brady felt that on the face of it, the introduction of the employment and support allowance seemed to be a reasonably straightforward procedure. It replaced incapacity benefit and income support for people who had been claiming since October 2008. Central to the employment and support allowance are the new medical assessments, which examine what people can do rather than what they cannot do. That is laudable in principle, but the mindsets of the Department for Social Development and the examining doctors have not changed in reality. The employment and support allowance was sold on the premise of evidence that being out of work

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contributes to poor health and that being in work delivers benefits to health, well-being and self-esteem. However, as rolling out the benefit is proving to be problematic, people's health, self-esteem, and so on are being adversely affected.

Mickey Brady stated that there is a fine line between expecting people who are on benefit to have a motivation towards self-sufficiency and punishing them for their misfortune of being unemployed. There needs to be a reassessment of the so-called sickness culture, which the Government appear to think is prevalent without having tried to get to the core of the problem and deal with it in a practical and caring way. Only full-time carers and disabled people with the greatest needs are exempt from being expected to find work. Eventually, lone parents of children aged seven or older will be expected to seek work. That will be particularly difficult for parents in areas of the North where childcare is rudimentary. The Minister for Social Development has said that sanctions will not be imposed where it is accepted that childcare provision is not available. However, the outworkings of that plan appear to have been fairly arbitrary so far.

Mickey Brady went on to list some of the particular problems encountered by ESA claimants. When claimants first contact the office to make their claim, they can spend 20 minutes or more on the phone. Mickey Brady was told that the introduction of ESA was predicated on the majority of claims being made by phone. Calls from BT landlines are free, but calls from other networks and mobiles can cost a lot. Many people who claim benefits use pay-as-you-go mobiles because they can be cheaper, but they are certainly not the cheapest option when ringing to claim ESA.

Mickey Brady knows of a case in which someone spent £17 of a £20 top-up trying to contact the Social Security Agency. When people telephone the agency, they find that existing employment and support allowance claims cannot be accessed. All the information must be given over the telephone. The process of changing from claiming one benefit to claiming another can take several weeks. That could leave the customer without money and in the position of having to claim crisis loans.

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People who were on income support can make their employment and support allowance claim only the day after their income support ends. It does not seem unreasonable that customers should be able to make an employment and support allowance claim well in advance of their income support's coming to an end. That would seem to be common sense. It can take several weeks, and sometimes months, for a claim to be processed. That can have a knock-on effect on other benefits, such as housing benefit. People who claim employment and support allowance should also be told that they should claim child tax credits for their children but are often not.

Mickey Brady has been in contact with many claimants and advice centre workers, and a feeling exists that, because they are centralised in Belfast, employment and support allowance staff are more insulated and more difficult to deal with. In such cases, perception is often everything.

The claim forms are long and complex, and they are difficult to complete. They must be simplified. An ESA1, which is a claim form for employment and support allowance, has 52 pages. The ESA50 form, which replaced the IB50 form, contains 27 pages. For two forms, therefore, we are talking about 79 pages, which averages almost 40 pages a form. They are very difficult for people to complete, particularly when the full range of information is not available to them.

When the employment and support allowance legislation was debated in the Chamber in 2007, Sinn Féin asked for changes to it that would benefit claimants and make welfare reform easier to administer. However, those practical suggestions were not accepted. Mickey Brady has been in constant touch with Social Security Agency staff and with Department for Employment and Learning (DEL) staff in local offices. The general feeling is that training in the new benefit has been totally inadequate. Staff are expected to deal with clients who have specific mental health problems and disabilities such as autism. Mickey Brady has met groups that represent people with particular disabilities, and the feeling is universal: in many cases, the criteria for employment and support allowance are not being applied properly.

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Employment and support allowance has now been in place for just over one year. The general feeling is that it is not fit for purpose. Now seems to be an appropriate time for the Minister for Social Development to review urgently the administration of employment and support allowance. Mickey Brady urged the House to support the motion.

The Chairperson of the Committee for Social Development pointed out that he was speaking initially as the Chairperson of the Committee for Social Development. He went on to state that as the House is aware, the Committee for Social Development previously considered legislation that related to the introduction of employment and support allowance. At that time, Committee members expressed serious concerns over access to employment and support allowance for vulnerable claimants. Members were particularly worried about staff resources and training.

The Chairperson of the Committee for Social Development stated that it is fair to say that Members took some comfort from the Minister for Social Development's assurances on 5 May 2009 that the Social Security Agency would get additional staff and that its personnel would receive disability awareness training. Today's motion, like the one that was proposed in May, refers to "vulnerable" employment and support allowance claimants. Given the Committee's previous deliberations on the subject, it is appropriate to highlight the fact that employment and support allowance and the wider welfare reform process is not just about securing benefits for those who need them but about helping vulnerable claimants to make their way back into useful work.

Employment and support allowance was introduced as part of a wider legislative welfare reform package. A key theme of the package is a migration of individuals in certain groups from incapacity benefit to employment and support allowance. It is intended that many of those on employment and support allowance will ultimately move on to full-time or part-time employment.

Safe, appropriately rewarded work provides people with a purpose. It puts money in their pockets, and it has been shown to improve their

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health and well-being. Therefore, the Committee for Social Development supports the principle of helping vulnerable employment and support allowance claimants who may have mental health issues to find useful, safe and appropriately rewarded employment. However, the Committee for Social Development expects the Social Security Agency and the Department for Employment and Learning to make every effort to ensure that those claimants are supported in their search for work and helped to find the right benefits while they look for employment.

The Chairperson of the Committee for Social Development stated that the Committee for Social Development unanimously agrees that no one should be forgotten or left behind by the welfare state. A majority of Committee members accepts that reform of the welfare state is inevitable. The Chairperson went on to clarify that no one wants vulnerable claimants to be forced to remain on benefits when they want to work or denied the benefits to which they are clearly entitled.

The Committee for Social Development considered the increasing use of telephony in connection with claims for employment and support allowance and other benefits, as approximately 79% of claims for employment and support allowance are made by telephone. On 2 April 2008, the Social Security Advisory Committee told the Committee for Social Development that it favoured enhanced free telephone access to benefits, as it works well for most customers. Notwithstanding that, Committee members still have considerable concerns about the use of telephony for all benefit claimants, especially the vulnerable. Therefore, members would value an assessment of the ease of telephone access to employment and support allowance and other benefits for vulnerable claimants.

The Chairperson of the Committee for Social Development pointed out that in October 2008, the Committee for Social Development issued a report on the administration of disability living allowance. That report set out practical and achievable recommendations on, for example, the simplification of application forms. The Committee for Social Development was pleased to note that the Department for Employment and Learning accepted and implemented some of those

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recommendations. It is hoped that the Department for Employment and Learning will adopt a similarly flexible approach to the employment and support allowance and will amend its procedures as appropriate and in response to the needs of the vulnerable.

The Chairperson of the Committee for Social Development concluded his remarks on behalf of the Committee for Social Development by saying that the Assembly would all be concerned to learn about any apparent difficulties in administering the employment and support allowance. He continued that as the Committee Chairperson, he looked forward to hearing the Minister for Social Development's response.

In his capacity as a Democratic Unionist Party Member of the Assembly, the Chairperson of the Committee for Social Development supports the central principles behind the employment and support allowance. He feels the Assembly should all welcome any mechanism or device that encourages people who want to return to work.

Fra McCann (Sinn Fein) interjected by saying that may be the case in normal times, but Northern Ireland is in the middle of a recession, and there are no jobs out there for people to go to.

The Chairperson of the Committee for Social Development stated that he did not agree that there are no jobs for people to go to. According to him statistics show a considerable number of unfilled vacancies in Northern Ireland. A clear distinction must be drawn between jobs not being available and people not wanting to take certain jobs. There are always appropriate levels of work — the key word is “appropriate” — that people can take to deal with their particular circumstances, and I encourage people to avail themselves of any mechanism that allows them to contribute to the wider society.

The Chairperson of the Committee for Social Development went on to say Northern Ireland has the highest rate of economic inactivity in the UK, and the Assembly needs to get to grips with the problem. Nevertheless, the Chairperson of the Committee for Social Development appreciates that certain groups, especially those in

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society who are vulnerable, have particular problems. Last Friday, in Londonderry, the Chairperson for Social Development met a group from Disability Action, who, of all the issues that they could have chosen, selected the employment and support allowance and its administration as one of two issues for discussion. The group used the word “fear” in describing how its members, friends and families feel. If people are applying for the allowance in that frame of mind, the Assembly must accept that there is a problem.

The Chairperson of the Committee for Social Development appreciates that there may be teething problems with the benefit's administration; it is a massive and widespread change, and people are still getting to grips with telephony.

The Chairperson of the Committee for Social Development concluded that the essential principles are right, but the Assembly must respect the particular needs of the most vulnerable in society.

Billy Armstrong (UUP) reiterated that he is fully aware of the many problems in implementing the employment and support allowance and, when he read about the 50-page ESA1 application form, he sympathised with those who believe that the process is too lengthy and overly complicated.

However, he still believes that the intentions behind the new allowance were sound and that something had to be done to change the previous system. The employment and support allowance was, potentially, a step in the right direction. It is designed to enable those who want and are able to work to get back into work. That will benefit not only the individual but the economy as a whole.

Billy Armstrong's guiding principle on matters of state benefits is clear and simple: benefits should be made available to those who are entitled to them and should be denied to those who are not, and fraud should be prosecuted and eradicated. Billy Armstrong understands that evidence is emerging that some vulnerable groups are experiencing difficulty with the new processes that are linked to the employment and support allowance, especially people who are affected by autism. That was clearly never the intention of the

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employment and support allowance, and it is only right that the Minister for Social Development and the Department for Social Development should reassess the outworkings of the employment and support allowance to ensure that unnecessary obstacles are not placed in the way of genuine claimants.

Billy Armstrong is not, however, writing off the employment and support allowance as a failed initiative; it has positive aspects and aims, in that it seeks to ensure that those who are capable of working are encouraged to do so. Too many people find themselves stuck in a rut of long-term unemployment. In some cases, generations experience it, and it becomes an alternative lifestyle choice.

According to Billy Armstrong recent evidence shows that it is more difficult to claim benefits because of sickness. The number of sickness-related benefit claims likely to be rejected across the UK because of the new system will top 250,000 a year. In light of the low productivity and disproportionately large number of claimants in Northern Ireland, that should be welcomed.

It is a crime to condemn people to long-term unemployment, and we must do everything possible to ensure that those who want to and are able to work get back into work. That will benefit not only the individual but the economy as a whole.

The current economic climate means that there are far fewer jobs than there were this time last year, and the Assembly must recognise that those who are able to work can work only if jobs are available. That is a challenge facing Governments and economies worldwide.

Billy Armstrong is content to support the call for a review of the employment and support allowance to see that it is implemented in the most effective and efficient manner and what modifications can be made to improve its outworkings.

Thomas Burns (SDLP) stated that as the Assembly will know, this is the second time in recent months that a Sinn Féin motion on this issue has been debated in the Assembly. Members will also know that, as has been stated by other Members today, the employment

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and support allowance was introduced approximately one year ago as a replacement for incapacity benefit, and the idea behind the change was worthwhile.

Thomas Burns highlighted that the employment and support allowance focuses on how people can be helped into work, and it was never assumed that a person who has a medical condition is incapable of working and does not want to work. Everyone wants to work, and everyone should have the opportunity to do so. When people are in employment, they are better off, not just financially; their health, self-confidence, social networks and general well-being are all improved and strengthened by their having a job.

However, the employment and support allowance is quite a complex allowance, and there were some teething problems with its introduction, particularly with the phone system and the processing of new claims. Many individuals who claim the benefit are vulnerable and include people with learning disabilities or mental-health conditions. However, as the Minister for Social Development explained during the previous debate on the issue, much effort has been made to assist claimants. Performance regarding the handling of employment and support allowance claims has improved and continues to improve all the time. Although the Assembly is satisfied with the improvements that have been made, the Assembly wants to see even more.

Thomas Burns feels that the performance of the telephone system has improved vastly. It was far from perfect at the start, but more staff have been deployed and the people manning the phones are more experienced. Nearly all of the calls to the 0800 and 0845 numbers are answered and dealt with right away.

A similar improvement has been seen in the processing of forms. The average time for processing the old incapacity benefit form was 22 days, but the average time for processing the new employment and support allowance form is 16 days. Therefore, people are getting their money faster under the new system, and the Assembly hopes to improve on those times.

The majority of customers make their claims over the phone, but the employment and support allowance centre has new procedures in place to assist people who have difficulty making a claim in such a way. Assistance during a telephone call can be provided by a representative acting on behalf of a claimant, or forms may be filled in at home. If that does not suit, a claimant may go to the jobs and benefits office for face-to-face service, and they can bring someone with them to act as their representative during that visit.

Thomas Burns also pointed out that staff have been given awareness training regarding autism. Disability awareness training has also been provided by Disability Action. The training is being provided to telephone agents and all other operative staff, and the process should be completed soon.

The motion urges the Minister for Social Development to consider the most vulnerable in our society and their claims to employment and support allowance, and that is exactly what has been done. Everything should and will remain under review, and the measures that we have in place will, no doubt, be built on in the future.

Thomas Burns concluded that it is right to expect that staff are properly trained to deal with all types of employment and support allowance claimants and that people find it easy to access their benefits and get their money on time. That is the type of service that we intend to deliver. Thomas Burns expressed his support for the motion.

Anna Lo (Alliance) supports the spirit of the ongoing welfare reform, which aims to reduce the number of people who are dependent on long-term benefits and to get more people back to work. Our Programme for Government has as its top priority the building of the economy. It is important that more people become economically active in order to allow us to move away from a benefits culture.

Research findings from the Department for Work and Pensions on new claimants to the employment and support allowance, from its commencement in October 2008 to February 2009, covered almost 200,000 claims, and it showed that only 5% of those seeking the

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allowance were assessed as being incapable for work. Those people are, therefore, entitled to the full benefit with a rate higher than the previous incapacity benefit.

Anna Lo feels it is important that genuine cases are targeted and give adequate benefits to those who are most in need. However, research has shown that the majority of people want to work, because it gives them not only financial reward, but higher self-esteem and better health and well-being. The employment and support allowance focus on helping people to get back to work is right. However, claimants also need proper advice, support and training to enable them to get into the workplace, and we need to help them and be more sensitive and caring as they go through the process.

During the initial period, Anna Lo's office, like others, received a number of complaints about the delays in the application process, which caused a lot of unnecessary concerns and stress to people who need the money, and who, because of the delays, are facing difficulties and hardships. Indeed, one applicant sent in a completed application form, enclosing all of the original documents, yet was told that the office had not received it. The assessment office eventually owned up to the fact that the application had been lost in its internal postal system. The new process is certainly complicated. However, it is still very new and will take time to evolve, so we should not be too hard on the staff in the new office.

Anna Lo stated that the Assembly needed to listen to a number of disability organisations that have raised awareness of some health conditions and the impact that the employment and support allowance may have on people with disabilities and certain health conditions. It is essential that the staff and health professionals who are involved in assessments receive adequate training and are given clear guidance to help them through the very complex process. That will allow them to become more understanding, sensitive and knowledgeable about the various disabilities that they are dealing with when carrying out assessments.

For example, Macmillan Cancer Support has advocated that anyone who is undergoing active cancer treatment or who is terminally ill

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should not be subjected to compulsory interviews. Anna Lo expressed her sympathies towards that view and feels that the Assembly must look into such approaches. Furthermore, the Nationalist Autistic Society has made it clear that autism is a lifelong condition and has suggested that asking those with autism to produce sick lines time and again is impractical. Again, such criteria should be reviewed and scrapped. Moreover, the Parkinson's Disease Society has pointed out that the conditions associated with that disease fluctuate and that the nature of the disease varies. It has suggested that that variance could mean that people with that disease could have their illness assessed as manageable.

Anna Lo concluded such an assessment could mean that the applicant does not receive the benefit to which he or she is entitled. She supports the motion, but the Assembly must listen to all of the voices from the voluntary sector.

Jonathan Craig (DUP) supports the motion. When the employment and support allowance was introduced in October 2008, its aim was to help those with disabilities who want to work — and he stressed the word “want”— and who can work to get back to work. That must be borne in mind. He believes that the Government were right to create this lifelong benefit for those living with disability. There are some people with disabilities who want to get back to work, but find it extremely difficult to do so.

However, Jonathan Craig pointed out that the employment and support allowance is not without its problems, all of which seem to emanate from its administration. In reply to a question asked in July 2009, the Minister for Social Development stated that the total number of claims received between October 2008 and June 2009 was 21,457. That shows the incredible demand that there has been in the system for the allowance.

Issues with the telephone system have also been highlighted, and people are being encouraged to make a telephone application rather than take part in a one-to-one interview. The total number of telephone calls that the unit dealing with the allowance received in that same period, October 2008 to June 2009, was 167,441, which,

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by anyone's account, is a massive number of calls. Therefore, Jonathan Craig asked whether it was any wonder that people have had difficulties in getting through and have been left on hold. The system is in overload; there is no other way to describe it.

Earlier this year, the Minister for Social Development admitted that there were issues with the telephone system, and, in fairness, she introduced measures to improve the situation. However, Jonathan Craig feels that even with those improvements, there are still some issues about the length of calls. Given those facts, it would be unwise for people to use their mobile phones to call the system because they could be waiting for a long, long time.

Jonathan Craig also took issue with the 13-week assessment period. He questioned why it took 13 weeks. The process is complex and daunting: that is the understatement of the century. The books must be balanced, and bureaucracy is breeding bureaucracy. Jonathan Craig feels the Assembly are inventing a system of support for a support system. That is bewildering in anybody's mind. The Assembly must get their heads round a way to simplify the system without allowing it to be left open to abuse. Last week, Jonathan Craig listened to a discussion on 'Good Morning Ulster' that highlighted the fact that Northern Ireland is engrossed in form filling, and, unfortunately, all those benefits came to mind. It is an administrator's heaven. We must examine the issues and simplify them.

Some people seek to play the system, which, unfortunately, has led to a lot of the administration. However, those who are out to play the system can take advantage of bureaucracy. The Assembly thinks that it can catch out those people if it makes the forms more complicated. In Jonathan Craig's experience, those people are much more intelligent about form filling than, possibly, Members of the Assembly or administrative staff who fill out forms. The process can end up being counterproductive. Jonathan Craig appealed for the system to be simplified. How many cheats are clogging up the administration system? The Assembly can never seem to find the answer to that question. Nevertheless, we continue to over-complicate the system to accommodate.

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Jonathan Craig concluded by stating that although he agreed that there are complications and issues with the system, he fundamentally believes that the Government's initiative is worthwhile. We live in an era in which there are not as many jobs as there were, but the Assembly should not forget the individuals who want to work.

Fra McCann (Sinn Fein) expressed his support for the motion. Although he understands that the Minister for Social Development may have no room for manoeuvre when she deals with the legislation and the employment and support allowance, she has control over how the benefit is administered. When the Bill was introduced, the Assembly raised a number of concerns about the impact that it would have on those claiming the new benefit. Fra McCann called on the Assembly to face the fact that the British Government can dress it up any way that they want: it is not about making life easier for those unfortunate enough to be claiming the benefit; it is about eventually reducing the number of people claiming incapacity benefit, or the employment and support allowance, as it is now labelled. He has heard it said that the Government's target is that half of those who currently claim the benefit will eventually be put off claiming for it. Over 100,000 people receive the benefit in the North, so imagine the impact that that will have.

Fra McCann spoke to several people who work in the section that administers the employment and support allowance. They summed up the situation by saying that chaos reigns and that senior managers have little experience of dealing with front line services but that they are pushing the benefit, warts and all. Many of the staff are at breaking point.

Some time ago in the House, Fra McCann asked about the use of phones, and he was told that each office had free phones that were tied to BT; that is not the case. At that time, he was concerned about the large number of people who are not tied to BT, who have access only to a mobile phone and who are out a small fortune for using their mobile phones to make claims. Although the Minister for Social Development said that the service was free at the point of use, BT is paid by the Department for Social Development for the service.

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Mickey Brady gave a clear example of how expensive it can be to phone that service.

Fra McCann stated that it is also interesting that, between 27 October 2008 and 26 June 2009, 167,000 people used the phone service. Of that number, 125,061 calls were made from the inquiry line; therefore, those callers had to pay for the service. It would be interesting to find out how much money BT was paid for the service and how much money claimants have had to pay since the benefit became live.

People who apply for benefits are the most needy in society. To make them pay for the luxury of making a claim is somehow immoral. I represent a number of the most socially deprived wards in the North. The local benefits office has scaled back the number of employees, all of whom had provided an excellent service for claimants. When people arrive at that office to claim employment and support allowance they are informed that they should go to the local advice centre, where they will be allowed to use the phone and will get help with their claim.

The Assembly was told that free phones would be available in each office, but there are none in the office on the Falls Road. Fra McCann asked someone to call there this morning in case phones had been provided over the weekend, and they were told that the office was supposed to get them but that they had not been provided. That office is recognised as dealing with the most socially deprived people in Belfast. Claimants either arrive at our party office on the Falls Road or use their own phones at a cost.

The Assembly has also been told that it should take between five and nine minutes for someone to make a claim by phone. Fra McCann recently witnessed someone making a claim by phone, and they were on the phone for at least 20 minutes. Fra McCann also rang a number of advice centres, and they verified that the norm is 15 to 20 minutes but that it can take longer. When people make first contact on the phone but do not have all the required information at hand or cannot remember dates of previous claims, they must make a second or third call to finalise their claims.

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As Fra McCann understands it, the employment and support allowance division does not have a public office; all contact must be made by phone or letter. Some cases can run for months, with employment and support allowance (ESA) staff asking for additional information. People have been asked for information to back their cases and then, several weeks later, have been asked for other bits of information. That can be the case when customers are asked for financial records; they supply a statement and find that, after some weeks, they are asked to supply further statements for three months and then six months, thus prolonging the claim. That is causing serious problems for claimants. One would think there would be a set list of required information that would cut out all the administration and ensure that people would be paid speedily.

Fra McCann concluded by stating that people who were previously in receipt of income support can apply for employment and support allowance only when their income support expires. There should be a mechanism to allow people who are in receipt of income support to apply for employment and support allowance weeks before their income support runs out. That will ensure that people will be paid during the waiting process.

Alex Easton (DUP), in supporting the case for a review of the administration of employment and support allowance, stated it is useful to analyse the aims and objectives of that allowance and to highlight the fact that its administration should worry the Assembly. That is all the more significant when the Assembly realises that the people who depend on the allowance are vulnerable, hence the need for urgency.

The research that shows that nine out of 10 new customers for what was incapacity benefit state that they wish to return to work will be warmly welcomed. It shows a positive work ethic and demonstrates that people who have the right assistance and support can go on to take up successful employment. The Assembly are taking a holistic approach, caring about the whole person. Returning people to employment is more than just boosting the economy. Alex Easton can point to the plethora of research that shows how employment positively contributes to physical and mental health, contributing to

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the overall sense of well-being of the individual and their respective families.

The provision of the pathway adviser, bringing the knowledge from the Department for Employment and Learning and assessing financial support packages, is highly commendable. Alex Easton also takes time out to acknowledge the provision of the condition management programme, where the professionalism and vocation of our Health Service staff are utilised to assist and support our people to manage an illness or disability in a work context.

The Assembly must acknowledge that some people are unable to undertake any work-related activity. Those people must be offered increased financial support, and no burden of expectation must be placed on them that they should return to work.

Time does not allow for a full analysis of the benefits, but it would be remiss of me not to note the benefits of tailored personal support with a trained advisor who provides medical assessments that allow individuals to find out what they can do and what personal support is available to help them to do it.

Several questions must be asked. Is employment and support allowance getting to the people who are most in need of it in a timely and efficient manner? Are queries being answered promptly? Are the vulnerable sections of society who depend on the employment and support allowance getting the service that has been outlined?

Regrettably, Alex Easton could not respond to those questions positively, and major questions remain. For example, a major cancer charity has expressed real fears that the system's safeguards are inadequate to prevent someone who is undergoing active cancer treatment from being compelled to attend interviews. Due regard must also be paid to people who live with complex illnesses such as Parkinson's disease. The Parkinson's Disease Society noted its concern that, if a person were incorrectly assessed as having more manageable symptoms of Parkinson's disease, the ensuing stress of attending work-focused interviews would exacerbate the problem and lead to increased difficulties in managing the situation.

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Alex Easton felt lessons could be learned from the administration of the employment and support allowance here and in other parts of the United Kingdom. Problem areas include the creation of increased barriers to entitlement; red tape and burdens of bureaucracy leading to people getting into debt; claimants being judged ineligible when their general practitioner is in no doubt that they are unfit for work; and the mental health of ex-service personnel who have endured traumatic experiences not being considered.

The case for review could go on and on, but the unequivocal fact is that vulnerable people in the system have been left wanting, which is unacceptable. Earlier, Alex Easton outlined the noble aims of the employment and support allowance; those have not been delivered, leaving many to raise the issue that the administration of the system is not fit for purpose for some of the most vulnerable people. The review must come as a priority for those sections of society.

Mary Bradley (SDLP) is sure that many Members have been contacted, at some point, by constituents who are disgruntled to say the least by the employment and support allowance, most likely because their entitlement to the benefit has been critically questioned. The long and troubled history of Northern Ireland that, hopefully, is being left behind, has made it difficult for communities. For many people, incapacity benefit was the benefit of choice, and, given some of the physical and emotional injuries that many people had been subjected to, that is hardly surprising.

On 27 October 2008, the employment and support allowance replaced incapacity benefit, and there are bound to be teething problems. In the early days of the transition, my office was busy with complaints regarding ESA; now it seems to have become considerably quieter. However, that does not mean that ESA is perfect in any way. The roll-out of any benefit at any level is complicated, but, when the Labour Government decided to change incapacity benefit, it was problematic, to say the least.

Mary Bradley highlighted that the new process makes it difficult for people suffering from disabilities or illnesses that are not readily recognised or visible. For example, people with autistic spectrum

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disorder appear perfectly healthy, and their disability is masked quite easily and unintentionally on the applicant's behalf. Therefore, it is essential that staff in ESA centres are trained to the highest standards and equipped with the appropriate tools and education to identify and assist applicants who suffer from autistic spectrum disorder.

It is also essential that staff are made aware that it should be the norm, rather than the exception, that they make clear to applicants their right to engage the help of an advocate who can act on their behalf throughout the application process. It is essential that people who suffer from serious illnesses but whose prognosis is not terminal are given the time and assistance that they need to recover from their illness and not feel pressurised to return to work prematurely simply to keep government Departments off their back. However, many constituents are under that impression. All Members will have been approached by constituents who have similar stories.

There is a fine line between good practice and harassment. Mary Bradley is pleased that the Minister for Social Development recognises that and that she is doing all that she can to make the process more user-friendly and accessible for those who find it difficult to make an application in the first instance. Given the economic climate and the negative effect that its implications can and are having on people's emotional and physical health, Mary Bradley can assume only that the employment and support allowance benefit will be fully utilised with those factors in mind.

Mary Bradley felt it was right and proper to finish with sentiments that autism pressure groups expressed throughout the Don't Write Me Off campaign. They want to receive the right information to assist them to get work when they are able to do so; the appropriate and timely payment of benefits when they are not able to work; and knowledgeable and well-trained staff to appreciate the difficulties involved for vulnerable people.

Jim Shannon (DUP) supports the motion, and stated that the Minister for Social Development will take all the issues on board in her response.

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The Department for Social Development website states that some 114,000 people are on incapacity benefit — the precursor to employment and support allowance — 74% of whom have been dependent on it for more than two years. Nine out of 10 claimants are anxious to return to work.

It is positive that many people want to gain employment, but, from what Jim Shannon was hearing in his constituency office, the change from incapacity benefit to income support and now to employment and support allowance does not provide much encouragement. Jim Shannon is sure that many other Members who are present in the Chamber are aware of that problem, and perhaps they referred to it today. People who are unwell are already under stress, mostly because of their illness. However, that stress is increased by paperwork and the many hoops through which they must jump to get money on which to live. In many cases, that stress causes a worsening of the illness. The motion aims to address the problems with the system, some of which Jim Shannon went on to highlight.

In common with most Members, Jim Shannon has had too many constituents come to his office because they simply cannot climb over the paper mountain to access the benefit that will enable them to feed their children. It is as basic as that. The Assembly has all heard horror stories from those who visit their constituency offices. One young lady, for example, despite having provided all the required information, had not received a payment for three weeks. She spent almost £10 calling the central number for the employment and support allowance from her mobile phone, because low-cost calls do not extend to mobile phones and she does not have a landline.

Fra McCann (Sinn Fein) interjected by saying that when claimants are waiting for their first payment, they are entitled to only one crisis loan, which quickly runs out. They are left to their own devices for the remainder of the time.

Jim Shannon thanked the Fra McCann for his intervention, and stated that he wholeheartedly agree with him. He then went on to provide more examples from his constituency office.

The young lady came to Jim Shannon's office almost every day for a week in an attempt to get her money, and she was unable to understand what the problem was. When his office staff made some calls, they discovered that further information was required from the Child Benefit Office. Sometimes, therefore, other agencies do not feed into the system. When they rang the Child Benefit Office, they were assured that the information had been sent but told that because their computers were down they could not check. Calls went back and forth for three days until they got in touch with an employment and support allowance officer in Belfast, who took it upon herself to go to the office to clear up the paperwork. Jim Shannon stated that young lady deserves great credit, because she did more work on that claim than most of the other staff and eventually sorted out the constituent's problem. Jim Shannon wanted to put that on record.

Jim Shannon is aware of too many such cases. Suffice it to say that the system as it stands does not always work and makes little sense to most people. The new system has teething problems, but those problems are so serious that they must be inherent in its make-up. The teething stage should be well behind us.

Jim Shannon wanted his points to be constructive. When constituents call into the social security office building in Ards with information that has been requested, such as a doctor's line, they hand it over to the staff, who efficiently send it by courier to Belfast so that it arrives there the same day. One would like to think that someone would process that information and facilitate a payment within the next day or so, but that is not the case. It takes five days for the information to be processed. Again, the system is not functioning as it should.

The telephone system — again, Jim Shannon had some constructive criticism — is a complete nightmare. People who are down to the change in their purse are unable to put credit on their mobile phones to make the necessary calls. In saying that, Jim Shannon must be honest and admit that, any time that he has phoned with a query, staff have been most pleasant and helpful. However, the system as a whole cannot be tolerated for much longer. If his constituents are able

to tell him that they have encountered problems, the system needs to change.

People are confused about what forms need to be submitted and copied. Members will love this one: one of my constituents was advised by her doctor to photocopy her sick line several times and to send one in the post and one by fax because of the surprising way in which sick lines get lost and because she had too many patients to write out three copies of a sick line for her every month. That is what some doctors are saying. If that is going on, there is a problem somewhere in the system. That doctor was not being rude; she was simply being honest. She certainly has more work to do than to fill out the same forms for patients over and over again. She should not have to do that.

Jim Shannon took this opportunity to ask the Minister for Social Development to ensure not only that there are clear markers for people, so that they understand what forms need to be submitted in order for them to get their money, but that the system is revamped so that, when people have gathered the relevant information, it is processed in a timely fashion, and they do not have to wait weeks before getting their money.

Jim Shannon would not accept that delay from an employer who did not pay us our sick pay properly. Why should it be acceptable for Departments to do that? It is not acceptable. Jim Shannon is sure that the Minister for Social Development will deal with Members' questions in her response and that she will undertake to make the changes that are necessary to help my constituents and those of every other Member and to improve the system for employment and support allowance.

Gerry McHugh (Independent) supports the motion. Members who have contributed to the debate are aware of the difficulties. Some of the salient points that Jim Shannon made certainly ring true for Gerry McHugh, as do points that were made by Fra McCann, who knows the system backwards.

Gerry McHugh often wondered why certain changes are made. In his part of the world, employment and support allowance means different things, depending on who you are speaking to. To farmers, it is an “environmentally sensitive area”. Almost every five minutes, there is a change of lingo. Members must make a great deal of effort just to keep up. Gerry McHugh wonders why the title of incapacity benefit or sick pay was changed. Why does it have to be called “employment and support allowance”? Is there a hidden reason behind that decision? Is there a drive simply to get people off benefits, as Fra McCann has said? A large number of MLAs will never have been in the position of being able to identify with people who need those benefits, because they come from a wealthy background or are well enough paid. They have never known what it is like to depend on a small amount of money each week.

Gerry McHugh called for the Minister to look at making the system people-friendly. It should be about the people who need the money. In some instances, it is a matter of surviving from week to week, as Jim Shannon said. The system creates great fear and puts pressure and stress on people who are in any way ill when they know that their money could be cut off in a week or two if, for example, they cannot prove that they are looking for work. Imagine the litany of bureaucracy that would be involved in checking whether someone looked for work at a time when there is no work even for people who are capable of doing it.

Thousands of people — young fellows — were able to build from here to Dublin. Now they have not got a single thing to do, yet they are being made to prove every week that they have gone to employers to ask for work. God help employers who must listen to people who come in to get forms signed about work that they simply do not have enough of for themselves, let alone for the people who ask about it.

A certain attitude exists. Gerry McHugh apologized if he appeared negative; however, there seems to be a Civil Service drive, certainly at Whitehall or Westminster level, to attack people who perhaps, for educational reasons, cannot get out of the culture in which they find themselves. That is why Gerry McHugh has taken a broad-brush

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approach rather than dealing with individual differences. He is aware that the process itself has massive difficulties. Every week, he hears about them in his office. Gerry McHugh often wonders whether anyone else does anything about those problems when all the people come to me. Individuals who try to get through the process experience great difficulties, not least of which is having to make calls on their mobile phones.

Gerry McHugh stated, without question, that Civil Service staff at the Department for Social Development's Enniskillen office does a tremendous job. For the most part, civil servants are proactive in helping people, but some have a chip on their shoulder. It should be taken into account, when reducing the number of people on benefits, that there are no bleeding jobs out there. That should be taken into account when people are harassed about filling in forms, which he sees every day of the week.

Some young mothers want to look after their kids even after they have reached age of 12. They are doing a very good job at home and do not necessarily want to go to work. That should also be taken into account at a time when there is no employment, because there is no point in them wasting their time going to businesses to look for jobs. Indeed, in the case of Fermanagh, there are now no big employers anyway, except for Sean Quinn.

Employment and support allowance was designed during the boom, when there was full employment and we needed to drive people back into work. However, that has changed, and I do not think that all the things that were done during the boom time to reduce the number of people on benefits were necessarily done for the right reasons.

Gerry McHugh left the Minister for Social Development to think about those points. He concluded that all the points that other Members made were very valid.

The Minister for Social Development thanked everyone who contributed to the discussion. The employment and support allowance centre celebrated its first birthday on 27 October, and she welcomed this timely opportunity to update the Assembly on the

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progress made in the first year and highlight the steps that her officials have taken to engage with various groups to ensure that the needs of the most vulnerable customers are taken into account.

The principle behind employment and support allowance is that appropriate work is good for most people's physical and mental health and well-being, as well as for their finances. It is about creating more opportunities for individuals and helping to raise their personal aspirations. Employment and support allowance focuses on what people can do rather than what they cannot do, and it helps them to improve their own lives and the lives of their families.

Employment and support allowance is a more active benefit, and most employment and support allowance customers are expected to consider appropriate steps to move back into work, although they will not be forced into work. The most severely disabled people, those with severe health conditions and those who are very ill, do not have to undertake a work capability assessment. That is the policy, and I think that it stacks up as a policy. Several references were made to people who are severely disabled and are suffering. The Assembly is being very sensitive about people who are suffering from terminal illness or from other life-threatening conditions.

The Minister for Social Development accepts that many of the concerns expressed today are not about the policy but are about implementation and administration. Implementation involved migration from two complex benefit regimes, incapacity benefit and income support, to one new, equally complex benefit. Members will rightly ask about the challenges. They involved training large numbers of staff to expert level; moving thousands of claimants over during the transfer; introducing completely new processes headquartered in a single new centre; and shifting most of the customer interaction over to telephony. Therefore, lots of change came with the Welfare Reform Act, and she thinks, by and large, our staff achieved the transition without any calamity and without dropping the ball. However, the Minister for Social Development is the first to admit that there were teething problems. Policy projection in Britain underestimated resource requirements, but the Northern Ireland ESA centre quickly addressed the matter, setting up a

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dedicated hotline when the service was launched. Looking at performance now, we have come a long way in a single year.

Many concerns were raised about the treatment of vulnerable customers. Inevitably, many employment and support allowance customers have vulnerabilities, including mental health and learning challenges, and, although measures have been in place from day one to provide additional support for vulnerable customers, those have been built upon over the past year. That is notwithstanding the number of issues that have been raised by MLAs, MPs and other public representatives, as well as customers themselves. It is through that learning experience that we improve our administrative systems.

There are safeguards and choices for vulnerable claimants right along the customer journey. For those who have difficulty using a phone, an application form can be filled in. Members will recall that the Minister for Social Development made a point of making employment and support allowance forms available to their constituency offices as well as via the voluntary advice sector and the agency's local office network. That was to ensure that there is the greatest possible opportunity and accessibility for everyone. All those who are entitled to the allowance should be applying for it or having their application forms assessed.

Vulnerable customers can also make best use of the face-to-face service that is delivered from the extensive local office network through the jobs and benefits offices, whether for information and advice or help with an application. In addition, special arrangements exist to enable employment and support allowance claims made on behalf of a vulnerable person by representatives, family members or other advocates to be dealt with over the telephone. In fact, the Minister for Social Development sat with staff in the employment and support allowance centre while they completed such an application form over the telephone. Where a doctor considers that additional medical evidence would be beneficial in considering whether a customer should be placed in a vulnerable category, that will be followed up.

As the Assembly is particularly conscious that some customers with certain health conditions or disabilities may not fully appreciate their obligation to attend a medical examination or provide evidence to substantiate their application, a further safety net has been built in, whereby an officer will visit a vulnerable claimant in his or her home to provide help. Any customer who is disallowed the employment and support allowance following a medical examination has a right of appeal. In most instances, such customers will continue to receive the allowance pending the outcome of their appeals.

The Minister for Social Development said a few words about how the employment and support allowance is performing now. Things have moved on in the past year. Interestingly, nearly 80% of all customers calling the free phone number to enquire about making a claim go ahead and make that claim over the phone. Jonathan Craig referred to the number of claimants. There are now 33,000 claims for employment and support allowance. All of that is a sound endorsement of the new telephony service. The Minister for Social Development has seen it working. The average time taken to deal with a full claim is between 20 and 25 minutes. That includes the option to make a claim for housing benefit. The Minister for Social Development officials are very conscious that it may take time for people to express or convey their requirements. Therefore, time is given over the telephone for them to do that. The Department for Social Development is particularly sensitive in that respect.

As for getting through to the employment and support allowance centre, there has been a dramatic improvement over the year. Some 95% of calls are now answered first time and waiting times have reduced significantly. On average, employment and support allowance applications are now being processed in less than 16 days, from the customer's initial contact to payment. That compares favourably with the 22-day target for the old incapacity benefit. In addition, procedures have been put in place to offer customers the option of interim payments rather than to direct customers to the social fund. That said, crisis loans are an added safety net for customers who are facing financial hardship.

Jim Shannon referred cases to the Minister for Social Development, even at her constituency office. Her staff have communicated to her on particular issues, as did other Members. The Minister for Social Development was glad to be able to have those issues resolved to the satisfaction of those concerned, because they are dealing with some of the most vulnerable in society and want to be able to help them to get a resolution. The Minister for Social Development is interested in helping people to get solutions to their problems.

Jim Shannon interjected by stating that the Minister for Social Development has made herself available to him to discuss a number of constituency issues. He has met her in her office, and her phone number is available. She gets the job done.

The Minister for Social Development thanked Jim Shannon for his intervention.

The Minister for Social Development thinks that the Department for Social Development has shown initiative and applied common sense by arranging, where possible, to pay the contributory benefit of employment and support allowance while information continues to be collected for any income-related element. As always, the Department for Social Development's commitment to customers is to get their payments issued as soon as possible. Overall, the management and staff of the agency have achieved a lot over the past 12 months, and the service will continue to improve.

Recently, the Minister for Social Development launched the Department for Social Development's new benefits adviser service, which is a free, anonymous service that allows customers to check their potential entitlement to 27 benefits, pensions and credits, and to get an estimate of the amount of financial assistance that they may be entitled to for 11 benefits and credits, including employment and support allowance. It also has the facility for customers to simulate "what if" scenarios to find out what would happen if their circumstances were to change. Therefore, the Department of Social Development were thinking of every eventuality. That complements the ongoing promotion of benefit uptake, which has been a key priority for my Department. Since 2005, our benefit uptake

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programmes have generated more than £27 million in annual benefits and arrears for customers.

In addition, an outreach service has been running for some time to get accurate and practical information about employment and support allowance to vulnerable customer groups. For instance, in recent months, staff from the centre have visited special schools to talk about employment and support allowance for youth; they have spoken to supported employment organisations about the work that customers are permitted to do while receiving employment and support allowance; and they have engaged with the Northern Ireland education and library boards' transition service to ensure that young people aged between 16 and 19 years with special educational needs and their carers are fully aware of any employment and support allowance entitlements.

Not only have the Minister for Social Development's officials visited groups that represent the most vulnerable customers, they have arranged for representatives and advice workers to visit the employment and support allowance centre to see at first hand how it works. Only two weeks ago, advice workers from the National Autistic Society visited the centre and saw for themselves how calls are handled and how the employment and support allowance process works.

The Minister for Social Development is also committed to ensuring that staff are properly equipped to deal with all aspects of employment and support allowance, and, to that end, learning and development is an operational priority that is not just restricted to in-house training courses. For example, Disability Action has delivered disability awareness training to 120 employment and support allowance staff to date, with another 130 to follow. The Advice Services Alliance has worked with employment and support allowance on developing frequently asked questions for their members and the public to access.

To celebrate employment support allowance's first birthday, the Minister for Social Development recently spent a morning in the employment and support allowance centre and was immediately

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struck by the positive attitude and morale of the staff whom I met. Those staff have a real can-do approach. They have faced the difficulties encountered in developing the new service with great commitment and professionalism, often going that extra mile when necessary.

Although many observers feel that the employment and support allowance claim form is too complex, unfortunately the detail that is required is dictated by legislation that has already been endorsed by the House. That said, the Assembly should remember that customers used to have to engage with staff from the incapacity benefit branch, income support and the Housing Executive to progress three separate claims that can now be made during a single 20- to 25-minute telephone call.

The Minister for Social Development stated that the Assembly will also be interested to note that the employment and support allowance helpline is being extended to increase capacity for all elected representatives. The Minister for Social Development encouraged Members to continue using that service, if and when required. She also assured Members that procedures and processes in the employment and support allowance centre are under ongoing operational review. Staff are learning from that approach, and performance continues to improve.

Issues were raised today that derive from constituent cases. If there are particular issues that Members want me to examine, please give them to me, and the Minister for Social Development will be only too content to examine those cases to ensure that a solution is arrived at.

Reference was made to mobile phones, and the Minister for Social Development can tell Members that employment and support allowance staff are instructed to offer customers a call back on request.

Anna Lo raised the issue of sick notes. Customers are only required to have a medical certificate to support their claim until they are assessed. When someone is assessed and remains entitled to

employment and support allowance, the important point is that no further medical certificates are required.

Other issues were raised by Members, and the Minister for Social Development will come back to specific Members in writing. The debate is a timely opportunity for the Minister for Social Development to extend an invitation to Members to take the time to visit the ESA centre to see at first hand the solid work that staff are doing to deliver this new benefit for customers, not least those who are most vulnerable in our society.

Caral Ní Chuilín (Sinn Féin) in drawing the debate to a close stated that it is worth repeating what Mickey Brady said about some of the difficulties and stresses that staff in the employment and support allowance centre have experienced. One of the central themes, as touched upon by most Members who spoke, is that staff are doing a good job; it is just that the system seems to be completely overwhelmed.

Caral Ní Chuilín highlighted that the motion calls for a review of the administration of the employment and support allowance. Thomas Burns pointed out that this is the second time that such a motion has been brought to the House. Caral Ní Chuilín claimed that regardless of the number of times the motion has been before the House and which Department it addresses, if the issue exists and if it continues to be problematic for people, particularly for claimants who, as outlined, are the most vulnerable in our society, any Department should welcome constructive criticism and indicators of how the system can be improved. The need for additional staff and resources is a point that has been well made throughout the debate.

Mickey Brady made the point that, at a very personal level, applying for employment and support allowance is demoralising, especially for people who have cancer, Parkinson's disease or other life-limiting illnesses, for people with autism or mental health problems, and for anyone who has had to endure countless minutes on the phone. Mickey Brady gave the example of a woman who had to spend £17 on calls from a mobile phone before she got an answer. Perhaps she did get a call back when staff got her application; however, that is

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very demoralising. Poverty is a humiliating experience, and trying to access a benefit around which there are so many difficulties and barriers — including having to pay £17 for a phone call — adds to that humiliation. Caral Ní Chuilín thinks that all Members and everybody in the Department for Social Development would want fewer people to have that burden.

There have been difficulties with the telephone system and the way in which people have tried to make applications for employment and support allowance. That issue was raised by almost every Member who spoke. Caral Ní Chuilín suggests that, at the end of the debate, the Minister for Social Development and her civil servants look at the Hansard report to see whether Members' suggested improvements can be made. Caral Ní Chuilín does not think that anybody raised anything that would cause any major shakes. Members have been very measured and considered in their contributions.

The reason why the motion was tabled, and why so many Members spoke to it, is that the administration of the employment and support allowance is a source of ongoing difficulties in our constituencies. It is frustrating for people who are trying to make a successful claim.

Simon Hamilton, speaking as the Chairperson of the Committee for Social Development, said that Committee members have concerns. Caral Ní Chuilín is sure that David Simpson, if he were in the Chamber, and former Committee members could talk about the difficulties that they encountered, but most Members support the principle of getting people back to work. However, getting people back to work should not be done at a cost to others, and that is where Simon Hamilton departed. The employment and support allowance is for people who have a can-do attitude and who want to get back to work. Department for Social Development and Department for Employment and Learning have a role to play, and Simon Hamilton said that no one should be left behind or forgotten about.

It is worth revisiting the report on disability living allowance, because it made helpful recommendations on the employment and support allowance. Mickey Brady and other Members made the point that, although disability living allowance, like the employment and support

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allowance, is a parity issue, the Assembly, the Minister for Social Development and the Department for Social Development can adopt a local approach. That may mean adapting and amending measures to fit local trends and to help local people. The report's approach to DLA was progressive.

Billy Armstrong mentioned that the process was too lengthy and over-complicated and supported the call for the employment and support allowance to be reviewed. From what Caral Ní Chuilín heard in the debate, no Member wants the benefit to be stopped as part of a big shake-up. Members should shout out if they feel that she is speaking out of turn or not accurately articulating what they said. The Assembly needs to try to address the comments and queries that have been raised in the debate.

Thomas Burns made the point that there is a need for a face-to-face service, which Caral Ní Chuilín feels is important.

Mary Bradley, Anna Lo and other Members mentioned the Don't Write Us Off campaign, autism and people with cancer and other life-limiting illnesses. Caral Ní Chuilín believes there is a need for proper sensitivity and understanding. By and large, most staff have the necessary awareness, and it is helpful that organisations provide training. The time that people have to wait for a response seems to cause much frustration.

Jonathan Craig reiterated that the employment and support allowance is about helping those who want to get back to work. He said that the initiative is still worthwhile. However, the system is experiencing a massive overload, which is creating huge stresses and challenges. That is a crucial element of the debate. The Assembly needs to consider the 13-week assessment period because that would constitute a practical step that we can take to make a difference.

Fra McCann spoke about the number of people who are trying to make claims but are having difficulties. His constituency office is probably one of busiest in Belfast for dealing with issues from benefits claimants. As Gerry McHugh said, Fra McCann, like Mickey

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Brady, knows the welfare system inside out because he has represented the needs of claimants for a number of years.

Alex Easton spoke about the plethora of bureaucracy that people face, particularly those who have mental-health problems. There seems to be a need for a better point of delivery. From what the Minister for Social Development said, Caral Ní Chuilín is sure that the comments on that issue in the debate will be taken on board.

Jim Shannon gave the practical example of a constituent's coming into his office with a horror situation that must have been traumatic. It is totally unacceptable that a girl who had only pence in her purse was waiting for an answer. The worst thing is that that girl will not be alone: similar cases will be experienced by many people in our constituencies. Caral Ní Chuilín is delighted that Jim Shannon received such a quick response and that the Minister intervened. However, the Minister for Social Development cannot be expected to intervene for everybody who experiences difficulties with the process.

If any intervention is made, it should be to give more resources to the staff who administer the employment and support allowance. More support staff are needed, as well as the practical measures that were mentioned.

Gerry McHugh spoke about changing the names of benefits, and that in his constituency, people think that employment and support allowance is an abbreviation of the phrase "environmentally sensitive area". The name of the benefit does not really matter to the people who have to claim it. What matters is that people cannot access the benefit and are experiencing difficulties and trauma.

The Minister for Social Development mentioned the first birthday of the employment and support allowance and the positive developments that have taken place in the past year. Those developments have to be welcomed: and Caral Ní Chuilín is not saying that the Assembly should welcome them, then add a "but" — and then the big slap comes. This is not about political point scoring. Sinn Fein does not table motions to score political points; they table them in order to represent the needs of the people who come into our

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constituency offices. Sinn Féin's constituency offices, as great as they are, are no different to those of other political parties in this place, and employment and support allowance is an issue that is raised persistently in our offices. It is an issue that the Assembly can do something about and make a difference, should it be in reducing the waiting period from 13 weeks, examining the telephony system, or looking at support for the staff who administer the allowance. All those aspects should be examined and reviewed.

Caral Ní Chuilín welcomed the debate and thank the Members who contributed to it. There is one issue that we must take into consideration. Mickey Brady dealt with a woman who spent £17 on telephone calls. The Assembly must help people to be reimbursed. Caral Ní Chuilín is not encouraging people to commit fraud. She is encouraging people who are furthest removed from the system to be included rather than excluded.

The question was put and agreed to. It was resolved "that this Assembly urges the Minister for Social Development to urgently review the administration of employment and support allowance; and views with concern the adverse impact this benefit is having on the most vulnerable in our society."

C This Week's Assembly Business

There is no relevant business this week.

Please note that the Assembly is recess from 12th December 2009 to 3rd January 2010 (inclusive).

D Written Answers to Questions, Week Ending 4 December 2009

EDUCATION

Every School A Good School: The Way Forward for Special Educational Needs and Inclusion

John Dallat (SDLP) asked the Minister of Education how much she expects to save through the implementation of 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion'. (AQO 453/10)

Minister of Education: The proposals contained in the consultation document 'Every School a Good School – The Way Forward for Special Educational Needs and Inclusion propose to introduce Co-ordinated Support Plans and Personal Learning Plans to address barriers to learning. A Co-ordinated Support Plan, for children and young people with complex or multiple needs, or a Personal Learning Plan for all other SEN children, as well as setting out the special educational needs assessed and how these are to be addressed, would additionally focus on the setting and monitoring of outcomes for children, a process which is considered not adequately captured in the current system.

The Review also focuses on the need for early identification of SEN and early intervention to ensure that children can receive the assistance they need as soon as possible to help them reach their full potential.

Currently many children face lengthy delays before they reach the stage where a statutory assessment of their needs can be undertaken by an Education and Library Board.

This delay is unacceptable and the Review proposals aim to enable more mainstream schools to meet the special educational needs of SEN pupils through the effective use of school based interventions and through the advice available to them from a range of professionals.

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The Review's proposals are also designed to ensure that funding allocated to special education is used effectively and the resources, which are available, will be used to support children and young people with special educational needs. It is proposed that schools will have greater discretion in the utilisation of funds to enable them to put in place interventions to support pupils as early as possible.

The proposals call for greater accountability at all levels for the progress and outcomes for children and young people who need support. In order to enhance the existing training provision in the field of special educational needs, I have currently set aside an additional £25million to develop and implement a capacity building programme for all schools, including the pre-school sector. The precise detail of how this will be allocated will be determined by the end of this financial year. This £25m is in addition to the annual funding my Department allocates for SEN which in 2008/09 was £202 million an increase of 9% on the previous year of £185 million.

A fundamental principle of the proposals is to seek to ensure that all children who face barriers to learning will receive the right support at the right time to allow them to develop their skills and abilities to their fullest potential.

Every School A Good School: The Way Forward for Special Educational Needs and Inclusion

PJ Bradley (SDLP) asked the Minister of Education what legislative changes will be needed to implement the proposals in the consultation document 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion'. (AQO 454/10)

Minister of Education: The policy proposals contained in the consultation document 'Every School a Good School – The Way Forward for SEN and Inclusion' have undergone an extended period of public consultation, which finishes on 31 January 2010.

Decisions around any changes to the existing legislative framework for special educational needs can only be considered following full analysis of the consultation responses and the detailed development

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of lower level policies. It will only be at that stage when any future legislative changes required can be set out.

Every School A Good School: The Way Forward for Special Educational Needs and Inclusion

Mary Bradley (SDLP) asked the Minister of Education if children who currently have statements of special educational needs could lose that status if the proposals contained in 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion' are implemented. (AQO 457/10)

Minister of Education: The proposals contained in the consultation document 'Every School a Good School – The Way Forward for Special Educational Needs and Inclusion propose to introduce Co-ordinated Support Plans and Personal Learning Plans to address barriers to learning . A Co-ordinated Support Plan, for children and young people with complex or multiple needs, or a Personal Learning Plan for all other SEN children, as well as setting out the special educational needs assessed and how these are to addressed, would additionally focus on the setting and monitoring of outcomes for children, a process which is considered not adequately captured in the current system.

Currently many children face lengthy delays before they reach the stage where a statutory assessment of their needs can be undertaken by an Education and Library Board.

This delay is unacceptable and the Review proposals aim to enable more mainstream schools to meet the special educational needs of SEN pupils through the effective use of school based interventions and through the advice available to them from a range of professionals.

Key tenets of the Review proposals are for early identification of pupils' needs, followed by appropriate early intervention to reduce the barriers to learning.

Depending on the responses received to the current consultation process, further consideration will be given to the best way to meet

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the special education needs of children and young people, including those who currently have statements. Further detailed proposals can then be made to determine whether this can best be achieved through a statement or an alternative improved process.

EMPLOYMENT AND LEARNING

Autism: 'Don't Write Me Off'

Michelle O'Neill (Sinn Fein) asked the Minister for Employment and Learning what action he intends to take in relation to the National Autistic Society's 'Don't Write Me Off' campaign. (AQO 476/10)

Minister for Employment and Learning: The Department for Employment and Learning is fully aware of the 'Don't Write Me Off' campaign. The Minister for Employment and Learning is confident that the programmes and services in place address the issues raised in relation to employment in this campaign.

The Department for Employment and Learning has a range of programmes and services to assist people with disabilities, including those with Autistic Spectrum Disorder, find and keep suitable employment.

The Department for Employment and Learning delivers the Pathways to Work programme which includes the Work Preparation Programme and Condition Management Programme to help people with health conditions and disabilities including those with Autistic Syndrome Disorder. The programme is delivered by specially trained Advisers who help new claimants on Incapacity Benefit and Employment and Support Allowance consider work options and provide help and support to seek and obtain work. This programme is open on a voluntary basis to those already in receipt of Incapacity Benefit. Pathways to Work eligible customers may also volunteer to participate in the Steps to Work Programme.

Other programmes include Access to Work (NI), Workable (NI), New Deal for Disabled People and the Job Introduction Scheme.

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The particular programme that is appropriate for each individual is discussed and agreed with an Adviser based in local Jobs and Benefits Offices/Jobcentres across Northern Ireland. All Advisers receive awareness training in Autistic Spectrum Disorder.

HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

Service Level Agreement for Carers' Organisations

Dolores Kelly (SDLP) asked the Minister of Health, Social Services and Public Safety to outline the current service level agreement for each carers' organisation in the Southern Health and Social Care Trust area; and for the date of the most recent review. (AQW 2959/10)

Minister of Health, Social Services and Public Safety: The following table sets out information regarding the services received by the Southern HSC Trust from the generic and client specific carers' organisations within the Trust area, as well as the dates of the most recent reviews.

Name of Group	Type of Service	Date of Last Review
Generic Carers Organisations		
Craigavon & Banbridge Carers	To facilitate provision of information and support to carers residing in localities of Banbridge and Portadown.	24/09/2008
Lurgan Carers	To co-ordinate and develop a range of services to support carers in the Lurgan area and specially develop and maintain a Training for Carers programme.	24/06/2009

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Newry & Mourne Carers	To facilitate the development of respite/ support services for carers of the elderly, disabled, those with learning disabilities or the mentally ill living in the Newry and Mourne Area.	20/11/2009
Armagh & Dungannon Carers	To facilitate the development of services for carers living in the Armagh and Dungannon Area.	13/10/2009
Client Specific Carer Organisations		
Parents Council	The Trust is currently in negotiations with the Southern Area Parents Council to develop a new parent/carer support contract for Children with Disability.	
Headway (Newry)	Provision of flexible carer support services in the area of physical and sensory disability	To be reviewed Dec 2009
CAUSE	To support carers of mental health service users, providing respite, advice, information and support in response to specific needs for support of carers and help relieve pressure of the caring role.	05/10/2009
Mental Health Forum (Newry & Mourne)	To facilitate the development of support services to carers of mental health service users living in the Newry and Mourne	01/04/2008

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	locality.	
Young Carers Projects	Provision of services tailored to the needs of young carers. Project tender has been awarded to Action for Children for a period of 3 years.	To be reviewed annually

Budget Awarded to Carers' Organisations

Dolores Kelly (SDLP) asked the Minister of Health, Social Services and Public Safety to detail the budget awarded by the Southern Health and Social Care Trust to each carers' organisation in each of the last three years. (AQW 2960/10)

Minister of Health, Social Services and Public Safety: The following table sets out the levels of funding provided by the Southern HSC Trust to the generic and client specific carers' organisations within the Trust area over the last three years, and the proposed funding for 2010/2011.

	Funding provided (£)			Proposed Funding (£)
	2007/08	2008/09	2009/10	2010/11
Generic Carers Organisations				
Craigavon & Banbridge Carers Support Group	68,664	51,465	36,565	32,290

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Lurgan Carers Support Group	16,708	8,580	17,159	15,150
Newry & Mourne Carers Support Group	43,384	44,555	44,555	39,350
Armagh Carers Support Group	-	15,000	30,000	26,490

	Funding provided (£)			Proposed Funding (£)
	2007/08	2008/09	2009/10	2010/11
Client Specific Carer Organisations				
Parents Council	-	3,360	-	15,000
Headway (Newry)	-	6,250	15,000	-
CAUSE	18,000	15,000	22,500	45,000
Mental Health Forum (Newry &	25,210	25,890	25,890	25,890

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Mourne)				
Young Carers Projects	-	292,850	300,172	306,175

The Trust also contributes £15,500 yearly to ADAPT, an eating disorder carers support group. While not being an organisation purely for carers, a substantial amount of the organisation's work is aimed at awareness raising, education and support and information for carers.

Budget Awarded to Carers' Organisations

Dolores Kelly (SDLP) asked the Minister of Health, Social Services and Public Safety to detail the proposed budget for each of the carers' organisations in the Southern Health and Social Care Trust area for the financial year 2010-2011. (AQW 2962/10)

Minister of Health, Social Services and Public Safety: The following table sets out the levels of funding provided by the Southern HSC Trust to the generic and client specific carers' organisations within the Trust area over the last three years, and the proposed funding for 2010/2011.

	Funding provided (£)			Proposed Funding (£)
	2007/08	2008/09	2009/10	2010/11
Generic Carers Organisations				
Craigavon & Banbridge Carers Support	68,664	51,465	36,565	32,290

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Group				
Lurgan Carers Support Group	16,708	8,580	17,159	15,150
Newry & Mourne Carers Support Group	43,384	44,555	44,555	39,350
Armagh Carers Support Group	-	15,000	30,000	26,490

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Client Specific Carer Organisations				
Parents Council	-	3,360	-	15,000
Headway (Newry)	-	6,250	15,000	-
CAUSE	18,000	15,000	22,500	45,000

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Mental Health Forum (Newry & Mourne)	25,210	25,890	25,890	25,890
Young Carers Projects	-	292,850	300,172	306,175

The Trust also contributes £15,500 yearly to ADAPT, an eating disorder carers support group. While not being an organisation purely for carers, a substantial amount of the organisation's work is aimed at awareness raising, education and support and information for carers.

Swine Flu Vaccination

Dr Alastair McDonnell (SDLP) asked the Minister of Health, Social Services and Public Safety whether carers living with a person who is immunocompromised are a priority group for swine flu vaccination; and if so when he expects this group to receive the vaccination. (AQW 3131/10)

Minister of Health, Social Services and Public Safety: Household contacts of an immuno-compromised person, which would include carers who live with an immuno-compromised person, are included as a priority group for the swine flu vaccination programme. The vaccination programme was launched in the province on 21 October 2009. In addition to frontline health and social care staff, the vaccine is also being offered to:

- Individuals aged between 6 months and 65 years in the current seasonal flu clinical at-risk groups;
- All pregnant women;
- Household contacts of immuno-compromised individuals;
- People aged 65 and over in the current seasonal flu clinical at risk groups;

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The Minister for Health, Social Services and Public Safety expects everyone within these priority groups to have been offered the vaccine by mid December.

REGIONAL DEVELOPMENT

Parking Illegally in Disabled Parking Bays

Jonathan Craig (DUP) asked the Minister for Regional Development how many tickets have been issued to people parking illegally in disabled parking bays in Lisburn, in each of the last five years. (AQW 2826/10)

Minister for Regional Development: The Department for Regional Development's Roads Service became responsible for parking enforcement on 30 October 2006, prior to this date parking enforcement was a police function.

Details of Penalty Charge Notices (PCNs) issued to vehicles illegally parked in disabled persons parking spaces in Lisburn, since then, to the end of October 2009, are set out in the table below.

Period	PCNs Issued
1 November 2006 – 31 December 2006	10
1 January 2007 – 31 December 2007	109
1 January 2008 – 31 December 2008	234
1 January 2009 – 31 October 2009	274

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Meetings with Epilepsy Charities

George Robinson (DUP) asked the Minister for Regional Development to detail any meetings he has held with epilepsy charities in the last 12 months. (AQW 3042/10)

Minister for Regional Development: I have not held any meetings with epilepsy charities in the last 12 months.

Illegal Parking in Disabled Parking Bays

Ian McCrea (DUP) asked the Minister for Regional Development how many tickets have been issued to people parking illegally in disabled parking bays in the Magherafelt Council area, in each of the last three years, broken down by town or village. (AQW 3109/10)

Minister for Regional Development: The Department for Regional Development's Roads Service became responsible for parking enforcement at the end of October 2006, prior to this date parking enforcement was a police function.

The number of Penalty Charge Notices (PCNs) issued to vehicles parking illegally in disabled parking bays in the Magherafelt Council area since then, to the end of October 2009, are set out in the table below:-

Town/Village	Period	PCNs Issued*
Maghera	01 Nov 2006 – 31 Oct 2007	10
	01 Nov 2007 – 31 Oct 2008	80
	01 Nov 2008 – 31 Oct 2009	108
Magherafelt	01 Nov 2006 –	166

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	31 Oct 2007	
	01 Nov 2007 – 31 Oct 2008	198
	01 Nov 2008 – 31 Oct 2009	201
Draperstown	01 Nov 2007 – 31 Oct 2008	11
	01 Nov 2008 – 31 Oct 2009	7

*These figures include PCNs issued in on-street and in off-street car parks.

Illegal Parking in Disabled Parking Bays

Ian McCrea (DUP) asked the Minister for Regional Development how many tickets have been issued to people parking illegally in disabled parking bays in the Cookstown District Council area, in each of the last three years, broken down by town or village. (AQW 3110/10)

Minister for Regional Development: The Department for Regional Development's Roads Service became responsible for parking enforcement at the end of October 2006, prior to this date parking enforcement was a police function.

The number of Penalty Charge Notices (PCNs) issued to vehicles parking illegally in disabled parking bays in the Cookstown Council area since then, to the end of October 2009, are set out in the table below:-

Town	Period	PCNs Issued
Cookstown	01 Nov 2006 – 31	275

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	Oct 2007	
	01 Nov 2007 – 31 Oct 2008	404
	01 Nov 2008 – 31 Oct 2009	312

None of these PCNs were issued to vehicles illegally parked in disabled bays in off-street car parks, in the Cookstown Council area.

SOCIAL DEVELOPMENT

Disabled Facilities Extensions

Jim Shannon (DUP) asked the Minister for Social Development what action she is taking to address the shortfall in resources available to the Housing Executive to carry out disabled facilities extensions for this years' 105 applicants. (AQW 2910/10)

Minister for Social Development: Due to budgetary constraints, there was a temporary delay in starting some of the proposed schemes during 2009/10. However, the Housing Executive has addressed all outstanding issues and any extension scheme which is ready to commence in the current financial year will do so.

The Minister for Social Development has secured funding to deliver a potential 170 extensions for 2009/10. To date the Housing Executive has agreed start dates for 86 extensions. At this stage it is not possible to confirm how many will be started by financial year end.

Funding for Disabled Aids

Jim Shannon (DUP) asked the Minister for Social Development how much funding is available to the Housing Executive this financial year for disabled aids, excluding disabled extensions. (AQW 2912/10)

Minister for Social Development: The funding available to the Housing Executive for disabled aids, excluding disabled extensions is £12.1 million in this financial year.

Epilepsy Charities

George Robinson (DUP) asked the Minister for Social Development to detail any meetings she has held with epilepsy charities in the last twelve months. (AQW 3047/10)

Minister for Social Development: The Minister for Social Development has not received any invitations to meet with epilepsy charities during the past year. However, she would be happy to do so if representation was made.