

Communicating with the Department of Social Protection

If you become a parent, lose your job, become ill or face another change in your living or financial circumstances you may need to look at forms of income support from the state. If you are already in receipt of a social welfare payment then there may be several reasons why you may need to contact the Department of Social Protection (DSP), which is the government department with responsibility for provision of income supports and employment services.

The following are some of the reasons you may contact the department:

- Making an application for a social welfare payment
- There has been a change in your circumstances
- Your payment has been suspended
- You wish to notify them of a holiday or absence from the state
- You wish to clarify/ appeal a decision made by the Department
- You wish to make a complaint

Making an application for a social welfare payment

You may be applying for a social welfare payment based on your personal and financial circumstances. Each payment has a set of conditions that must be met, in order to be eligible, and this assessment is carried out by means of completing an application form for the payment and submitting relevant documentation. Some payments, such as the One-Parent Family Payment and Jobseeker's payments are submitted to your local social welfare office or Intreo centre whereas others are handled by a specific section at a regional office, such as Family Income Supplement and Carer's Allowance. Each application form will have details of where to submit your form.

As soon as you believe you may be eligible for a certain social welfare payment then the advice is to apply as soon as possible. Payments, once assessed and awarded, are usually granted from the date of application, even if you may have been eligible from an earlier date. If you can include as much of the requested documentation at the time of application then the more likely it is your application will be processed in a timelier manner, pending the anticipated processing times which varies depending on the payment.

Operational Guidelines

The operational guidelines for most payments issued by the DSP can be found on their website; welfare.ie. These guidelines are generally very detailed and outline how a payment is administered at a local office or section level. These are the guidelines used by Deciding Officers in relation to your claim. A Deciding Officer is the person who will make a decision on your claim based on all the information provided by you or obtained by the Department.

Some payments, such as One-Parent Family Payment, may also involve an office appointment or visit to your home from a Social Welfare Inspector, whose role is to gather information as part of your application. This can entail personal questions regarding your family circumstances and relationships as well as financial questions.

Contacting the Department

Each local social welfare office and Intreo centre has a telephone contact number which members of the public can call. Although it can vary between different offices, in general, it can be quite difficult to get through to the Department over the telephone and you may find calling in to the office more immediate. There are some sections of the Department that have centralised contact details which are easier to get through to, for example Family Income Supplement, Maternity Benefit and Carer's Allowance.

The Department also have an information services unit which you can call for general queries on 1890 66 22 44. However, if you have a query regarding a specific claim, you should expect to be redirected to your local office. This is because decisions on your claim, such as for One-Parent Family Payment or Jobseeker's payments are generally made at a local office level, unless it is a specific centralised office.

Change of circumstances

Every application form for a social welfare payment has a signed declaration with a statement stating that you must advise them of any change in circumstance that could affect your continued entitlement. Examples of such changes may be a new address, a change in income, finding employment, receiving maintenance, a change in household such as cohabiting or the birth of a new baby. This list is not exhaustive.

If you are contacting the Department then put everything in writing, where possible. When you attend a local office in person there may be no records of these face to face interactions with DSP staff. If you are asked to provide documents as part of an application for payment then keep a copy for your own records. If your local social welfare office takes a photocopy then ask them to do a second copy, date stamp it and initial it as proof that you have submitted the required paperwork. It is also worth keeping a note of dates you contact them and take a name as well, this way you have a written record of your interaction.

It is also a good idea to keep a copy of everything you send to the Department, for your own records. Applications and documents do go missing and this way you have a back up record.

The Department, as an integral part of their application and review process, will request certain documents from you in relation to your claim. These documents are requested in order to verify and back up what you have already told the Department. An example of some of the most common documents you may be asked for are:

Bank statements: You should keep all bank statements for all your accounts for at least twelve months so that you have them to hand if the department requests them. This will save you re-ordering or printing them out again.

Credit Union/ Savings Accounts: You also need to keep any statements relating to credit union, savings or any other accounts held by you. The department may also request statements for accounts held by your children. This is to verify that you are fully declaring all income. While it can be an intrusive process to give your personal documents to the department, it is a necessary part of claiming a social welfare payment and the department has the authority to request these documents and delay an application or suspend a payment until all supporting documents are received by them.

Other documents

Copies of court orders, such as for maintenance or separation or divorce
Utility bills
Pay slips from employment, where applicable
P60/P45/tax certificate
Car insurance

Payment slips

If you receive your payment in the post office you will usually receive a small receipt with details of your payment and the rate. These can be useful to keep as they are your receipt for your payment.

Suspended payments, absences from the state and holidays

If your payment has been suspended this may be because the Department have not received documentation or perhaps there has been a delay in communication or returning paperwork. There may also be errors on the Department's part and a payment is not made. The Department often give a time frame in which to contact them and if you are not able to do so or you do not have what is requested then contact them and let them know. If the Department do not hear from you they will likely suspend the payment.

This can also happen if payment has not been collected from the post office, which results in it being returned to the Department. If this has happened to you then you will need to contact your local office as soon as possible. Likewise if you are going to be away, either on holiday or out of the country, then you are advised to let the department know. The Department allows for periods of absence for holidays etc and up to three weeks may be considered and you may receive payment for this absence. They will want to know the dates you are absent for and may request travel documentation or other evidence of absence, so you should keep these too.

If, whilst abroad, your return home is delayed due to unforeseen circumstances such as illness, either yourself or your child, then it can be helpful to get a letter from the doctor or hospital and it is advisable that you contact your local social welfare office or Intreo centre to let them know of the change.

Appeals process

Should you be denied a payment you have the right to appeal the decision. You may firstly, ask for your case to be reviewed by a more senior member of staff, as this will take less time than an appeal. If you wish the original decision to be reviewed then you can make this request in writing. You can include new or additional information that may not have been submitted at the time of the decision.

You can still submit an appeal at the same time as requesting a review and should the review have a successful outcome, the appeal will be withdrawn.

When appealing a decision, you should submit any further relevant material which you feel may strengthen your case. You must also state why you feel the decision made was incorrect. There is no cost involved in appealing a decision.

Freedom of Information request

When appealing a decision, it is always useful to have all the information regarding your claim and the decision. Under the Freedom of Information Act (FOI) you are entitled to get copies of your own record. Applications for your personal record, must be put in writing and be marked for the attention of the FOI officer in the relevant section. The form can be downloaded on the FOI section of the Department of Social Protection's website. Alternatively, you can submit a letter in writing requesting your record. Your letter must include

- Your name and address and any address you have resided at since making the application.
- Your PPS number.
- The type of payment you applied for.
- The date you first made an application for the payment
- Any other details that you feel may be relevant to the application, such as the types of documents required.

You should receive a letter acknowledging the receipt of your request from the FOI office within 2 weeks and you should know the decision within 4 weeks. The request for your documents may allow you full access or partial access. A lack of acknowledgement can be treated as a refusal and you can appeal that decision, by asking for a review of your request. If your request is refused or certain documents are withheld, you can apply a review of your request by a more senior member of staff and this should be completed within 3 weeks. If the request is still unsuccessful, you can then appeal the decision by appealing to the Information Commissioner, who is an independent body.

If you are not satisfied by the decision of refusing your claim, you may then appeal that decision to the Social Welfare Appeals Office (SWAO) by completing the 'Notice of Appeals' form, available from your local DOSP office, or by downloading the form.

The appeal should be sent within 21 days of the refusal and you should include a copy of the copy of the letter of refusal. The following decisions cannot be appealed:

- Urgent Needs Payment
- Exceptional Needs Payment
- Back to School Clothing and Footwear Allowance

Oral hearing

It is important that on this form that you say if you are requesting an oral hearing, otherwise the SWAO will make a decision on the information in front of them.

After a form is submitted you should receive a letter acknowledging receipt of your application. If you do not receive a receipt of acknowledgement you should follow up with a phone call or a letter within 2 weeks.

An oral hearing may take some time to arrange a date and it is not unusual to have a wait of several months for a date to be set for the hearing. The SWAO will get in touch with you requesting a reason why you have chosen to opt for an oral hearing.

Your file will then be sent to the SWAO from the DSP. You will be informed by letter of the date, time and venue of the hearing. You may be reimbursed for reasonable travel expenses. The hearing itself is a private affair and is informal.

The appeal will be held in a venue close to where the applicant resides, such as a local hotel, or in the case of applicants from Dublin, the hearing will take place in the headquarters of the SWAO in D'Olier St, Dublin 2.

Complaints/comments procedure

You can make a comment, compliment or complain to the Department on any aspect of their service such as delays, mistakes or poor customer service. You can do this in person at your local office, by phone, in writing or on-line via the Customer Feedback Form on welfare.ie.

Information You Should Provide When Making a Complaint

The following will speed up the handling of your complaint:

- Your name, address and Personal Public Service Number (PPS No State your complaint)
- State the name of the office and of the staff members names (if known) you were dealing with
- Your daytime phone number (if you have one), if you would like to be contacted by phone - this could speed up dealing with your complaint.

- If the complaint is complicated, you might prefer to put it in writing - this will ensure that all details are given.

If you are not happy with the response you receive you can ask for your complaint to be reviewed by the manager in your local office or have it referred to a Section Manager if you are still not satisfied. It is your right to have the matter referred to the Office of the Ombudsman if you feel the Department have not dealt with the complaint appropriately.

Please note that the complaints procedure should not be used if you are unhappy with the decision of a deciding officer regarding a claim. In those circumstances you have the option to appeal the decision to the Social Welfare Appeals Office (SWAO).

Additional Information

Department of Social Protection – www.welfare.ie

Social Welfare Appeals Office – www.socialwelfareappeals.ie

Office of the Ombudsman – www.ombudsman.ie

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