

Social Policy Successes

This briefing highlights some of the social policy successes achieved by the CAB Service in Scotland from January to June 2003. Thanks to all the bureaux that fed back social policy cases and statistics – none of this could happen without information on the experiences of CABx clients in Scotland.

Access to justice

- The Edinburgh In Court Advice Service, a CAS/Scottish Consumer Council initiative for those who have not sought advice before the day of their court hearing, is five years old. Managed by Edinburgh Central CAB, it has now been recognised as a successful model by the Scottish Executive, which intends to pilot in court advice services in a further four Sheriff Court areas.

Benefits

- CAS has been working closely with the Pension Service to ensure that a better service is delivered to pensioners. We have highlighted emerging problems for pensioner clients, fed back to us by bureaux at regular liaison meetings. We have also been involved in negotiating a 'partnership agreement' to provide a framework for partnership working between CABx and Pension Service staff.
- Concerns in relation to the direct payment of benefits into bank accounts, particularly the issue of bank arrestments for clients in receipt of social security benefits, were highlighted by CAS in an article published in the periodical SCOLAG.
- In the Government's response to its consultation on proposals for the future of incapacity benefits, plans to abolish the right to claim Income Support while

awaiting an appeal outcome against a personal capability assessment decision were abandoned, in line with CAS recommendations.

- In order to tackle concern about the lack of information available to claimants about the payment of social security benefits into bank accounts, CAS has joined forces with other voluntary sector organisations to produce a leaflet that explains the various options. Copies of the leaflet are available to each CAB, with more being distributed through the Post Office network.

Debt

- Following a successful liaison meeting with MPs Jim Sheridan and Mark Lazarowicz, CAS was asked to supply a briefing on debt management companies, which was used in the debate on low income, debt and poverty that took place at Westminster on 12 February 2003. A separate briefing for John Robertson MP, on the issue of payment protection insurance, was prepared for the same debate.
- As a direct result of a CAS briefing on the need for lay representatives to be able to appear in court on behalf of clients applying for Time Orders under the Consumer Credit Act, it was a feature of a recent Department of Trade and Industry (DTI) extortionate credit consultation. The Scottish Executive also stated it would

liaise with the DTI over the issue. Whilst it will be some time before the legislation is in place, it is nevertheless a welcome step forward. Time orders not only allow debtors to apply for "time to pay" but can provide an opportunity to look into the original credit agreement to determine whether or not the terms were fair, including interest rates.

- Following years of work on the issue of bank arrestments and the difficulties they cause for clients, CAS has now received a commitment from the Scottish Executive to deal with the issue. The Executive has agreed to work with CAS in respect of further consultation they intend to undertake on this issue.
- As a result of the CAS evidence report on creditor harassment in Scotland and following liaison with the DTI, the Scottish Labour Party manifesto has made a commitment to tackle harassment by unscrupulous lenders. This is a direct result of CAS raising this issue. CAS is continuing to brief the Executive on the inadequacies of the Scottish legislation and has been informed by them that the issue is on their agenda.
- Following a CAS response to the Office of Fair Trading (OFT) on its guidance for debt collection, the guidance now includes a direction that refusal by debt collectors to deal with a CAB which is mandated to act on

behalf of a client will be viewed as an unfair practice. It also covers some specific Scottish problems which were raised by CAS, such as threatening Scottish debtors with action in the English courts, or debt collectors implying they are sheriff officers when they are not acting in that capacity.

- The CAS response to the OFT also raised the issue of consolidation loans, which are being pushed by some creditors as a non-negotiable way for clients to manage their debts. As a result of this, the OFT announced in June that it intends to undertake a study into consolidation loans, which CAS hopes to contribute to.
- Last year, CAS prepared its own debt arrangement scheme and lobbied hard on the passage of the legislation that would bring the Scottish Executive's DAS into effect. As a result of continued activity, some of the elements in our scheme have been adopted by the Executive. Although compulsory freezing of interest and writing-off of debts will not feature in the final scheme, as they are judged to be against Human Rights legislation, the Executive is willing to encourage this through guidance.
- CAS contributed the Scottish perspective to a report on debt in the UK, produced by the CAB Service across England, Scotland, Wales and Northern Ireland, entitled *In Too Deep*. The launch of this report was widely covered by the media in Scotland gaining excellent television, radio, and newspaper coverage. The report also prompted a successful debate on Fair Credit Schemes in the Scottish Parliament, led by Sarah Boyack MSP.

Employment

- A major theme of the CAS response to a recent Low Pay Commission consultation was the need for 16 and 17-year-olds to be given the protection of the

National Minimum Wage. The Commission has now announced that it will be conducting an investigation into this issue.

Housing

- Researchers for the Scottish Parliament have requested access to the Service's statistics showing enquiries about homelessness. This is in direct recognition of the fact that the CAB Service can provide detailed local statistics on the issue that build up a year-on-year profile of the problem.
- The Executive has announced an extension to the Central Heating Programme – which provides free systems to certain groups of people – for those over the age of 80 with partial or obsolete heating systems. This was something called for by CAS and endorsed by the Scottish Parliament's Social Justice Committee.

Utilities

- CAS has been working closely with energywatch to ensure a better deal for consumers. One result of this has been the exchange of ex-directory numbers to enable CABx and energywatch advisers to contact one another more easily.
- Affordability of water charges was highlighted by CAS as a real problem for CABx clients in meetings with the Water Customer Consultation Panel. The panel, responsible for representing consumer issues to Scottish Water, has subsequently commissioned research to examine the affordability of water charges to low income households.

Other

- In recognition of the role that CAS plays in briefing MPs on social policy issues, the Scottish Affairs Select Committee at Westminster initiated an inquiry into the work of Citizens Advice Scotland. Written and oral evidence was given to the Committee with members

showing a keen interest in many of the issues raised.

- Through a series of written parliamentary questions, the extent to which Government forms in both Scotland and the UK refer people to the CAB Service for advice and assistance is now known. For example, 79% of all Department of Work and Pensions benefit claim forms refer claimants to the CAB Service. Consequently, the Scottish Executive gave an official commitment to consult CAS before any references to the CAB Service were made in further publications.
- The challenge of how a national organisation such as the CAB Service deals with issues - such as debt - that cut across both devolved and reserved matters was the subject of a high-profile article written by the Chief Executive. It was based on the experiences of the social policy team in engaging with the Parliaments in Scotland and Westminster, and published in the Edinburgh Evening News in the run up to the Scottish Elections.
- CAS has secured the agreement of the Scotland Office to act as an arbiter for taking decisions on issues that 'fall' between the responsibilities of the Scottish Parliament and Westminster. The Scotland Office will decide which Parliament has responsibility, thereby allowing the issue to be taken forward effectively.
- As a consequence of the Scottish Liberal Democrats manifesto commitment recognising the importance of the CAB Service and the need for adequate funding, acknowledgment of the role the CAB Service plays in providing money advice was included in the Scottish Executive's Partnership Agreement that outlines the future work of the Labour/Liberal Democrat Coalition Government.