

# Social Policy Successes

citizens  
advice  
scotland

Issue 10

This briefing highlights some of the social policy successes achieved by the CAB Service in Scotland from January 2007 to January 2008. Many thanks to all the bureaux that fed back social policy cases and statistics – none of this could happen without information on the experiences of bureaux clients in Scotland.

## ACCESS TO JUSTICE

### Advice granted

- As a result of CAS concerns, grant funding for non solicitors has been introduced under the Legal Profession and Legal Aid (Scotland) Act. The bill proposed to extend funding to non solicitors on a case by case basis. However, CAS evidence emphasised that this would only marginally increase access to quality legal advice. Grant funding for non solicitors was then introduced which should allow bureaux, law centres and other advice agencies to expand the provision of advice offered to targeted groups of people regardless of means. Strategic oversight of funding priorities will be vital, and CAS has therefore stressed the importance of a reference group to provide this role, as an interim step towards a Civil Justice Commission with this explicit remit. We are currently waiting to see how the bill will progress.
- Concerns raised by CAS over the lack of published civil judicial statistics since 2002 contributed to the release of the research report with users of the statistics, as well as agreement that figures since 2003 being made available on request. An improved specification for the statistics is expected in spring 2008.

## BENEFITS

### Social Fund

- CAS submitted evidence on the Social Fund for the Westminster Work and Pensions Committee, describing the problems bureau clients face in relation to accessing the Social Fund, such as the telephone application system, refusal of awards, and insufficient amounts being awarded, as well as problems in relation to administration of the Social Fund, such as errors and delays in payment. Our submission ensured

that the experiences of CAB clients and advisers in Scotland were well represented in the Work and Pensions Committee's report on the social fund. In addition, our briefing gained both print and broadcast media coverage of this critical issue.

**\* Case Evidence** *A West of Scotland CAB reports of a male client who had lost his wallet and made a crisis loan application to cover living expenses. He has sole custody of his son who is 5 years old. The client did not have a telephone number to enable Job Centre Plus to call him back with the decision, and was told that he couldn't use the telephone in the Job Centre. The bureau phoned Job Centre Plus on the client's behalf using a number he had been given, but the number was constantly engaged. The bureau phoned Social Fund enquiries, and was told that the client had been turned down for a social fund loan.*

### Jobcentre Plus

- A number of improvements to policy and practice have resulted directly from the improved liaison between the Scottish CAB service and Job Centre Plus (JCP). These include: improved telephony for crisis loan claimants; the introduction of a new Scotland-wide forum for customer representative groups to meet with JCP; and a new JCP document called Partnerships Matter detailing updates to its procedures and business arrangements. CAS and JCP for Scotland have also agreed to sign a joint Partnership Agreement, representing a formal commitment to work together to provide the best service to CAB clients and JCP customers.

### Welfare Reform

- Throughout 2006 and 2007, CAS campaigned extensively on welfare reform issues, both independently and as part of the Scottish

Campaign on Welfare Reform. As a result of our work, the Welfare Reform Act – which received Royal Assent in May 2007 - incorporated many of the amendments for which we had called. For instance, the Act stipulates that decisions on the application of sanctions to claimants not complying with the Employment and Support Allowance regime would remain with Jobcentre Plus employees, removing this power from private and voluntary sector organisations contracted to provide back to work support. CAS had highlighted this issue as a concern in our original green paper response.

## DEBT

### Land Attachments

- The First Minister has confirmed that as result of our lobbying, a debtors home will be excluded under the new form of debt recovery, called Land Attachment, which was introduced under the Bankruptcy and Diligence Scotland Act 2007. This decision was first announced at the CAS Annual Conference in 2007.

### UK Credit Options Conference

- More than 100 delegates from the private, public and voluntary sectors attended the two day conference in May last year to explore the drivers behind overindebtedness and the initiatives designed to combat it. Run jointly by CAS and Debt on our Doorstep, the keynote address was given by Stuart Maxwell, the Minister for Communities and Sport, in his first public engagement.

### Debt Arrangement Scheme (DAS)

- For over fourteen years, CAS has been involved in the development of a debt arrangement scheme to help clients to manage their multiple debts. Since the DAS

scheme was introduced in Scotland in 2002, CAS has continually called for both freezing of interest and composition of debts. As a result of our campaigning the current scheme has been amended from June 2007 to incorporate the freezing of interest and charges throughout the DAS term. While we welcome these changes, we believe that they could have gone further to include composition of debt, and at the request of the Scottish Government, we are currently carrying out a piece of research into those clients who still cannot access the scheme, to be published early 2008.

### LILA Consultation

- In January 2008, the Scottish Government announced a new access route to bankruptcy for low income low asset (LILA) debtors. The scheme will be available to those with an income of less than £220 (the Minimum Wage for a 40-hour week) and assets worth not more than £1,000, and will allow them to be declared bankrupt for the cost of £100. CAS has been active in providing evidence to the Scottish Government on the need for this new access route. In announcing the scheme, Fergus Ewing, the Minister for Community Safety, said that, "this government has listened to the views of Citizens Advice Scotland who say that over a thousand people across Scotland with low income and assets desperately need a new way to find relief from their debt".

**\* Case Evidence** *A West of Scotland CAB reports of an unemployed client who has long-standing debt problems for which he first sought advice in 2003. He has no assets to attach and needs a creditor to take him to court for bankruptcy, but none of the creditors are willing to do so. The client's health deteriorated greatly in the following years, including severe depression and high blood pressure. His creditors repeatedly pass on the debts from one debt collection agency to another and he is harassed by letters and phone calls. The client's doctor and MP have both written to the creditors without any change in their policy towards the client. The LILA scheme has the potential to help people in this situation to clear their debts without having to go through the situation of being pursued over a number of years for debts that they do not have the ability to repay.*

### HBOS

- The Bank of Scotland (HBOS) has appointed a Money Management Liaison Manager in response to issues brought forward by CAS. The Liaison Manager attended the external debt focus group at CAS in November 2007, and discussed issues brought up by bureau advisers, including HBOS failing to recognise bureaux as representing clients and taking a long time to respond to mail. In response to these issues, HBOS and CAS are now working on a joint arrangement for bureaux to act on the behalf of clients without the need for a client mandate.

### Scottish Affairs Committee

- In the summer of 2007, the Scottish Affairs Committee went to Govan as part of its ongoing inquiry into poverty in Scotland, with a particular focus on debt. Giving evidence at the committee, CAS and Glasgow Easterhouse CAB provided both the national and local perspectives on a wide range of issues. These included the links between consumer debt and social and financial exclusion, lack of affordable credit, the role of credit unions, and fee charging ATMs. CAS also called for composition of debts in relation to debt arrangement schemes, the expansion of the social fund and the need for a Community Reinvestment Act in the UK. The Committee published its report at the end of last year, referring to our evidence.

### UTILITIES

#### Fuel Poverty

- The Scottish Parliament agreed to carry out an inquiry into fuel poverty following a joint letter from thirteen leading Scottish organisations, including Citizens Advice Scotland, Shelter, Energy Action Scotland, and Help the Aged. There is a Scottish Executive commitment to eradicate fuel poverty, as far as reasonably practical, by 2016. While there has been some progress towards this aim, much remains to be done. The Local Government and Communities Committee inquiry is ongoing and the Scottish Government has also announced an internal review of their programmes to tackle fuel poverty.

**\* Case Evidence** *A West of Scotland CAB reports of a lone parent on income support who had not received an electricity bill for three years. She then received a bill for £3000 and it was agreed this would be paid by deductions from her income support. The rate was set at £43 per week, leaving the client in extreme hardship.*

### HEALTH

#### Prescription Charges

- The Scottish Government has committed to abolishing prescription charges, phasing them out over a three year period starting in April 2008. CAS welcomes this decision, which will bring significant benefit to vulnerable CAB clients on low incomes and with chronic health conditions. This is an issue on which we have campaigned for a number of years, providing a variety of written and oral evidence to the Scottish Parliament.

### POST OFFICE NETWORK

- CAS and Citizens Advice England & Wales submitted a joint response to the UK Government's consultation on changes to the Post Office Network. Although we were disappointed that the UK Government did not reduce the overall number of Post Offices slated for closure, they did reverse their policy on access criteria, thus giving protection to 38 extra postcode districts which had originally been excluded, 37 of which were in Scotland. This meant that rural areas in Scotland would be afforded the same protections as the rest of the UK.
- We were delighted that, following significant liaison work, Post Office Ltd agreed to issue a letter to each CAB in advance of the formal public consultation period, asking for local information that they should be considering when they draw up the local area plan. This was a valuable opportunity for CAB advisers to use their local knowledge to its full effect, and help shape the local area plans rather than just respond to them.

**For more information on any of the issues raised in this briefing contact:**

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