



Department of Social and Family Affairs

Minister Announces Outcomes Of Almost 14,000 Appeals Against Social Welfare Entitlements Decisions

Report Of Social Welfare Appeals Office Shows That 47% Received Favourable Outcome In 2005

The Minister for Social Affairs, Séamus Brennan TD, today published the annual report of the Social Welfare Appeals Office which shows that almost 14,000 people appealed decisions governing social welfare entitlements in 2005.

Of the 13,800 who appealed, the report shows that 47% received a favourable outcome, 41% were disallowed and 12% were withdrawn. Overall, 67% of appeals were determined by way of oral hearings while the balance was decided summarily. Oral hearings were held in over 70 venues throughout the country.

Minister Brennan said: "The Appeals Office has a pivotal role to play in ensuring that welfare customers have access to an independent review mechanism when they feel aggrieved by a decision made by the Department and wish to appeal the outcome. My Department makes every effort to deal sensitively with all cases and to deliver entitlements to people based on need and in accordance with the legislation. However, when you consider that my Department makes almost one million payments a week that benefit more than 1.5 million people, it is understandable that there will be some people who will not agree with decisions made on their entitlements. That is why recourse to a full, fair and independent hearing through the Appeals Office is so important."

The Office deals with appeals on decisions made in regard to entitlement to benefits under the Social Welfare Acts and questions regarding the insurability of employment. It also provides an appeals service to the Health Service Executive relating to Supplementary Welfare Allowance.

Minister Brennan also welcomed the publication of over 70 case studies on the new website for the Appeals Office, www.socialwelfareappeals.ie. The appeal cases are reported in a way that excludes all personal information to preserve the anonymity of appellants.

"Calls are made from time to time for the Social Welfare Appeals Office to publish its cases so as to enable all interested parties, including those considering lodging appeals, to understand how the appeals process works and to gain insights into the considerations that Appeals Officers take account of in deciding cases", the Minister said. "I am delighted that the new website for the Appeals Office, which now contains details of some 70 appeals cases, will meet that need", he added.

The 2005 Report provides a detailed statistical analysis of the Office's performance, including:

- ❖ The Social Welfare Appeals Office deals with appeals on decisions made in regard to entitlement to benefits under the Social Welfare Acts and questions regarding the insurability of employment. It also provides an appeals service



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to the Health Service Executive relating to Supplementary Welfare Allowance. It operates as an independent office under the aegis of the Department of Social and Family Affairs.

- ❖ The 2005 annual report gives a detailed statistical analysis of the Office's performance in processing appeals during that year, including trends in:
 - Appeals received: 13,797 in 2005 compared with 14,083 in 2004.
 - Appeals finalised: 13,419 in total comprising 1,633 withdrawn, 3,302 given the benefit of a revised decision by Deciding Officers in the Department of Social and Family Affairs and 8,484 decided by Appeals Officers.
 - Deciding Officers reviews: Part of the appeals process involves a review by the Deciding Officer, who made the original decision, prior to the appeal going before an Appeals Officer. Frequently, new evidence becomes available in the course of an appeal and a revised decision is warranted. There were 3,302 such revisions in 2005.
 - Appeal outcomes: 12% of appeals were withdrawn, 47% had a favourable outcome for the appellant (including those revised by Deciding Officers) and the remaining 41% were disallowed. 47% also had a favourable outcome in 2004.
 - Oral hearings: 67% of appeals determined by Appeals Officers were dealt with by way of an oral hearing compared to 70% in 2004.
 - Appeal processing times: it took an average of 20 weeks to dispose of an appeal in 2005 which is identical to the position in 2004. However, many cases take longer due to legal matters, medical considerations, additional investigations, etc. If the 25% most protracted appeals are disregarded, the average falls to 13 weeks. [Note: The appeals system is judicial in nature and due process must be followed. There is very limited scope for fast-tracking cases.]

- ❖ The annual report gives information on meetings and consultations held during 2005 with Appeals Officers, the Department of Social and Family Affairs and the Health Service Executive. This dialogue has proved to be an effective means of resolving difficulties and anomalies in the interpretation of legislation or policy.

- ❖ The report also provides a number of case histories which serve to give an understanding and an insight into the appeals process. Details of court proceedings and judgements during 2005 are also covered.

Ends