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Oireachtais
Houses of the
Oireachtas**

AN COMHCHOISTE UM GHNÓTHAÍ FOSTAÍOCHTA AGUS COIMIRCE SHÓISIALACH

GNÍOMHACHTÚ SAOTHAIR

DEIREADH FÓMHAIR 2018

JOINT COMMITTEE ON EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION

LABOUR ACTIVATION

NOVEMBER 2018



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No. JCEASP02/2018

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CHAIRMAN'S FOREWORD



Members of the Joint Committee on Employment Affairs and Social Protection began consideration of the broad area of labour activation at the end of 2016. Over the past two years, the Committee has heard from many stakeholders, such as the Department of Employment Affairs and Social Protection, unions and employer representatives, academics and advocacy groups.

Having heard from many stakeholders, the Committee has made several recommendations, involving many different aspects affecting labour activation (see chapter 13). The Committee's proposals include waiving the requirement for full-time availability to be eligible for Jobseekers' payments, and increasing offers of education and training opportunities to reduce long-term unemployment.

I am happy to say the Joint Committee has already begun to implement some of our own recommendations. In July 2018 we issued a report on supports available to people with disabilities transitioning into employment* (see 13.7) and we are currently holding a series of discussions on JobPath (see 13.1).

I would like to thank all who participated in proceedings before the Joint Committee. Their various contributions, together with that of the Committee Secretariat, to the production of this report are gratefully acknowledged. The contribution of Senator Alice Mary Higgins deserves particular mention.

John Curran TD
Chairman of the Joint Committee on Employment Affairs and Social Protection
November 2018

*[JCEASP report-on-supports-available-to-people-with-disabilities-transitioning-from-education-or-training-into-employment_en.pdf](#)

JOINT COMMITTEE ON EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION

LABOUR ACTIVATION

1. INTRODUCTION

1.1 Financial Crisis and Aftermath

Ireland was one of the European countries worst affected by the recent global financial crisis. This was exacerbated by the implosion of its domestic property bubble. These factors combined to result in very high unemployment within the Irish economy.¹ Prior to the crisis, the Irish economy saw peak employment of 2.16 million. By the time net job losses had ceased during Q2 2012, more than 320,000 jobs had been lost. This represented 15.1% of the total number of jobs which had existed at the peak in 2008 and 1.83 million remained employed. The unemployment rate saw a dramatic increase from 4.2 % in Q1 2007 to 15.1% in Q1 2012.² This was despite strong net emigration during the period (averaging 37,880 annually 2010 - 2012).³

Since reaching a peak in Q1 2012, unemployment has dropped consistently, standing at 5.6% at the end of August 2018. Long-term unemployment (LTU), defined as those unemployed continually for more than one year, dropped from 9.1% in Q4 2011 to 2.0% in Q2 2018.⁴

1.2 Government Interventions

In response to the high levels of unemployment, the Irish government launched a series of interventions in the form of Action Plans for Jobs (APJs).

At a meeting of the Joint Committee on Employment Affairs and Social Protection (JCEASP or the Committee) on 26 January 2017, Mr Tony Donohoe of the Irish Business and Employers' Confederation (IBEC) said

...the headline figures are encouraging. Unemployment has fallen from more than 15% to 7.2%. The most critical metric, long-term unemployment, has fallen from 9.5% to 4.5% and the youth unemployment rate has more than halved. In any discussion about labour activation, there will be a debate about cause and effect. How much of the reduction in unemployment can be attributed to the general economic recovery and how much to well designed activation policies?⁵

1.3 Activation

Mr John McKeon, Secretary General of the Department of Employment Affairs and Social Protection (DEASP; Department of Social Protection at the time) described activation as 'the process of engaging with people to encourage and support them in the pursuit of employment.'⁶

1.4 Commonly Used Active Labour Market Programmes (ALMPs)

- Job Search Assistance (JSA)

¹ [Ireland's Action Plan for Jobs: A Preliminary Review OECD 2014](#)

² [CSO, Quarterly National Household Survey and Labour Force Survey](#)

³ <http://www.cso.ie/en/releasesandpublications/er/pme/populationandmigrationestimatesapril2015/>

⁴ [CSO, Quarterly National Household Survey and Labour Force Survey](#)

⁵ [JCEASP 26 January 2017](#)

⁶ [JCEASP 20 October 2016](#)

This aims to increase job search efficiency and increase the suitability of the job match to the participants' skills. Components of JSA include job search training, counselling, monitoring and sanctions.

- **Labour Market Training**
Jobseekers are provided with training in order to improve their chances of finding employment. This may be equated to an accumulation of human capital in the workforce.
- **Private Sector Employment Incentives**
These aim to alter employer or worker behaviour through incentives such as wage subsidies, self-employment assistance, start-up grants etc.
- **Public Sector Employment**
This refers to direct job creation in the public sector specifically as an activation measure.

These descriptions are taken from Kluve, Card and Weber, *What Works? A Meta Analysis of Recent Active Labor Market Program Evaluations*.⁷

1.5 Activation Strategies and Prevailing Economic Climate

As Mr McKeon DEASP told the JCEASP, priorities of ALMPs shift during times of prosperity and recession

During a time of recession, given scarce exchequer resources, the primary focus of activation policies is necessarily to help unemployed people who are in receipt of a jobseeker payment and on the live register to compete for such job vacancies as arise and reduce their individual duration of unemployment (although overall levels of unemployment may not fall significantly), to bias employers' recruitment activity towards people who are unemployed and on the live register and to ensure that the labour market operates efficiently as the economy recovers so that employers are proactive in offering employment opportunities and that those people who are unemployed are ready, willing and capable of taking up employment. During a time of economic recovery or prosperity, as the labour supply tightens the focus of activation, policies typically shift to minimising frictional unemployment and increasing active labour-market participation by all people of a working age, both to help ensure a supply of labour, which is a very narrow economic view, and to offer greater support to people from non-jobseeker cohorts to access the labour market and achieve some level of financial independence, which would typically be called an "active inclusion" view.⁸

1.6 Numbers Accessing Main Active Labour Market Programmes (ALMPs)

The numbers accessing the main activation schemes can be seen from Table 1 below. The uptake of activation schemes for males and females is roughly in line with proportion of unemployed men and women as given in Tables 2 and 3. A comparison of Tables 2 and 3 shows that the figure for males unemployed has dropped more rapidly than for females. This may be a reflection of the higher starting number of males unemployed. However, the slow decline in the number of females unemployed since 2016 may signify a difficulty with the ALMPs in addressing the specific barriers to employment for women.

⁷ [Jochen Kluve, David Card and Andrea Weber, "What Works? A Meta Analysis of Recent Active Labor Market Program Evaluations," 2017](#)

⁸ [JCEASP 20 October 2016](#)

Active Labour Market Programme (ALMP)	Male	Female	Not Specified	Total
Community Employment	12,883	9,473	-	22,356
Rural Social Scheme	2,076	495	-	2,571
TÚS	4,782	2,491	-	7,273
Gateway	638	68	-	706
Back to Work Enterprise Allowance	8,141	2,837	-	10,978
Back to Work Education Allowance	7,986	5,909	-	13,895
Partial Capacity Benefit	718	1,155	-	1,873
JobBridge	943	821	-	1,764
Short Term Enterprise Allowance	247	143	-	390
Other	-	-	3835	3835
Total	38,414	23,392	3835	65,641
Percentage including Not Specified	58.52%	35.64%	5.84%	100.00%
Percentage excluding Not Specified	62.15%	37.85%	N/A	100.00%

Table 1 Numbers Accessing Main Active Labour Market Programmes 2016⁹

	Female	Male	Total
Number Unemployed	63,992	110,258	174,242
Percentage of Total	36.72%	63.28%	100%

Table 2 Unemployment by Gender Average 2016¹⁰

	Female	Male	Total
Number Unemployed	60,000	80,300	140,300
Percentage of Total	42.76%	57.24%	100%

Table 3 Unemployment by Gender April 2018¹¹

⁹ <http://www.welfare.ie/en/Pages/Annual-SWS-Statistical-Information-Report.aspx>

¹⁰ <https://www.cso.ie/en/releasesandpublications/er/mue/monthlyunemploymentdecember2016/>

¹¹ <https://www.cso.ie/en/releasesandpublications/er/mue/monthlyunemploymentapril2018/>

1.7 Loss of Skills

Since 2010, Ireland has suffered a net loss of skills through emigration, as shown by Table 4.

Year ending April / Education Attainment	Net Migration in Thousands					
	2011	2012	2013	2014	2015	2016
Persons						
Higher secondary and below	-12.8	-17.3	-23.1	-14.3	-10.8	-6.5
Post leaving cert	-0.9	-3.6	-4.6	-2.8	-2.0	-0.4
Third level	-13.4	-14.1	-7.9	-4.4	-8.1	6.2
Not stated	-1.2	-2.4	0.0	-1.6	1.9	-2.4
Total persons	-28.2	-37.3	-35.6	-23.1	-19.0	-3.1

Table 4 Net Migration in Thousands with Education Attainment ¹²

Skills shortages are particularly present in areas such as ICT, but are becoming widespread as a result of the economic recovery. Ireland currently experiences skills shortages in areas such as construction, hospitality and retail, according to Mr Donohoe.¹³

¹² CSO Population and Migration Estimates April 2016

<http://www.cso.ie/en/releasesandpublications/er/pme/populationandmigrationestimatesapril2016/>

¹³ JCEASP 26 January 2017

2. SUPPORTS PROVIDED BY THE DEPARTMENT OF EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION

2.1 Focus of Activation Policy

Ireland came into the recent period of recession with an activation structure that was behind international best practice and had been criticised by the OECD and the ESRI. In light of changed economic circumstances, the need for reform became urgent and the 'Pathways to Work' policy was launched in 2011. One aspect of this policy was the merger of the Community Welfare Service, the then-Department of Social Protection (DSP) and FÁS employment services. The redeployment of staff facilitated the doubling of the number of case workers within the DSP and the opening of over 60 Intreo offices. The launch of new jobseeker services accompanied this, including JobBridge, JobPlus, Momentum, Gateway and the Back-to-Work family dividend and the introduction of the JobPath contracted employment service.¹⁴

2.2 Positive Developments in Service Delivery

During this period there have been significant improvements in the service delivered to jobseekers. For example, on average the time taken to process jobseeker claims is now less than one week, compared to a minimum of three weeks in 2011. Feedback from jobseekers has also been positive. An independent survey conducted in 2016 saw respondents rate the service received at 4.38 out of 5, with more than three quarters of them saying the service helped them obtain a job.¹⁵ Mr McKeon observed that

In terms of employment impact, the changes have coincided with significant improvements in labour market conditions that are not typical in a post-recession environment. Total unemployment has fallen from over 15% to just under 8%; long-term unemployment has fallen from 205,000, which was 9.5%, to 95,500, which is 4.5%; youth unemployment has fallen from around 83,000, which was 33%, at peak to 32,400, which is 15.9%, today; and the proportion of people of working age living in jobless households has fallen by nearly a quarter from 16% at peak to 12.4% now. In parallel with these overall improvements the persistence rate on the live register, which is the measure of the number of people who make the transition from being short-term unemployed to long-term unemployment, has reduced from 35% to 26% and the exit rate from the live register of those unemployed over two years increased from 25% to 42%.¹⁶

2.3 Pathways to Work Strategy

Given this progress, the Government initiated a review of 'Pathways to Work' in 2015. This involved extensive consultation and culminated in the publication of the new 'Pathways to Work' strategy for the period up to and including 2020.¹⁷ This new strategy follows a two-pronged approach. The first prong aims to maximise beneficial outcomes for the long-term and youth unemployed cohorts, while ensuring high quality, sustainable services. The second prong concerns gradually increasing access to activation measures to other non-employed people to promote the principle of active inclusion and to improve labour supply.¹⁸ The strategy is further split into six strands as described by Mr McKeon:

This approach is to be delivered through 85 actions grouped into six logical strands...There is enhanced engagement with unemployed people, increasing the employment focus of programmes, making work pay or incentivising work, continuing to incentivise employers to offer opportunities to unemployed people, building organisation capacity both within the Department and other agencies, and building work force skills, which is a new strand focusing on

¹⁴ [ICEASP 20 October 2016](#)

¹⁵ *ibid*

¹⁶ *ibid*

¹⁷ <https://www.welfare.ie/en/downloads/PathwaysToWork2016-2020.pdf>

¹⁸ [ICEASP 20 October 2016](#)

the further education and training sector, improving the alignment and delivery of those services with labour market requirements.¹⁹

The new strategy also includes targets to be achieved over the course of the period, relating mainly to employment progression. The Labour Market Council (LMC) published its review of the strategy²⁰ and recommended that some targets be made more ambitious. The then-Minister for Social Protection, Leo Varadkar, accepted these recommendations and, with slight modifications, these targets will be reported on in further updates by the DEASP.²¹

2.4 JobPath

JobPath was launched in July 2015 with the aim of “delivering intensive case-work services to long-term unemployed people.”²² The programme is aimed at assisting the LTU to secure sustained full-time paid employment or self-employment. JobPath services are provided by two private companies (Seetec Limited and Turas Nua Limited) who were engaged following a public procurement process. They provide services in two distinct contract areas based on the Department’s divisional structure. DEASP selects jobseekers at random for referral to JobPath. Those selected must participate in an information session and are then given individual support through a caseworker with the aim of assisting them in finding employment. They may also be referred to further education or training. If they find a job, they may continue to receive assistance during the first year of employment. While on JobPath, jobseekers are entitled to retain their full social welfare payment. However, jobseekers can be subject to penalties and sanctions if it is determined that they are not adequately engaging with the process. All decisions about welfare entitlements are taken by DEASP officials. In-work support for jobseekers is provided, especially in the first weeks of employment in order to aid the transition to employment.²³

JobPath also provides services for employers including recruitment and initial training support. The companies work with the Department and each other with the aim of maintaining a coordinated approach to engagement with employers.

2.5 Community Employment Programme

Community Employment (CE) is DEASP’s largest programme catering for the LTU. The scheme aims to break the cycle of unemployment, maintain work-readiness and improve participants’ opportunities of returning to the labour market. CE schemes provide temporary part-time work in local communities. The scheme is typically sponsored by groups, usually voluntary and community organised, and to a lesser extent by public bodies involved in not-for-profit activities. The average CE participant works for 19 ½ hours per week. The rate of payment is linked to the participant’s social welfare payment with the minimum amount being €215.50. The participant may receive extra allowances in respect of qualified dependents. Despite a fall of approximately 40% in the live register between 2012 and 2017, numbers on the CE scheme has remained approximately stable, as Ms Kathleen Stack of DEASP told the Committee.²⁴

DEASP has recently begun to categorise CE placements as either ‘activation’ or ‘social inclusion’. Activation placements provide an emphasis on certified and industry recognised training. These aim to offer good progression opportunities to jobs in the open labour market. The social inclusion places are aimed at those more distant from the labour market

¹⁹ [JCEASP 20 October 2016](#)

²⁰ <http://www.welfare.ie/en/downloads/LabourMarketCouncil/LMCResponseToPtW2016-2020.pdf>

²¹ [JCEASP 20 October 2016](#)

²² *ibid*

²³ <http://www.welfare.ie/en/Pages/JobPath.aspx>

²⁴ [JCEASP 9 November 2017](#)

and may represent a first or intermediate step back to employment. Different progression targets are set for different placements.²⁵

2.6 CE Interaction with JobPath

Recent concerns have been raised about the interaction between JobPath and CE. It is DEASP policy to allow jobseekers to only participate in one activation scheme at a time, which means that a person assigned to JobPath cannot take up a place on a CE scheme until they have completed the year-long job placement. There is one exception to this rule. Those individuals who hold, on the date of their referral to JobPath, a written offer to take up a CE position, with a start date no more than four weeks in the future, are exempt from this condition.

Ms Bríd O'Brien of the Irish National Organisation of the Unemployed (INOUE) told the Joint Committee there had been a variety of feedback on JobPath placements:

Some people did not welcome being referred to something of which they were not aware and wondered why it happened. There have been instances where a referral happened centrally but somebody had started to do something locally. Tension will arise between local services, including the Department's services, and national referral. In some cases where somebody may have started down the road to something else they have been facilitated to do so, but in other cases this has not arisen. Some people do not appreciate work supports. Where people feel they got the job themselves they are concerned that if the employer is contacted, it will have a negative impact.²⁶

2.7 JobBridge

JobBridge was a national internship scheme which opened in July 2011 and closed in 2017. Over 48,000 participants were placed in over 19,000 host organisations. The scheme was available only to those on the live register and as participants on the scheme they received their normal payment and a top-up payment of €52.50. The scheme was both praised and criticised. Despite the fact that three separate reports recommended that there should be a new internship scheme and that the Minister announced there would be a replacement for JobBridge in 2017, there has so far been no information regarding a replacement.²⁷

2.8 State Supplements/Working Family Payment

The Working Family Payment (WFP), formerly Family Income Supplement (FIS), is a weekly tax-free payment available to employees with children. It gives extra financial support to people on low pay.²⁸ To qualify for WFP, an individual must work at least 38 hours per fortnight. Working hours of the claimant's spouse, civil partner or cohabitants can be used to meet this condition. However, hours spent in self-employment (or on CE, Gateway, Tús, JobBridge or the Rural Social Scheme) cannot be counted.²⁹ There has been criticism that WFP/FIS has been exploited by employers in order to supplement unfairly low wages.³⁰ Mr Donohoe of IBEC said that a study by University of Limerick did not support that view:

There were some comments about the abuse of zero-hour contracts and precarious work. The University of Limerick study on the prevalence of zero-hour contracts and low-hour contracts does not back that up. In terms of statistics, it found that 2.6% of employees are on variable part-time work, 5.3% have constantly variable hours and much fewer than that are on low hours.³¹

²⁵ *ibid*

²⁶ [JCEASP 26 January 2017](#)

²⁷ <https://www.welfare.ie/en/Pages/JobBridge.aspx>

²⁸ [Citizens Information.ie Working Family Payment](#)

²⁹ *ibid*

³⁰ [Ms Lorraine Mulligan of SIPTU, JCEASP 26 January 2017](#)

³¹ [Mr Donohoe IBEC at a meeting of the Joint Committee, 26 January 2017](#)

3. EDUCATION, TRAINING AND EMPLOYMENT

3.1 Most Effective Activation Measures

Mr McKeon presented evidence of the most effective forms of training:

In terms of impact, international research indicates that early engagement with unemployed jobseekers is key to reducing transitions into long-term unemployment. It also shows that the most effective intervention is employment planning and job-search assistance, followed by work-relevant training and work placements. General education supports and state employment programmes are generally found to be ineffective and, in some cases, have been shown to have negative impacts on employment progression. The research that has been undertaken in Ireland would support these findings. In noting these findings it is, however, important to recognise that services and supports provided as part of a labour-market-activation regime have an important social or active inclusion role. In this sense, the provision of education options and employment programmes is not only designed to address labour market issues, but is equally informed by the recognition of the role which occupational activity and further education play in improving the quality of life of people with disadvantages or with a restricted ability to take up employment.³²

3.2 Education Activation

Dr Katriona O'Sullivan of Maynooth University (NUIM) highlighted the need for activation into education. She discussed the relatively low level of investment in placing unemployed people in education compared to other activation programmes. She also cited evidence that older graduates benefit more from education than younger graduates:

Research shows that older graduates are almost 4% more likely to be in full-time employment six months after graduation than younger graduates and that the average starting salary for most mature graduates is 20% higher than for younger students. Graduates are also more likely to enter lower and higher professions, meaning that they are not only transforming their lives but also those of their families. Offering education may be a longer game, but in many cases it can have more of an impact and move people completely out of poverty.³³

However, she cautioned that proper supports needed to be in place in order to allow those entering education to succeed.

Those who are looking to move into education, as opposed to a low paid job, are not provided for in the social welfare system. The choices are often to work or be educated and poor. In my work with the Trinity access programmes I have seen many students who cannot go to college because they left a bad low-paid job the year before and are now being told they cannot receive back-to-education allowance or SUSI support. We also see those entering university on access courses not being entitled to grants and financial assistance. Last year I met a student who had been called to a local job centre to justify studying ancient history and archaeology. Those in the centre wanted to know in what type of job this would result before they would support the person's move to the back-to-education allowance. We all know that a good education has the power to change a person's life, yet we are making it very hard for people who need it to access it.³⁴

3.3 Importance of Educational Outcomes

Several stakeholders stressed the importance of educational outcomes both as a method of improving activation and as a general benefit to recipients and their families. Senator Alice-Mary Higgins said:

I am very concerned about the scepticism with regard to educational outcomes. I do not believe we can give up on the potential of citizens to achieve. It is not just a question of the numbers who end up in employment; it is also a question of the quality of the employment they end up in.³⁵

³² [ICEASP 20 October 2016](#)

³³ [ICEASP 7 December 2017](#)

³⁴ *ibid*

³⁵ [ICEASP 20 October 2016](#)

Dr Michelle Millar of NUI Galway (NUIG) cited the differences in employment outcomes based on educational attainment for lone parents as an example of the importance of education as a labour activation strategy.

International evidence suggests that lone parents with low levels of education generally participate in low-wage, low-skill service industry jobs, typically on a part-time basis. Educational attainment is persistently identified as a significant factor in reducing welfare dependency and providing a sustainable income for lone parents and their children.³⁶

During discussion of the secondary benefits of education, Senator Higgins said

We know it is not always the case that a job is the only way out of poverty, and we also know that education is a way out. It was very interesting to see that research. One of the problems with education, when we discussed it at this committee, is that the Department feels it does not always lead to employment, although it may lead to an improvement in the well-being of an entire family.³⁷

3.4 Importance of Quality Career Guidance

The importance of high quality career guidance using knowledge of the prevailing labour market conditions were discussed by Dr John Sweeney of the Labour Market Council (LMC).

Good career guidance must be informed with good labour market intelligence. The people being given such career guidance must be given good insight into what is happening and what will most surely happen in a particular line of work that they are currently hungry to get into. One must ask if this in their long-term interests? We cannot simply read the demand for education and training from the preferred list of jobs that comes from those currently on the live register. Good career guidance is an interactive two-way process.³⁸

Concern was expressed by Ms O'Brien of the INOU about the uptake of the back-to-education allowance and how it may be reflective of an overly directive mode of operation by caseworkers:

...take-up in terms of the back-to-education allowance is falling back to the figures of the pre-crisis period, despite the fact it was expanded a lot during the crisis. Of concern to us are the findings of the ESRI report and the huge challenges this throws up. Given the strong relationship between educational status, the inference is that if a person does not attain a good educational status the first time around even though he or she may do so the second time around it may not be to his or benefit. That is a very serious concern for us.

The feedback we are getting is that people feel they are being told to go on things rather than being able to make informed decisions about their future. They are being directed on to programmes such as Tús, Gateway or community employment while perhaps not getting the opportunity to re-educate. They may be sent on a re-education or training programme that may not be suitable for them and somebody else might have really welcomed that opportunity.³⁹

3.5 Essential Role of Fundamental Skills Development

Dr Sweeney of the LMC pointed out that as Ireland approached 'full employment', activation strategy may need to change to cater for fundamental skills deficits.

As the recovery in employment leaves behind an increasingly disadvantaged clientele, it becomes more important than ever that literacy, numeracy and digital deficits be accurately diagnosed and effectively addressed.⁴⁰

This was echoed by Senator Kevin Humphreys:

³⁶ [ICEASP 8 November 2016](#)

³⁷ [ibid](#)

³⁸ [ICEASP 9 February 2017](#)

³⁹ [ICEASP 26 January 2017](#)

⁴⁰ [ICEASP 9 February 2017](#)

In a period in which we are seeing a decrease in unemployment numbers, we need to concentrate on upskilling in the workforce, certainly in areas of low skill and low pay, to allow people to have a career path that allows them to see a future for themselves.⁴¹

Deputy John Curran, Chair of the Committee, commented on the difficulty of developing soft skills:

Dr Sweeney raised the issue of soft skills which have been raised at the Committee before. The one piece that seems to be missing is that there are few positive suggestions on how soft skills should be developed, as well as what would become a norm or a core. Everyone, including employers, says how important they are. However, there is little importance attached from a training point of view on how those soft skills might be developed.⁴²

3.6 Lifelong Learning

The importance of lifelong learning was discussed by the Committee and Ireland's relative deficit when compared to other European countries was raised by Mr Donohoe of IBEC:

We are very bad at this. Our lifelong learning rate is 7%; the European norm is 15%. In some Scandinavian countries it is over 30%. One could speculate on the reasons for this, but we need to consider, for example, how we use the national training fund, which has over the past number of years been used for activation schemes such as Springboard and Momentum - and quite properly. However, we need to start rebalancing it towards upskilling and encouraging lifelong learning, particularly in the workplace.⁴³

⁴¹ [ICEASP 9 February 2017](#)

⁴² *ibid*

⁴³ [ICEASP 26 January 2017](#)

4. QUALITY OF CASEWORK, PLACEMENTS AND OUTCOMES

4.1 Meta-Analysis of Recent Active Labour Market Programme Evaluations

A study entitled “What Works? A Meta Analysis of Recent Active Labor Market Program Evaluations” was carried out in 2015 by Jochen Kluge (Humbolt University Berlin and RWI), David Card (UC Berkeley) and Andrea Weber (WU Vienna).⁴⁴ It assembled a sample of 207 studies published since 2007, and the results are summarised in Table 5 below:

	JSA	Training	Private sector incentives	Public employment
Government cost	Low	Medium/high	High	High
Short-run effect	Positive	Negative	Positive	(Positive)
Long-run effect (best case)	Small positive	(Large) Positive	Small positive	Zero
Long-Run Effect (worst case)	Small negative	Small negative	Negative	Large negative
Displacement	Medium	Low	High	High
Business cycle	Any time; expand in recession	Any time; expand in recession	Any time	Recession

Table 5 Impacts of Alternative Active Labour Market Programs

4.2 Quality of Outcomes “Activation into What?”

Dr Peter Rigney of ICTU told the Committee

Our presentation will focus on several issues, the main one being ‘activation into what?’. It has been taken as true that progression into a job is a sure way of improving one’s economic and social status. If that is to continue to be the case, the state must intervene in the labour market to ensure that work pays in all cases.⁴⁵

Dr Sweeney of the LMC put forward a cautionary opinion:

I will quickly draw attention to four pieces of evidence. A significant number of the job openings that continue to arise in advanced economies like Ireland are conventionally low skilled. The dignity of a job and its value to the community and national economy should not be predicated on its skill level. Many on the live register express little interest in undertaking substantial training. The viability of the business models of a large number of enterprises, especially SMEs, would be undermined if they had to pay higher wages. For some people, getting into any job at all can prove to be the beginning of a process of recovery of their self-confidence and widening options which leads to higher quality employment down the line. As the recovery in employment leaves behind an increasingly disadvantaged clientele, the value to them of any job at all needs to be increasingly factored in.⁴⁶

However, he also warned of a significant downside to placing low skilled workers in low skilled employment, noting that evidence indicates that it makes them less likely to upskill later.

Dr Rigney cautioned that there was growing evidence of a cohort of individuals, who were cycling between employment and unemployment:

There is a body of evidence developing like a storm cloud that shows there is a growing or disturbingly large cohort of people at the bottom end of the labour market who are going into and out of unemployment. That undermines the narrative we all favour, which is that going into a job should be a ladder, not a treadmill. That requires legislators to think about what they have to do legislatively.⁴⁷

⁴⁴ [Jochen Kluge, David Card and Andrea Weber, “What Works? A Meta Analysis of Recent Active Labor Market Program Evaluations,” 2017](#)

⁴⁵ [ICEASP January 2017](#)

⁴⁶ [ICEASP 9 February 2017](#)

⁴⁷ [ICEASP 26 January 2017](#)

Ms Mulligan indicated that the academic literature on the subject pointed to the fact that when low-skilled individuals were matched to low-skilled jobs, they tended to become trapped in the same cycle between low pay and unemployment.

As I read them, there is little tolerance, let alone enthusiasm, in the national and regional action plans for jobs, the National Skills Strategy 2025 or Enterprise 2025 of any of the perils to which the literature points when low-skilled individuals are matched with low-skilled jobs. The dangers include trapping people in a low pay, no pay cycle; having them fill dead-end jobs that do not even require the exercise of the skills they possess, much less offer opportunities to improve on them; closed circuits that restrict people's experience of the world of work to employment opportunities in their local area; and low-skilled equilibria at regional and local level that hold back the dynamism of their economies.⁴⁸

Dr Mary Murphy of NUIM argued that problems arise by focussing on specific outcomes and speedily processing individuals through activation measures rather than by taking a long-term and tailored approach.

In large part, the reason that activation is not working for people, particularly for more vulnerable people, such as those with disabilities, lone parents, long-term unemployed is that the State is too keen to push people far too speedily through a process to get very specific outcomes from it that are predetermined by procurement outcomes and such things, rather than realistically looking at what is the situation that this person is coming from and how can we work with this person to get a long-term outcome that will be sustainable for their well-being.⁴⁹

She outlined her concerns about the 'work first' activation strategy employed by INTREO.

We are concerned about how a 'work first' activation regime works alongside weak employment regulation to potentially pressure unemployed workers into a low-paid precarious employment.⁵⁰

4.3 Importance of High Quality Casework

The impact and quality of casework was a theme which recurred often during the Committee debates. Senator Higgins addressed the role of guidance in allowing people to make effective choices which will have long-term benefits.

In addition to progression there is the question of choice and of the importance of ensuring choice and guidance. I am not talking about choice in an abstract way but choice where there is real guidance in order that people are able, with that guidance and support that Dr Sweeney mentioned, to choose a path forward that will really work.⁵¹

Ms O'Brien emphasised the need for appropriate high quality casework support and its mutually beneficial role for all stakeholders.

That is the challenge. With all the change that is in the system, there is that challenge to get that matching piece right, taking the time when people are engaged both initially and subsequently to get to know the skills and experience they have, what opportunities are available and what needs to happen now to support that person to get into a decent and sustainable job. It is in everybody's interest that we get people into decent and sustainable jobs. Clearly it is in the interests of the individuals and that of their family and community. It is also in the State's interest. If we get more people into better, decent and sustainable jobs, there would be less recourse to in-work supports such as FIS. It is really important to get that piece right and try to build the services around people who are unemployed and others of working age who are looking for work and looking for supports in trying to find work.⁵²

Dr Rosemary Crosse of NUIG, using the example of lone parents, talked about the important role casework plays as part of a suite of measures in smoothing employment related transitions:

⁴⁸ ibid

⁴⁹ [ICEASP 25 January 2018](#)

⁵⁰ ibid

⁵¹ [ICEASP 9 February 2017](#)

⁵² [ICEASP 26 January 2017](#)

The recommendations of the research highlighted exactly what is needed in order to smooth the transitions over time, such as the income supports and employment supports, particularly the case workers. The case workers' support was found to be fundamental in smoothing transitions, particularly if they were empathetic and well aware of the challenges that lone parents face. I believe it is the package of supports that assists in the transitional process, with the case worker's support fundamental.⁵³

Dr Millar also acknowledged the importance of casework for lone parents

The literature suggests that the role of the equivalent of the Intreo case worker in facilitating the progression of lone parents is fundamental both at the pre-employment stage and continually thereafter. Such support is regarded as simple and effective, and it is also a low cost policy option which is linked to job retention. However, the research also suggests those lone parents close to the labour market benefit most from this type of assistance, again reiterating the importance of education and training for many lone parents. Caseworkers require specific training on the challenges faced by lone parents in their everyday lives. The research shows that caseworkers who take an empathetic approach to dealing with lone parents and build a relationship based on mutual respect and trust are more effective in their role. Training is required to achieve this approach.⁵⁴

4.4 Monitoring Equality of Outcomes

Senator Higgins asked about the Department's methods of monitoring equality of outcomes for different groups.

What mechanisms are being put in place across the Department to look at the equality of outcomes for different cohorts? I refer, for example, to equality of employment outcomes for women compared to men, or to equality for Travellers, etc. I understand there are some mechanisms in place. I would like to get a sense of how they are being monitored. There should be a focus not just on the numbers entering employment but also on the quality of outcome that is there.⁵⁵

Mr McKeon said that there were mechanisms in place, along with CSO data, and that there was no evidence of bias. However, he noted that there were concerns around female participation linked to child care issues, the lone parent family payment as well as to wider labour market issues.

The equality of outcomes is something we monitor and the Central Statistics Office does a good job of it as well. All the data are broken down by age and gender. Generally, the issue of concern from a gender perspective might be the level of female participation in the work force. The outcomes in terms of people we engage with are relatively gender-neutral. There is no evidence in the data of bias. It is really a wider labour market issue about female participation. That is tied into the issue of child care, the lone-parent family payment and arrangements around that. Sometimes it is difficult to say it but I will say it anyway, as when we examine micro-data in the quarterly national household survey, QNHS, to which our statisticians have access, we see that quite a few women who do not participate in the labour market answer "No" when asked the follow-up question as to whether they want to participate. I absolutely acknowledge child care issues and the way in which society is framed that makes it more difficult for women. I would never deny that. There is another issue about choices, and perhaps that is a cultural element. I do not know and I cannot explain it. Perhaps it takes generations for that to work its way out.⁵⁶

⁵³ [ICEASP 8 November 2016](#)

⁵⁴ *ibid*

⁵⁵ [ICEASP 20 October 2016](#)

⁵⁶ *ibid*

5. THE ROLE OF SUPPORTS AND THE ROLE OF SANCTIONS

5.1 Principle of Rights and Responsibilities

This principle of rights and responsibilities was explained by Mr McKeon:

Where the jobseeker is in receipt of jobseeker payment activation also involves the principle of rights and responsibilities. In other words the jobseeker has a right to receive a jobseeker payment and the right to receive activation services from the State, but also has a responsibility to engage with those services. Where a jobseeker fails to engage with these services his or her payment may be reduced or suspended.⁵⁷

He further clarified the level of sanctions

It is important to note that out of 300,000 people, 1,100 are on a penalty rate. By any measure, that is a small percentage. It is important to recognise that it is not an aggressive sanctions regime.⁵⁸

5.2 Penalties and Sanctions

Stemming from the principle of rights and responsibilities as discussed above, payments to jobseekers have been reduced or suspended by the DEASP. However, the imposition of these sanctions is relatively rare. Less than 0.4% of the total number of those in receipt of a Jobseeker related payment is subjected to a penalty rate or sanction. Further, these sanctions can only be administered by the Department and may not be applied by private companies such as those running JobPath or other agencies.⁵⁹ However, the validity of these sanctions has been questioned in light of the fact that social protection payments, including jobseeker's allowance, have been designed to give each citizen a basic level of income in order to protect them.⁶⁰

Dr Sweeney of the LMC expressed the following view on sanctions:

Each instance of fraudulent receipt of welfare is one instance too much but, by and large, the control mechanisms of the Department of Social Protection pass a good test by international standards. It is regrettable that sanctions come into the question of how we encourage more people, who are currently in long-term receipt of a welfare payment, to enter sustained employment. We should pay credit to those in the control and fraud section of the Department and advise them to continue their work but we do not have to use active labour market programmes as an extension of their work. Those programmes should have an objective and an identity apart from that.⁶¹

Senator Higgins outlined the conflict between the application of sanctions and the fundamental purpose of social protection payments.

I would like to reflect on the crucial and fundamental principles and assumptions that are at work here. I am noting a fundamental issue and question that arises here. There is a role for employment activation and support and there is a role for social protection. I believe there would be a benefit from bringing those two roles closer together. That is very different from making one conditional on the other. The leap that has been made in this regard is different. It is a very different question when the idea of sanction comes in. The social protection payments we have, including jobseeker's allowance, are not designed simply as a reward for job seeking. They are designed to ensure every citizen has a basic and appropriate level of income which protects them.⁶²

Ms O'Brien gave the view that sanctions should only be seen as a last resort:

We believe sanctions should be an absolute last resort. The services need to engage with people as adults, work with them, examine the position people are in and examine what is available and

⁵⁷ [ICEASP 20 October 2016](#)

⁵⁸ *ibid*

⁵⁹ *ibid*

⁶⁰ *ibid*

⁶¹ [ICEASP 9 February 2017](#)

⁶² [ICEASP 20 October 2016](#)

what can be done. Several questions arise. Is it a case of having to develop better skills to find a job? Is it that people need to retrain or up-skill? It is a question of working with people to try to find the best option for them. Sanctions should be in the back of the drawer and only taken out when all else has failed.⁶³

5.3 Evaluation of Outcomes from Penalties and Sanctions

Dr Crosse told the Joint Committee that there is insufficient evidence in this area.

In Ireland, the reality is that we know very little. However, evidence from international research suggests that it is the most vulnerable who are sanctioned. The evidence suggests that the most vulnerable group to have sanctions imposed upon them are those who are the most distant from the labour market, who have the lowest levels of education, very little work experience, challenges in their everyday lives and who basically live a precarious kind of life. In many cases, they do not even know that sanctions are imposed.⁶⁴

Mr Philip Finn of NUIM said that Ireland's relatively low sanctions regime was not necessarily a cause for complacency.

Conditionality and sanctions are a controversial aspect of activation policy. The relatively low levels of sanctions in Ireland do not provide reasons for complacency. In regimes where claimants are fearful of sanctions, one may expect high levels of compliance and low levels of sanctions. Some qualitative data from Ireland suggest that the threat of sanction negatively impacts both claimants' well-being and their relationship to caseworkers and agencies. International evidence highlights that, while claimants are generally aware that sanctions exist within the system, there is a lack of understanding among claimants of when, how and why they are implemented or reversed. Qualitative research here suggests that Ireland is mirroring this trend. It may be the case that claimants are sanctioned for a lack of understanding rather than a deliberate choice to avoid conditions.⁶⁵

He warned that the use of sanctions may be on the increase:

As I said earlier, the level of sanctions imposed in Ireland is still relatively low in an international context. Since the introduction of Pathways to Work, however, there have been annual increases in sanctions, from 359 in 2011 to over 1,600 last year. There is evidence that sanctions are being used more frequently. Before 2010, it was possible to disqualify people from receiving payments as a nuclear option that case workers were reluctant to use. Now there is a penalty rate that can be applied for up to nine weeks and disqualification can take place thereafter. The use of such sanctions has become a tool or technique to be used by case workers as part of their repertoire when encouraging jobseekers into particular positions or courses.⁶⁶

He also said that there was evidence of variable practice on a regional basis and echoed the call for improved evaluation:

Transparency requires publication of sanctions across Intreo and JobPath, including reasons for sanctions, gender and age disaggregation, regional analysis and quarterly reports to be included with the Pathways to Work quarterly monitoring report. Policy learning and evaluation require a high-quality qualitative follow-up of sanctioned individuals to understand the impact of conditionality and sanctions on clients' lives, employment prospects, risk of poverty and risk of homelessness.⁶⁷

⁶³ [ICEASP 26 January 2017](#)

⁶⁴ [ICEASP 8 November 2016](#)

⁶⁵ [ICEASP 25 January 2018](#)

⁶⁶ *ibid*

⁶⁷ *ibid*

6. HIDDEN UNEMPLOYMENT AND VOLUNTARY ACCESS TO ALMPs

6.1 Underemployment

Underemployment refers to that situation in which employees are willing and available to work hours which they are unable to obtain through their employment. The threshold might be a nationally defined limit for part-time or full-time working hours.⁶⁸ Ireland has the second highest rate of underemployment in the EU, behind Spain. Dr Rigney noted that

A total of 7.4% of employees here report seeking additional hours while the EU average is 4.4%. Since the third quarter of 2008, the first year for which Ireland has data, the number of underemployed persons has increased by 50.5% this compares to a growth of 31.9% across the EU during this period.⁶⁹

Senator Higgins commented

I do not see why the live register must take precedence over these groups because we have an underemployment as well as an unemployment problem. Unless we are moving towards a punitive dynamic, there are many people, due to the restrictions I mentioned, who will not necessarily voluntarily sign on to the live register because they know they are not available full-time. We have had a strong focus on the live register, sometimes to the exclusion of the underemployment issues.⁷⁰

6.2 Restricted Access to ALMPs

The Joint Committee observed at its meeting on 20 October 2016 that the Department restricted access to ALMPs to those currently on the live register. There were many who were excluded from ALMPs due to not being available on a full time basis. Senator Higgins commented on the role of supports in non-recessionary periods:

It is one thing to say what was done in the recession, and I appreciate that some good things and some bad things were done, but it is another thing to say that only at non-austerity or non-recession points in the cycle - in times of surplus - will we see whether we might provide activation supports. This assumption exists right across Europe, where the question of qualified adults is being considered. Thousands of qualified adults, who are predominantly women, might be interested in accessing voluntary supports and activation measures. Many groups, including people with disabilities, have been asking and begging in many cases for education and training opportunities and activation measures to enable them to return to the workforce. Are they a backup force or reserve? Are they meant to sit aside for five or six years because the authorities are only prepared to work with people on the live register during recessionary periods? Every citizen should have the same supports.⁷¹

Senator Humphreys noted that many supports are unavailable to people not in receipt of Social Welfare payments.

There is a large cohort of men and women who are not in receipt of a social welfare benefit who are excluded from the Pathways to Work programme. They are also excluded from some training and education areas. There are some small programmes opened up and the last Government tried to open up more but with the changing environment, we must look at the impact on society as well as on the economy. There are many men and women in their 40s and 50s, whose partners are working, but who are excluded from the activation measures even though they may be extremely anxious to be involved in JobPath or in accessing Intreo offices.⁷²

DEASP has been criticised for taking an 'all or nothing' view of labour activation and unemployment in general. This is based on the need to be available full-time in order to avail

⁶⁸ <http://stats.oecd.org/glossary/detail.asp?ID=3542>

⁶⁹ [ICEASP 26 January 2017](#)

⁷⁰ [IC 8 November 2016](#)

⁷¹ [ICEASP 20 October 2016](#)

⁷² [ICEASP 9 February 2017](#)

of payments and activation supports. There have been some moves to relax this requirement, notably in relation to the Jobseekers Transitional Payment.⁷³

Senator Higgins talked about the current approach to availability and the importance of building labour market attachment.

The question of availability has been mentioned. Full-time availability is still a core component even though we know that people in a huge cohort of society have part-time availability. That does not necessarily mean availability at a casual or low-skilled level. Some people have high-quality part-time availability. The system takes an 'all or nothing' approach at the moment. It considers that people are either available full-time or they are not available at all. There has been some waiving of this requirement, for example involving people on the jobseeker's transitional payment. There has not been a recognition of the value of building labour market attachment.⁷⁴

Senator Higgins referred to the need for a more flexible approach to activation which catered for all citizens. She particularly noted difficulties faced by those with only part-time availability, and the need to extend supports to any who volunteered to partake rather than offering services on a conditional basis.

If we want to bring these new cohorts into employment and the labour market, do we need to re-examine time flexibility and, for example, the requirement for full-time availability for seeking employment? There are those with partial capacity and some with carer responsibilities. Do we need to develop and fine-tune the system to ensure it provides pathways into half-time labour market engagement, which we know is happening informally but could be happening in a more effective way formally?⁷⁵

The National Women's Council of Ireland (as reported by Senator Higgins) has found that one reason people choose to enter community employment rather than activation schemes is its accommodation of part-time work.⁷⁶ This highlights the need for flexibility in activation measures.

Dr Sweeney commented that

This is what quality means, having that flexibility, and understanding that people, especially in their 50s and 40s, have very significant household commitments and we cannot expect them to drop those and be full-time employed. That is part of the change in capabilities and culture that the council is pointing to. That is what is required if the public employment service is genuinely to serve all those looking for work.⁷⁷

Dr Sweeney continued

The focus of attention must be, as Senator Higgins has also implied, on those who are frustrated at not being able to find paid employment, rather than on the live register. The live register is the claimant count.⁷⁸

6.3 Flexicurity

Prior to the recession, the European Union promoted the concept of 'flexicurity'. This is an integrated strategy which would simultaneously increase both flexibility and security in the labour market. The concept was explained by Mr Donohoe, as follows:

There are four main policy components to flexicurity, namely, flexible and reliable contractual arrangements from the perspective of the employer and the employee; comprehensive lifelong learning strategies to ensure the continual adaptability and employability of workers, particularly the most vulnerable; effective labour market policies that help people to cope with

⁷³ [ICEASP 20 October 2016](#)

⁷⁴ *ibid*

⁷⁵ [ICEASP 9 February 2017](#)

⁷⁶ *ibid*

⁷⁷ *ibid*

⁷⁸ *ibid*

rapid change, reduce unemployment periods and ease the transition to new jobs; and modern social security systems that provide adequate income support, encourage employment and facilitate labour market mobility.⁷⁹

⁷⁹ [ICEASP 26 January 2017](#)

7. THE IMPORTANCE OF MONITORING AND EVALUATION

The importance of monitoring and evaluation of state interventions was a theme which reoccurred during the Joint Committee's meetings. Dr Sweeney emphasised the importance of monitoring and evaluation of labour activation programmes:

We fund it [Pathways to Work] without asking the hard question as to whether it is achieving what we expect and hope for the participants. Enter what is called "CIE", not the public transport body but "counterfactual impact evaluation". The evaluation subgroup is to the fore in embracing this and encouraging the Department to employ it as much as possible in the rigorous evaluation of services and programmes that constitute Pathways to Work. Very simply, CIE sets out to establish the net difference being in a programme makes to those who participate in it. It requires establishing comparable groups of individuals who took part in the programme and those who did not as strictly and carefully as possible. The perspective of the council is that only these evaluations will help policy to learn from success and failure and only such research findings can be used to decide which programmes and services should be scaled up and which should be redesigned, scaled back or even closed.⁸⁰

He said further

The Central Bank quarterly bulletin that has just been issued anticipates that unemployment this year will be under 7% and will reach 6% in 2018. We are in sight of full employment. The council cautions that the impact of Pathways to Work on these great developments cannot yet be assumed until its programme of rigorous evaluation is completed. Only this approach to evaluation allows us to factor out the impact of the improving economy, the Action Plan for Jobs and other programmes. Only then can it be concluded that this particular approach to activation has contributed significantly to it.⁸¹

Dr Millar emphasised the importance of monitoring and evaluation in the context of lone parent activation.

Labour market activation of lone parents represents a major change in how social protection policy views lone parents. Such a change requires ongoing monitoring and evaluation to measure the impact of the policy on employment outcomes, employment supports, poverty levels and wellbeing to ensure that the policy aims of increasing paid employment and tackling poverty levels in lone parent families is achieved.⁸²

She also said

One of the biggest concerns is that by virtue of the employment they go into, which is low paid and low skilled, it is very common for lone parents to cycle between benefits. They go into employment and back onto social protection. We need to monitor both how long it takes for their payments to be returned to them and their interaction with the Department of Social Protection.⁸³

⁸⁰ [ICEASP 9 February 2017](#)

⁸¹ *ibid*

⁸² [ICEASP 8 November 2016](#)

⁸³ *ibid*

8. ACTIVATION FOR LONE PARENTS

8.1 Particular Needs and Challenges

The difficulties facing lone parents in relation to employment are well documented. These mainly arise in relation to child care cost and the requirement for full-time availability. In light of the current system of Intreo activation supports many options are unsuitable to their needs. Dr Miller used the term 'male breadwinner activation' in describing current activation programmes:

In respect of male breadwinner activation, labour activation rests on the nature of the social welfare regime, which is still predicated on the idea of full-time work. To be eligible for jobseeker's payments, one has to be available and genuinely seeking full-time work. That sets up a whole scenario of rules that make our activation regime highly unsuitable for women. For example, we force lone parents whose eldest child is 14 years old or older into being available for and genuinely seeking full-time work. That really does not fit with the reality of those women and often does not fit with what their parenting obligations and values are.⁸⁴

8.2 Need for Tailored Supports

The need for tailored supports specifically for lone parents was an issue raised by several witnesses, as highlighted by Dr Millar:

Overall, the research suggests that a package of supports is the most effective way to assist lone parents into sustainable employment and to ensure that income levels are sufficient to lift lone parents out of poverty. Indeed it is the combination of measures that is required to make an impact as the sum is greater than the parts. Ireland's activation policy for lone parents is to categorise them as jobseekers and there are no exceptions made for the fact that they are parenting alone. Unlike other countries, there are no plans for a lone-parent-tailored approach to activation that takes into consideration the unique challenges and barriers to employment they experience.⁸⁵

She continued

While activation programmes have been successful in increasing lone parent participation in employment, particularly for work-ready lone parents, those more distant from the labour market require more intensive support. Many lone parents will require ongoing contact and support from caseworkers when they are in employment.

In regard to financial supports, we need to ensure income adequacy for lone parents and their families in order to make work pay. The literature highlights how activation can lead to in-work poverty. Such lone parents require higher amounts of in-work financial support, which has been proven to reduce poverty in this group of lone parent households. Given the tendency for lone parents coming off the one-parent family payment to work in low-skilled, low-income employment and for some to favour part-time work which is often low paid, this is a pertinent issue. In-work benefits require flexibility and responsiveness to the lived labour market experiences of lone parents. Policy makers have yet to legislate for the maintenance of those lone parents who have been moved to jobseekers' payments. This requires attention.

The cost of child care is a significant disincentive to lone parent employment. The literature shows that subsidies have significant positive effects on the use of child care in lone parent and low-income families and are proven to contribute to sustainable employment. The issue of child care availability needs to be addressed, ensuring that there are adequate child care places available in the localities where they are required. Flexibility in child care provision is seen as an important factor in determining child care usage for lone parents. In many cases, care is still required for children over the age of 14 years. This issue may be resolved by collaboration between State and community sectors.⁸⁶

⁸⁴ [ICEASP 8 November 2016](#)

⁸⁵ *ibid*

⁸⁶ *ibid*

8.3 Anomalies

Anomalies in activation can arise where support measures may act in a counterproductive way. For example the withdrawal of supports on taking up a job or educational opportunity can mean lone parents may decide they are better off not taking up such opportunities, thus becoming trapped in unemployment. Ms Louise Bayliss of Single Parents Acting for the Rights of our Kids (SPARK) at a Joint Committee meeting discussing issues specific to lone parents, said

Lone parents accessing education and training board, ETB, or SOLAS courses are being forced to drop out or face financial losses. Lone parents are paid a training allowance instead of a primary social welfare payment when doing these courses. Many of these courses operate on a clock-in basis and any time missing or late attendance results in a financial penalty. This system does not accommodate the dual role of a lone parent. Many of the courses start at 8.30 a.m., which does not facilitate a lone parent who has to drop a child to school. If a parent must stay at home to mind a sick child, he or she loses a full day's pay. Likewise, if a parent must bring a child to a dental or medical appointment, he or she loses a day's pay. A lone parent who participates in these courses is paying a minimum of €15 per week for child care out of their weekly qualified child increase of €29.80. This shows a significant investment by the parent in the course. However, the risk of losing money if the parent has a sick child is an unfair additional barrier that is forcing lone parents out of training at a time when Intreo offices are pushing them into courses.

Lone parents on rent supplement have no access to higher education unless they transfer to the back-to-education allowance. However, they cannot receive the maintenance portion of SUSI if they are on the back-to-education allowance. The SUSI grant is completely necessary to support the additional transport and childcare costs associated with attending college. In effect, a lone parent's access is being determined by his or her housing status and this is discriminatory. The Department of Social Protection has confirmed that lone parents on jobseeker's transitional payment, JST, can engage in postgraduate studies. In practice, however, local offices are suspending lone parents' payments when they are studying at postgraduate level. Parents are being told that they must stop studying or forfeit their payments. The purpose of the policy was to encourage activation and it is therefore essential that all local Intreo offices are fully aware that lone parents are entitled to study while on JST.⁸⁷

She elaborated

Work is seen as the route out of poverty but for lone parents in Ireland, the infrastructure is not in place to ensure work pays. The recent changes in Ireland cut the income of a parent working 20 hours on minimum wage by 17%. In many cases, due to rules around rent supplement and high child care costs for many lone parents, this loss now means they are financially better off by not working. Far from encouraging economic independence, the policy is trapping lone parents into long-term social welfare dependency.⁸⁸

Dr Millar commented on the potentially adverse and unintended consequences of recent policy changes:

One of the greatest concerns of those interviewed about the policy changes is the reduction in the combined income of those one-parent family payment recipients who were in part-time employment prior to the change. With the exception of those countries that introduced a time limit on welfare payments, there is no evidence of activation resulting in lone parents in receipt of welfare being financially worse off as a result of policy change. Policy often has unintended consequences but if the premise of activation policy is to reduce poverty levels by increasing the number of lone parents in paid employment, then a policy which results in lone parents in paid employment being financially worse off has evidently created an unintended consequence and needs revision. This neither encourages welfare recipients to enter into employment nor will it result in an increase in the income of the household; rather, it has the perverse effect of encouraging welfare dependency and reducing household income.⁸⁹

⁸⁷ *ibid*

⁸⁸ *ibid*

⁸⁹ [JCEASP 8 November 2016](#)

9. ACTIVATION FOR PEOPLE WITH DISABILITIES

9.1 Position of the Department of Employment Affairs and Social Protection

Mr McKeon outlined the position of DEASP in relation to employment supports and services for people with disabilities:

On extension to other cohorts, if I gave the impression in the way I represented the approach during a recession as opposed to that in a recovery, that somehow we ignored people with disabilities or other cohorts, we do not. In fact, people with disabilities have access to a very wide range of employment supports and services which are more generous than jobseeker's payments.⁹⁰

He said

We have been proactive with people with disabilities. I do not have the figures with me, but a good number of people receive a wage subsidy, which is more than €10,000 year. A good number of people also receive workplace adaptation grants, which are significant. We fund an employability service with specialist providers. Our colleagues in the further education sector provide an entire suite of specialist training courses. The feedback we received during the consultation process was that all of these services were available, but all people here want us to speak about are jobseekers. In terms of being proactive, it is a parity of esteem rather than a service issue.⁹¹

9.2 Lack of Flexibility

Senator Higgins questioned the lack of flexibility in relation to those in receipt of disability payments and qualified adults

My own question was on flexibility where we are trying to bring in new cohorts in, and not even trying to bring in because in many cases, as Dr Sweeney highlighted, they are keen to be offered training and opportunities. Do we need to re-examine, for example, the full-time availability requirement specifically in that respect? I know that is a key issue for many people who are either qualified adults or are on disability payments.⁹²

Dr Sweeney responded

Senator Higgins's question about flexibility and accommodating people with a capacity to work some hours, or staggered hours, is very true. It is inherent in the council's endorsement of bringing the public employment service to provide services to those who are inactive for whatever reason and are not currently members of the workforce.⁹³

9.3 Impact of Comprehensive Employment Strategy

Ms Joan O'Donnell of the Disability Federation of Ireland (DFI) highlighted that the Comprehensive Employment Strategy has had little impact on employment rates for people with disabilities:

Two years into the comprehensive employment strategy, there has been no impact on the employment rates of people with disabilities. At the height of the boom, when long-term unemployment was at an all-time low, the percentage of people with disabilities in employment was only half of that for those without disabilities. As far back as 2008, the OECD expressed concern that Ireland was parking people with disabilities on the sidelines of Irish life and that hiding unemployment in the wrong welfare system was a failed and costly strategy. Today, little has changed. The numbers in work have not changed significantly and the numbers in receipt of disability allowance are increasing year on year. Yesterday's edition of the Irish Examiner stated that, at the end of 2017, there were 133,929 adults of working age in receipt of disability allowance and that this was rising by approximately 32,000 year on year. This is a means-tested payment for which it is extremely difficult to qualify and people would not choose to live their

⁹⁰ [ICEASP 20 October 2016](#)

⁹¹ *ibid*

⁹² [ICEASP 9 February 2017](#)

⁹³ *ibid*

lives on this. The most recent CSO survey on income and living conditions of December 2017 indicated that consistent poverty was highest amongst those not at work due to illness or disability. This is not a comfortable place for people to be.⁹⁴

She pointed out that the low uptake of grants available pointed to schemes which were not fit for purpose in relation to the needs of those they were intended to help;

We need to look at what we understand as reasonable accommodation in the workplace. We need to overhaul our reasonable accommodation fund to make it fit for the workplace of the 21st century. Research conducted by FreedomTech, a collaboration between DFI and Enable Ireland, indicates that appropriately deployed technologies are effective ways of sustaining people in work yet there is little uptake of the grants available. This implies a complete mismatch between the design of the schemes and the need people have in work.⁹⁵

9.4 First Hand Account

Mr David Lysaght gave a first-hand account of some of his experiences and the difficulties he has faced in relation to employment:

I was not always on DA [Disability Allowance]. I first went onto jobseeker's allowance for a few years. That was fine in 2008 when the Government was investing in getting people off jobseeker's and into employment and was providing job recruitment services for people on jobseeker's, as members are aware. I went to the social welfare services and found them very helpful. I used computers to research and look for jobs. Then I decided to go on DA because it was a lot more structured and a sustainable payment for my disability. The moment I went onto DA I lost access to that recruitment service. The services providers said: "Sorry, you are not in our remit. We only look after people on jobseeker's." People on DA are the most vulnerable people in the country and need that little extra help finding a job, and then it is taken away from them. That is a practical thing that can be done: stop that and provide that service to people on DA.

Another practical thing that I quite often come up against is access to form writing. As part of my cerebral palsy I have a shake in my hand and, like many people with cerebral palsy, find it hard to write. Still, for many Department services one must fill in forms by hand. I cannot do that. I still have to go through the embarrassment of asking someone else to fill it out for me. We live in a world where we can control a robot on the other side of the world, yet we cannot put forms online. If they are online, I have no problem filling them in, but we still get paper ones, which is a barrier for me. They are two practical things that can be achieved.

Dr Murphy said something that struck me about our Government's approach and society's approach and society seeing people on jobseeker's, DA or lone parent support as dependants. I can tell the committee from my own experience - and I guarantee members it is across the board - that this has a detrimental effect on the mental well-being of the person because no one, disabled, lone parent or able-bodied, likes to be seen as a dependant or a burden on someone. We quite often feel we have to justify why we are getting DA, why we are getting €220 a week. We are told by such people: "We are paying taxes and going to work." I would love to do that but I cannot. That was a mental burden on me - and it is not just me, it is across the board. Again, it is back to that word, "attitude". We need to change that.⁹⁶

⁹⁴ [ICEASP 25 January 2018](#)

⁹⁵ *ibid*

⁹⁶ *ibid*

10. ACTIVATION FOR PEOPLE WHO ARE LONG-TERM UNEMPLOYED

10.1 Employability vs Long-Term Unemployment

During a time of long-term unemployment, a person's skills may begin to atrophy. This, coupled with the stigma attached to long-term unemployment, significantly decreases the person's employability.⁹⁷

10.2 Importance of Early Intervention

In order to avoid the negative impacts of LTU on employability, early intervention is important. Mr McKeon said

In terms of impact, international research indicates that early engagement with unemployed jobseekers is key to reducing transitions into long-term unemployment. It also shows that the most effective intervention is employment planning and job-search assistance, followed by work-relevant training and work placements.⁹⁸

10.3 Importance of Upskilling

Dr Sweeney drew attention to the fact that employers are unlikely to prioritise the upskilling of low-skilled workers.

The uptake of continuing education and vocational training opportunities by people at work tends to be of the better educated in the workforce. It brings me back to the evidence that if one enters a low-skilled job because one is low skilled, it is unlikely that that employer will be particularly interested in facilitating or supporting one to upskill.⁹⁹

Ms O'Brien remarked

In regard to long-term unemployment, in a lot of the public discourse there has been a presumption that long-term unemployment is primarily an issue for young people but it is in fact an issue for people of every age. Access to employment is particularly difficult for those who live in areas where there has been less employment, less economic development and where there are many issues associated with social exclusion.¹⁰⁰

10.4 Recognition of a Nuanced Challenge

Senator Humphreys said

Just because the numbers are improving does not mean that our focus should move from long-term unemployment. One of the delegates did not want to label an area, but in an area in which I was very much involved, at a time when we were talking about reaching full employment, we conducted a survey and found that there was an unemployment rate of more than 50%. There is a need for a cultural change within geographical areas. A few weeks ago I met a number of people who told me that there was peer pressure not to take up employment. That is something we need to break down.¹⁰¹

⁹⁷ <http://igees.gov.ie/labour-market-synopsis-issue-4-active-labour-market-programmes/>

⁹⁸ ICEASP 20 October 2016

⁹⁹ ICEASP 9 February 2017

¹⁰⁰ ICEASP 26 January 2017

¹⁰¹ ibid

11. ACTIVATION FOR YOUTH

11.1 Youth Guarantee

In 2013 the EU adopted a Council recommendation of an EU-wide youth guarantee. The guarantee is supported by central EU funding of €6 billion. Its aim is to provide young people with a good quality offer of employment, continued education, an apprenticeship or a traineeship within a short time of becoming unemployed. In Ireland, a pilot scheme took place in Ballymun, Dublin. This was one of the first schemes to receive EU funding.¹⁰²

11.2 Apprenticeships

Apprenticeships can play an important role in the transition from education to the labour force.

Dr Rigney told the Joint Committee

I wish to draw the committee's attention to the role of apprenticeships in delivering a smooth transition to the labour market which should not be ignored. Apprenticeships are in the process of expanding beyond their traditional and, overwhelmingly, male roles. There is an opportunity here for the new apprenticeship system to offer employment opportunities at levels 6 to 9 on the national framework of qualifications. The national apprenticeship advisory committee, with its tripartite structure, facilitates an engagement on the wages and conditions attaching to proposed new apprenticeships.¹⁰³

The following is taken from the website of the Department of Education and Skills;

This Government is committed to more than doubling the number of new apprentices registered to 9,000 by 2020 and expanding further into new areas. Budget 2018 allocated €122m for apprenticeship training, an increase of almost 24% on the previous year. This will allow the Government to deliver 10 more apprenticeship programmes and over 6,000 more apprenticeship registrations in 2018.¹⁰⁴

11.3 Internships

There is currently no internship programme in Ireland following the closure of the JobBridge programme in August 2017.¹⁰⁵

¹⁰² <https://www.welfare.ie/en/Pages/Youth-Guarantee-Ireland.aspx>

¹⁰³ [ICEASP 26 January 2017](#)

¹⁰⁴ <https://www.education.ie/en/Press-Events/Press-Releases/2018-press-releases/PR18-06-11a.html>

¹⁰⁵ <https://www.welfare.ie/en/Pages/JobBridge.aspx>

12. ACTIVATION FOR QUALIFIED ADULTS

12.1 Importance of Flexibility

The importance of flexibility in delivering activation measures was again highlighted during the committee debates when discussing qualified adults. Senator Higgins queried the limited options given to qualified adults and the requirement for full-time availability to avail of Intreo services provided by DEASP.

What is the route for an individual who is given a limited set of options to get engaged again with the system to look at a wider range of options? Is the Department considering a waiver of the full-time availability or strengthening voluntary engagement with respect to qualified adults rather than moving them towards the live register model?¹⁰⁶

Dr Murphy pointed out that the practice of only offering Intreo services to those available for full-time work was problematic. She also proposed some reforms to improve activation for qualified adults:

We signal that we have been very slow to make any progress in the area of qualified adults. There are a number of targets and objectives in Pathways to Work but we have missed the deadlines. The targets with regard to the reform agenda in respect of qualified adults are highly unambitious. We suggest two reforms, namely, using the jobseeker's transitional payment and abolishing the limitation rule. Why not look at an ambitious reform that would actually make a real difference? With regard to labour market shortages and labour market supply, this is an area where we want women to come back into the workforce. It seems that this is a logical time to look at the issue in a more ambitious way.¹⁰⁷

Mr McKeon said that the Department would be looking at issues affecting qualified adults in the future, and he clarified availability of services.

Qualified adults are a group at which we will look in the coming year or two. What I have always said - this is something that is not well known, for which the Department might perhaps be criticised - is that it is always an option for qualified adults to split their claim with their partners and become a claimant in their own right, in which case they would have full access to all services. It is an option for any jobseeker, regardless of his or her status, to walk into an Intreo centre where he or she will be met by a case officer who will work with him or her. A good number of the available supports and services are available to everybody, regardless of status, including access to training courses. Our approach has always been that those who engage on a voluntary basis are not denied a service.¹⁰⁸

12.2 Need for Improved Flexibility

The need to improve flexibility when dealing with activation and issues surrounding it was a theme which ran through the meetings held by the Joint Committee. Ms O'Brien spoke of the requirement to have the capacity to deal with different individuals with various different needs:

Developing staff structures and processes that have the capacity to provide services for people from a variety of backgrounds with a variety of issues is critical. In terms of the way the Department meets its obligations under section 42(1) of the Irish Human Rights and Equality Commission Act, which is the positive duty now placed on public bodies to eliminate discrimination, promote equality of opportunity and treatment of its staff and persons to whom it provides services, and protect the human rights of its members, staff and the persons to whom it provides services, it is critical that that is done well.¹⁰⁹

She commented further:

Something that struck us with regard to this system was that often in the past when an initial decision about a payment entitlement was made, we were able to get some income through the

¹⁰⁶ [ICEASP 20 October 2016](#)

¹⁰⁷ [ICEASP 25 January 2018](#)

¹⁰⁸ [ICEASP 20 October 2016](#)

¹⁰⁹ [ICEASP 26 January 2017](#)

supplementary welfare system. Access to this has certainly dropped quite dramatically, as have exceptional needs payment supports. Serious income issues and huge difficulties arise for people who may not fit neatly into a particular box. It is a mechanism that exists but if people are not aware of it, it is hard to find. For a long period of time the system has been run on the premise that if people did not already know something, nobody would tell them. If we are to make all of the changes that have happened work well, the system needs to become more proactive in telling people about the range of supports available. This is a very practical measure that can make a huge difference to people. It may allow them to have some payment for an extended period.¹¹⁰

12.3 Organisational Culture of Intreo

Dr Sweeney expressed the Labour Market Council's view of the importance of the organisational structure of Intreo and where it believed it needed to move to:

In 2005 the National Economic and Social Council looked at this issue in some depth and argued that Ireland would have to develop a social model based on a high level of employment. It also stated that to do that, we needed to bring into and hold in employment groups that had need for multiple supports. It argued that most of those supports took the form of key quality services from child care to access to housing, transport, health and ongoing education and training opportunities. The second main message to which I will draw the committee's attention is that the council urges that attention now be given to the quality of the engagement the public employment services has with employers and jobseekers to ensure the capabilities and culture of Intreo, not just its capacity, will meet the highest standards. It argues that a culture of active inclusion and equality needs to be incorporated into it, particularly if it is to engage effectively with groups in receipt of payments for an inactive status.¹¹¹

12.4 Interdepartmental Cooperation

Concerns were raised about the effectiveness of interdepartmental cooperation especially fears that Departments were working in an isolated manner. Ms O'Donnell gave the example of a person moving from education to the labour market:

Underlying all that is a serious concern about the capacity of different Departments to work together to support people into work from where they are at. This kind of siloed work has its consequences. For example, it is difficult for school leavers to make life choices based on what they want rather than funding. There are two critical areas in which this is evident. First, school goers are supported throughout their school and college career only to find that once they leave all supports they had are withdrawn as they came from the Department of Education and Skills and do not carry over to a work environment. This includes funding for a personal assistant, assistive technology and any other supports they were getting. They find themselves high and dry looking at a labour market that is unsupportive.¹¹²

¹¹⁰ *ibid*

¹¹¹ [JCEASP 9 February 2017](#)

¹¹² [JCEASP 25 January 2018](#)

13. RECOMMENDATIONS

The Joint Committee makes the following recommendations:

13.1 Supports provided by the Department of Employment Affairs and Social Protection

- Active inclusion must be central to the way policy is designed and it should be implemented in a person-centred manner with information provided in full.
- The Department should move away from its current work-first approach and ensure that education and training options are equally offered.
- Voluntary engagement and the principle of choice should be prioritised to ensure high-quality and sustainable employment outcomes
- Information regarding entitlements should be clearly advertised and promoted to those on jobseekers' payments and not simply listed on the Department's website.
- A "payment pending wages" allowance should be set up and advertised to alleviate the income gap on return to employment.
- A further investigation into JobPath should be conducted by the Committee.

13.2 Education, Training and Employment

- Collaboration between Intreo and educational service providers should be enhanced in order to address skills shortages.
- Investment in quality part-time employment and education options should be increased.
- Education, vocational training opportunities or apprenticeships should be prioritised where they offer a stronger basis for sustainable employment.
- Soft skills should be incorporated as modules in occupation-specific training programmes.
- Pathways to Work 2016 to 2020 should be closely aligned with broader government policy, including Enterprise 2025, the national and regional action plans for jobs and the National Skills Strategy 2025.
- Enterprise supports and their links to wider supports should be reviewed to ensure the best service is provided to those wishing to become self-employed.
- Home caring credits should serve not only for pension purposes but as a re-entry credit for employment and education supports such as Community Employment or Back to Education Allowance.
- The Department should provide opportunities for someone who has been placed on JobPath to voluntarily transfer out of it to a more appropriate education or training option should one become available.
- Pre-employment supports and skills training in areas such as literacy should be provided and independently financed.
- Access to activation through education should not be restricted according to a person's date of commencement of Jobseekers' payments.

13.3 Quality of Casework, Placements and Outcomes

- High-support and ongoing interventions should be promoted to improve employability, well-being and psychological support.
- High-quality training and development programmes should be provided for all Intreo caseworkers.
- Collaboration between Intreo and education and training service providers and employers should be promoted.
- Clear plans should be developed to ensure that a consistent and high standard of career guidance service is provided.
- Regular reviews should take place to ensure that persons are being offered a full and appropriate range of employment and education options.

13.4 The Role of Supports and the Role of Sanctions

- Supports should take precedence over sanctions to incentivise activation.
- The Department must promote a narrative of support instead of sanction for those experiencing unemployment, in recognition of the psychological distress and stigma which sanctions or the perceived threat of sanctions can cause.
- Intreo should monitor the use of sanctions and make any relevant data available to the Houses of the Oireachtas and the Department, including any patterns in relation to gender, age and region where sanctions were used.

13.5 Hidden Unemployment and Voluntary Access to ALMPs

- Voluntary labour activation should be promoted for the hidden unemployed and those not in receipt of Jobseekers' payments.
- A secondary live-register should be established which factors in all of those distant from the labour force and not just those in receipt of Jobseekers' payments.

13.6 Importance of Monitoring and Evaluation

- A thorough programme of evaluation should be conducted, involving both quantitative and qualitative data, in order to determine the efficacy of current ALMPs and to make recommendation as to which programmes should be continued or ceased.
- Agencies in receipt of State funding should be required to provide disaggregated data sorted by age, gender, disability etc, in order to facilitate the monitoring and evaluation of services.
- Where a pilot project is deemed to be successful or impactful, a rollout strategy should follow within 12 months. Otherwise a rationale for the delay in rollout should be published and made available to the Joint Committee.
- ALMPs and proposed associated budgetary spending should be subject to a gender and equality audit as part of the annual budget process.

13.7 Targeted Activation Supports for Specific Groups

- Early childhood interventions should be enhanced to support lone parents in labour activation and encourage positive personal outcomes for children.
- The Jobseekers' Transitional Payment should be available to lone parents until their youngest child is 18 years of age, to better accommodate employment and caring responsibilities, and to those in receipt of disability allowances.
- The affordable childcare scheme should be made available to those in receipt of Jobseekers' Transitional Payments
- The Committee should conduct further investigation into the barriers identified during proceedings to employment and education faced by people with disabilities.
- Training and education should be adopted as the default and preferred approach to reduce long-term unemployment and increase quality employment outcomes.
- Voluntary access supports and a waiver of the requirement for full-time availability should be offered to all those in receipt of Jobseekers' payments and qualified adults in households impacted by LTU.
- A report should be commissioned by the Department through the Labour Market Council on the effect of reductions introduced to the unemployed benefit rates for young people.
- A progress report should be commissioned on the Youth Guarantee Implementation Plan.
- Building on the learning of the Youth Guarantee, a new pilot should be rolled out to specifically address rural youth unemployment.
- If a new national internship scheme is to be launched, the recommendations of the three expert reports on JobBridge should be incorporated in order avoid the problems discussed in those reports.

APPENDIX 1: TERMS OF REFERENCE OF THE JOINT COMMITTEES

DÁIL ÉIREANN

THURSDAY 16 JUNE 2016

Establishment of Select Committees: Motion

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty):



I move:

(1) That Select Committees as set out in column (1) of the Schedule hereto are hereby appointed pursuant to Standing Order 84A.

(2) Each Select Committee shall perform the functions set out in Standing Order 84A in respect of the Government Department or Departments listed in column (2) opposite each Committee (in anticipation of the coming into effect of the necessary Government Orders in relation to names of Departments and titles of Ministers and transfer of Departmental Administration and Ministerial Functions).

(3) The number of members appointed to each Select Committee shall be seven.

(4) Each Select Committee shall have the powers defined in Standing Order 85 (1), (2) and (3).

(5) Each Select Committee shall be joined with a Select Committee appointed by Seanad Éireann to form a Joint Committee to carry out the functions set out in Standing Order 84A, other than at paragraph (3) thereof.

(6) Each Joint Committee shall have the powers defined in Standing Orders 85 (other than paragraph (2A) thereof), 114 and 116.

(7) The Select Committee on Justice and Equality shall have the powers defined in Standing Order 115(1)(b).

(8) The Order of the Dáil of 10th March, 2016 in relation to the Standing Order 112 Select Committee is hereby rescinded and the Committee is accordingly dissolved.

SCHEDULE

	(1) Committee	(2) Department(s)
1	Select Committee on Agriculture, Food and the Marine	Agriculture, Food and the Marine
2	Select Committee on Children and Youth Affairs	Children and Youth Affairs
3	Select Committee on Communications, Climate Change and Natural Resources	Communications, Climate Change and Natural Resources
4	Select Committee on Education and Skills	Education and Skills
5	Select Committee on Finance, Public Expenditure and Reform, and Taoiseach	Finance Public Expenditure and Reform Foreign Affairs and Trade

6	Select Committee on Foreign Affairs and Trade, and Defence	Taoiseach Defence
7	Select Committee on Health	Health
8	Select Committee on Housing, Planning and Local Government	Housing, Planning and Local Government
9	Select Committee on Jobs, Enterprise and Innovation	Jobs, Enterprise and Innovation
10	Select Committee on Justice and Equality	Justice and Equality
11	Select Committee on Regional Development, Rural Affairs, Arts and the Gaeltacht	Regional Development, Rural Affairs, Arts and the Gaeltacht
12	Select Committee on Social Protection	Social Protection
13	Select Committee on Transport, Tourism and Sport	Transport, Tourism and Sport

Question put and agreed to.

Standing Orders: Motion

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty):



I move:

1. Standing Order 81 is hereby amended by the insertion of the following paragraph after paragraph (2):

'(2A) The rules as to procedure in Select Committees shall apply, as appropriate, to procedure in sub-Committees of such Committees.'

2. Standing Order 84 is hereby amended by the insertion of the following subparagraphs after paragraph (2)(b):

(c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993; and

(d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by--

(i) a member of the Government or a Minister of State, or

(ii) the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:

Provided that the Chairman may appeal any such request made to the Ceann Comhairle, whose decision shall be final.'

3. The following additional Standing Order is hereby adopted:

'84A. (1) The Dáil may appoint a Select Committee to consider and report to the Dáil on—

(a) such aspects of the expenditure, administration and policy of a Government Department or

- Departments and associated public bodies as the Committee may select, and
- (b) European Union matters within the remit of the relevant Department or Departments.
- (2) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann for the purposes of the functions set out in this Standing Order, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.
- (3) Without prejudice to the generality of paragraph (1), a Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments, such--
- (a) Bills,
 - (b) proposals contained in any motion, including any motion within the meaning of Standing Order 187,
 - (c) Estimates for Public Services, and
 - (d) other matters as shall be referred to the Select Committee by the Dáil, and
 - (e) Annual Output Statements including performance, efficiency and effectiveness in the use of public monies, and
 - (f) such Value for Money and Policy Reviews as the Select Committee may select.
- (4) Without prejudice to the generality of paragraph (1), a Select Committee appointed pursuant to this Standing Order may consider the following matters in respect of the relevant Department or Departments and associated public bodies:
- (a) matters of policy and governance for which the Minister is officially responsible,
 - (b) public affairs administered by the Department,
 - (c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,
 - (d) Government policy and governance in respect of bodies under the aegis of the Department,
 - (e) policy and governance issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,
 - (f) the general scheme or draft heads of any Bill,
 - (g) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,
 - (h) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,
 - (i) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,
 - (j) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (d) and (e) and the overall performance and operational results, statements of strategy and corporate plans of such bodies, and
 - (k) such other matters as may be referred to it by the Dáil from time to time.
- (5) Without prejudice to the generality of paragraph (1), a Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments--
- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
 - (c) non-legislative documents published by any EU institution in relation to EU policy matters, and
 - (d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.
- (6) The Chairman of a Joint Committee appointed pursuant to this Standing Order, who shall be a member of Dáil Éireann, shall also be the Chairman of the Select Committee.
- (7) The following may attend meetings of a Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:
- (a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,

- (b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
- (c) at the invitation of the Committee, other Members of the European Parliament.’

4. Standing Order 85 is hereby amended by--

- (a) the insertion of ‘oral presentations and’ before ‘written submissions’ in paragraph (2);
- (b) the insertion of the following paragraph after paragraph (2): ‘(2A)

power to send for persons, papers and records;’;

- (c) the deletion of all words after ‘new legislation;’ in paragraph (4);

- (d) the insertion of the following paragraphs after paragraph (4):

‘(4A) power to examine any statutory instrument, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009, and to recommend, where it considers that such action is warranted, whether the instrument should be annulled or amended;

(4B) for the purposes of paragraph (4A), power to require any Government Department or instrument-making authority concerned to submit a Memorandum to the Select Committee explaining any statutory instrument under consideration or to attend a meeting of the Select Committee for the purpose of explaining any such statutory instrument: Provided that such Department or authority may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil;’; and

- (e) the insertion of the following paragraphs after paragraph (6):

‘(6A) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the member of the Government or Minister of State, oral briefings in advance of meetings of the relevant EU Council of Ministers to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings.

(6B) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role.’.

5. Standing Order 95 is hereby amended by the substitution of the following paragraph for paragraph (1):

‘(1) The member of the Government in charge of the relevant Department shall be an *ex officio* member of a Select Committee appointed pursuant to Standing Order 84A for the purpose of consideration of the matters referred to in paragraphs (3)(a), (b) and (c) of that Standing Order, and shall be entitled to vote in Select Committee proceedings: Provided that such member of the Government may nominate another member of the Government or a Minister of State to act in his or her stead for that purpose.’.

6. The following additional Standing Order is hereby adopted:

‘97A. (1) Unless otherwise provided by these Standing Orders or by Order of the Dáil, the quorum of a Select Committee or of a sub-Committee thereof, shall be three.

(2) A member of Dáil Éireann attending pursuant to Standing Order 95(3) shall not be counted for the purposes of determining a quorum.

(3) A member of the Government or Minister of State attending pursuant to Standing Order 95(1) shall be counted for the purposes of determining a quorum.

(4) The quorum of a Joint Committee shall be the combined quorum of the two Select Committees of which it is comprised, minus one: Provided that for the purposes of determining a quorum, at least one of the members present shall be a member of Dáil Éireann and one a member of Seanad Éireann.’.

7. Standing Order 114 is hereby amended by--

- (a) the insertion of the following proviso to paragraph (3)(c):

‘Provided that the Dáil may substitute, add to or otherwise vary, the reasoned opinion set out in the Committee’s report by way of amendment to the motion tabled by the Chairman under this paragraph;’; and

- (b) the substitution of the following for paragraph (3)(d):

‘(4) Where the Dáil agrees a motion tabled pursuant to paragraph (3)(c) of this Standing Order, either with or without amendment, the Ceann Comhairle shall cause a copy of--

- (a) the Resolution agreed by the Dáil,

- (b) the reasoned opinion agreed by the Dáil, and

- (c) the report of the Committee referred to in paragraph (3)(c),

to be sent to the Presidents of the European Parliament, the Council and the Commission.’

8. Standing Order 186 is hereby amended by the insertion of ‘Standing Order 85 2A) and’ before ‘Standing Order 88’ in paragraph (4)(a), and the deletion of ‘twelve’ and the substitution therefor of ‘thirteen’ in paragraph (9).

Question put and agreed to.

Final Report of Committee of Selection: Motion

Minister of State at the Department of the Taoiseach (Deputy Regina Doherty)



I move: That Dáil Éireann:

(a) approves the First Report of the Standing Committee of Selection in accordance with Standing Order 27F, copies of which were laid before Dáil Éireann on 15th June 2016, and appoints members to Select Committees accordingly; and

(b) pursuant to Standing Order 93(2), appoints the following members as Chairs of Committees:

Deputy Caoimhghín Ó Caoláin - Chair of the Committee on Justice and Equality

Deputy John McGuinness - Chair of the Committee on Finance, Public Expenditure and Reform, and Taoiseach

Deputy Fiona O'Loughlin - Chair of the Committee on Education and Skills

Deputy Maria Bailey - Chair of the Committee on Housing, Planning and Local Government Deputy John Curran - Chair of the Committee on Social Protection

Deputy Brendan Smith - Chair of the Committee on Foreign Affairs and Trade, and Defence

Deputy Peadar Tóibín - Chair of the Committee on Regional Development, Rural Affairs, Arts and the Gaeltacht

Deputy Michael Harty - Chair of the Committee on Health

Deputy Pat Deering - Chair of the Committee on Agriculture, Food and the Marine

Deputy Hildegarde Naughton - Chair of the Committee on Communications, Climate Change and Natural Resources

Deputy Brendan Griffin - Chair of the Committee on Transport, Tourism and Sport Deputy Mary Butler - Chair of the Committee on Jobs, Enterprise and Innovation Deputy Jim Daly - Chair of the Committee on Children and Youth Affairs.

Question put and agreed to.

APPENDIX 2: MEMBERSHIP OF THE JOINT COMMITTEE ON EMPLOYMENT AFFAIRS AND SOCIAL PROTECTION

Deputies

Maria Bailey TD
John Brady TD
Joe Carey TD
Joan Collins TD
John Curran TD (Chair)
Bríd Smith TD
Willie O'Dea TD

Senators

Catherine Ardagh
Ray Butler
Alice Mary Higgins
Ged Nash

APPENDIX 3: MOTION OF THE DÁIL 26 September 2017

DÁIL ÉIREANN

Fógra Tairisceana: Notice of Motion

"Gurb amhlaidh:

(a) go ndéantar leis seo an Roghchoiste um Fhorbairt Tuaithe agus Pobail a cheapadh–

(i) de bhun Bhuan-Ordú 84A agus chun na feidhmeanna atá leagtha amach i mBuan-Ordú 84A a chomhlíonadh i leith na Roinne Forbartha Tuaithe agus Pobail, agus

(ii) de réir Orduithe Tagartha Roghchoistí atá san Ordú ón Dáil an 16 Meitheamh 2016; agus

(b) go ndéantar leis seo na hathruithe atá sa Sceideal thíos a ghlacadh, is athruithe lena ndéantar na Coistí atá liostaithe i gcolún

(1) a athainmniú de réir cholún (2):

(i) chun na feidhmeanna atá leagtha amach i mBuan-Ordú 84A a chomhlíonadh i leith na Ranna Rialtais atá liostaithe i gcolún (3), agus

(ii) de réir aon athruithe ar riarachán Roinne agus ar fheidhmeanna Aire de bhun I.R. Uimh. 350, 354, 357, 358, 361, 364 agus 366 de 2017, agus aon aistriú cuí páipéar idir Coistí, ach go leanfaidh siad ar marthain agus an comhaltas céanna, an Cathaoirleach céanna agus na hOrduithe Tagartha céanna acu thairis sin.

That:

(a) the Select Committee on Rural and Community Development is hereby appointed–

(i) pursuant to, and to perform the functions set out in, Standing Order 84A, in respect of the Department of Rural and Community Development, and

(ii) with the Orders of Reference of Select Committees contained in the Order of the Dáil of 16th June, 2016; and

(b) the changes in the Schedule below are hereby adopted, whereby the Committees listed in column (1) are re-named in accordance with column (2):

(i) to perform the functions set out in Standing Order 84A in respect of the Government Departments listed in column (3), and

(ii) in accordance with any changes in Departmental administration and Ministerial functions pursuant to S.I. Nos. 350, 354, 357, 358, 361, 364 and 366 of 2017, and with any appropriate transfer of papers between Committees, but to otherwise continue in being with the same membership, Chair and Orders of Reference.

AN SCEIDEAL

(1) Ainm Reatha an Choiste	(2) Ainm Nua an Choiste	(3) An Roinn Rialtais
An Coiste um Poist, Fiontair agus Nuálaíocht	An Coiste um Ghnó, Fiontair agus Nuálaíocht	An Roinn Gnó, Fiontar agus Nuálaíochta
An Coiste um Ealaíona, Oidhreacht, Gnóthaí Réigiúnacha, Tuaithe agus Gaeltachta	An Coiste um Chultúr, Oidhreacht agus Gaeltacht	An Roinn Cultúir, Oidhreachta agus Gaeltachta
An Coiste um Choimirce Shóisialach	An Coiste um Ghnóthaí Fostaíochta agus Coimirce Shóisialach	An Roinn Gnóthaí Fostaíochta agus Coimirce Sóisialaí
An Coiste um Thithíocht, Pleanáil, Poblal agus Rialtas	An Coiste um Thithíocht, Pleanáil agus Rialtas Áitiúil	An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil

SCHEDULE

(1) Current Committee name	(2) New Committee Name	(3) Government Department
Jobs, Enterprise and Innovation	Business, Enterprise and Innovation	Business, Enterprise and Innovation
Arts, Heritage, Regional, Rural and Gaeltacht Affairs	Culture, Heritage and the Gaeltacht	Culture, Heritage and the Gaeltacht
Social Protection	Employment Affairs and Social Protection	Employment Affairs and Social Protection
Housing, Community Planning, and Local Government	Housing, Planning and Local Government	Housing, Planning and Local Government

„

—Seosamh Mac Aodha, Aire Stáit ag Roinn an Taoisigh.

[26 September, 2017]

APPENDIX 4: LINKS TO OPENING STATEMENTS OF WITNESSES

Meeting of 20 October 2016

Department of Social Protection

[Employment Affairs and Social Protection 20.10.2016 Labour Activation DSP opening statement.pdf](#)

Meeting of 8 November 2016

Dr Michelle Millar and Dr Rosemary Crosse, NUI Galway

[Social Protection 08.11.2016 Lone Parents NUIG opening statement.pdf](#)

SPARK

[Social Protection 08.11.2016 Lone Parents SPARK opening statement.pdf](#)

Meeting of 26 January 2017

IBEC

[Employment Affairs and Social Protection 26.01.2017 Labour Activation \(resumed\) Ibec opening statement.pdf](#)

SIPTU and ICTU

[Employment Affairs and Social Protection 26.01.2017 Labour Activation \(resumed\) ICTU and SIPTU opening statement.pdf](#)

INOUE

[Employment Affairs and Social Protection 26.01.2017 Labour Activation \(resumed\) INOU opening statement.pdf](#)

Meeting of 9 February 2017

Labour Market Council

[Employment Affairs and Social Protection 09.02.2017 Labour Activation \(resumed\) Labour Market Council opening statement.pdf](#)

Meeting of 9 November 2017

Department of Employment Affairs and Social Protection

[Employment Affairs and Social Protection 09.11.2017 CE schemes DEASP opening statement.pdf](#)

Meeting of 7 December 2017

Dr Katriona O'Sullivan, NUI Maynooth

[Employment Affairs and Social Protection 07.12.2017 Labour Activation \(resumed\) NUIIM opening statement.pdf](#)

Meeting of 25 January 2018

Disability Federation of Ireland

[Employment Affairs and Social Protection 25.01.2018 Labour activation \(resumed\) DFI opening statement.pdf](#)

Dr Mary Murphy, NUI Maynooth

[Employment Affairs and Social Protection 25.01.2018 Labour activation \(resumed\) NUIM opening statement.pdf](#)