



Advice NI Consultation Response: DfC Budget 2023-24 Equality Impact Assessment

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Introduction

Advice NI notes with deep concern that the Department of Communities is faced with unprecedented funding challenges and cuts in 2023-24. Whilst initially the funding allocation for the Department [Department of Finance statement on 2023/24 Northern Ireland Budget | Department of Finance \(finance-ni.gov.uk\)](#) seemed to be relatively benign, a true picture has emerged which highlights a £13.3m reduction in Resource allocation and a non-allocation of £97.9m of additional Resource requirements. This £111.2m is integral to maintaining the safe delivery of existing social security services; safely delivering new initiatives that will be happening such as ‘Move to UC’; and bolstering the Discretionary Support Scheme in the midst of a Cost of Living Crisis which is hitting the poorest hardest.

It must be noted that the £111.2m ‘gap’ does not include the resources required for any new priorities (amounting to £375m) such as for new Welfare Mitigations (as recommended by the Allamby Review¹), changes to Discretionary Support (as recommended by the McKeever Review²), Supporting People provider uplift, and replacement European Social Fund support.

Advice NI can only conclude that the Department’s allocation will put at risk services to those most vulnerable people reliant upon social security in Northern Ireland. It is unacceptable that these people should experience greater delays in the administration of their benefits (especially during a cost of living crisis); be exposed to greater risk as ‘Move to UC’ is rolled out and have less recourse to crisis support via the Discretionary Support Scheme as is in place in GB. For example, we understand that DWP has secured the necessary additional resources to deliver on the challenging ‘Move to UC’ agenda and the Chancellor has bolstered the GB Household Support Fund to the tune of an additional £1bn [Household Support Fund: guidance for local councils - GOV.UK \(www.gov.uk\)](#)

Advice NI does welcome the commitment to earmark funding of £159.5m for current Welfare Mitigations, Housing Benefit Rates and Debt Advice. We agree that this is positive and that these funding allocations will enable these provisions to continue in 2023-24 without cut and any adverse impact. This is welcome recognition for the role and impact of the independent advice network.

We also acknowledge the efforts to not simply cut ‘low hanging fruit’ in terms of funding to the voluntary and community sector as outlined in the following statement: “In managing this position, the Department has firstly considered its ability to deliver internal efficiencies, prior to the need to reduce or stop service delivery or any to its Arm’s Length Bodies and 3rd party funded organisations, including the Voluntary and Community sector.”

However, the EQIA sets out a range of options that give cause for concern:

- No funding allocated towards new Welfare Mitigations, a Supporting People provider uplift, and replacement European Social Fund support;
- Failure to secure the funding necessary to appropriately resource benefit delivery (which will lead to delays in benefit payments and place working age claimants in financial hardship);
- The Department will aim to progress Move to UC within its existing staff complement, putting at risk delivery of the programme (and by extension people affected by the programme);

¹ [Welfare Mitigations Review - Independent Advisory Panel Report | Department for Communities \(communities-ni.gov.uk\)](#)

² [Discretionary Support Independent Review | Department for Communities \(communities-ni.gov.uk\)](#)

- Close Departmental Offices 1 day a week (which could lead towards a risk of further frontline JBO closures and by extension longer travel distances for claimants needing to use JBO's);
- DS Grants awards to be scaled back (which will not only put at risk the Department's ability to help address the basic needs of people who present with hardship and in crisis, but potentially impact on the ability of people affected by 'Move to UC' to claim a UC Contingency Fund grant);
- Withdrawal of funding support by the Department to some third party organisations may lead to viability issues or closure of the bodies (more information needed on the likelihood of this option taking place and which organisations may be affected);
- The Rates Support Grant was reduced by £3m in 2022- 23, and a further reduction of £4m has been proposed for 2023-24 (this reduction required careful scrutiny as to the potential impact at a local council level);
- A reduction in funding to the Supporting People Programme (again further information is required to assess the impact in terms of the scale of the reduction and the services that may be affected);
- Proposed cuts to funding social housing (on 31 March 2022 there were 44,426 applicants on the social housing waiting list. • Of these applicants, 31,407 were in 'housing stress'. • 10,135 households were accepted as statutorily homeless);
- A reduction in the Affordable Warmth Scheme budget (more information required in terms of the scale of the reduction and perhaps this represents an opportunity to review the effectiveness of the scheme);
- A reduction in funding towards Disabled Facilities Grants (this feels particularly punitive given the minimal savings compared to the detrimental impact on disabled people trying to live in their own homes);

Advice NI calls on the Department to continue to ensure that the role and impact of the independent advice network is recognised and respected.

Background to independent advice in NI

The Department funds and supports regional advice services provided by Advice NI and Law Centre NI. This funding is delivered through the Department's Regional Infrastructure Programme. Funding for frontline local advice services is delivered through the joint Department / Council Community Support Programme.

Please see Advice NI Briefing Paper **The Anti Poverty Strategy and independent advice (2021)**³ which sets out the network's key role in tackling poverty and inequality:

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At it's heart, independent advice services are all about putting people first.

Looking at poverty through a human rights lens, with a foundational commitment to the recognition of human dignity, offers a way of *thinking* about poverty that goes beyond the material to embrace the psycho-social and the relational. The material is of course still crucially important – it is, after all, inadequate incomes and living standards which serve to define poverty and which measures of poverty typically attempt to capture: it is about [Maslow's Theory of Need](#). As evidenced in 'the big idea: putting people first' and in Advice NI's annual reports, the fact that 75% of enquiries are in

³ [The Anti Poverty Strategy and independent advice | Advice NI](#)

relation to social security benefit issues means that the advice services are involved in assisting people at the most basic, fundamental level of securing a basic income, basic employment rights, paying bills, putting food on the table, keeping a roof over your head, trying to achieve financial security. Advice services are crucial in bridging the gap between formal rights and actual rights that make a difference to people's lives.

But the experience of poverty is about more than this. It's not just a disadvantaged and insecure economic condition but also a shameful social relation, corrosive of human dignity and flourishing, which is experienced in interactions with the wider society and in the way people in poverty are talked about and treated for example by politicians, officials, professionals and the media.

A key role of independent advice services is empowerment: advisers do not tell people what to do; they explain their options and the possible outcomes of different courses of action. People are encouraged to make their own decisions and act on their own behalf. Advice providers enable

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people to manage their own problems by focusing on their needs as individuals.

The Anti-Poverty Strategy Expert Advisory Panel⁴ made a range of recommendations linked to the key role of the independent advice network:

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4.11 It is recommended that the Assembly prioritises and passes an Anti-Poverty Act enshrining in law the commitment of the Northern Ireland Executive to Sustainable Development Goal no.1 (2015) which is to 'end poverty in all its forms everywhere'. The Act should include:

- i. A commitment to 'the right of everyone to social security, including social insurance, that is available, adequate and accessible' (International Covenant on Economic, Social and Cultural Rights).
- ii. A legal duty to reduce child poverty, setting targets and timetables for 2030 and beyond, and including the four objective measures of poverty described in the Child Poverty (Scotland) Act 2017 (see Section 10 below).
- iii. A legal duty to ensure that children are well-nourished and free from 'food insecurity'.
- iv. Requirements on Ministers to make delivery plans and annual progress reports, including a duty to review plans and progress against targets every five years.
- v. Duties placed on the public authorities named in the Children's Services Co-operation Act (NI) 2015 to report annually on actions taken to meet the child poverty reduction targets.

vi. A defined role and accountability for arms-length agencies including the community and voluntary sector in the provision of advice and other services supporting the implementation of APS. Recommendations for an Anti-Poverty Strategy // Report of the Expert Advisory Panel

vii. Provisions for an Anti-Poverty Commission (APC) (modelled on Scotland's Poverty and Inequality Commission) with responsibilities to a) monitor progress on reducing poverty and income inequality; b) promote the reduction of poverty and income inequality; and c) advise the Executive on any matters relating to poverty including the impact of UK and NI policies and resource-use on poverty rates and levels of income inequality. The composition of the APC should include only persons who

⁴ [Report from the Anti-Poverty Strategy Expert Advisory Panel | Department for Communities \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk)

have experienced poverty, who have worked with persons experiencing poverty and who are experienced poverty researchers and policy makers.

viii. Make discrimination in the provision of goods and services on grounds of socio-economic status unlawful and implement the commitment in New Decade New Approach to introduce the Age, Goods and Facilities and Services Bill as the basis for ensuring that no one is discriminated against because of their age.

ix. Require the 'poverty proofing' of policies across public and arms-length bodies through the introduction of the 'socio-economic duty' set out in Section 1 of the Equality Act 2010. This requires public bodies, 'when making decisions of a strategic nature about how to exercise their functions, to have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage'.

x. Require the APS to advocate, support and advance economic and social policies across government which sustain living standards above the poverty line, and which prevent people now and in the future from falling below the poverty line.

8.1 Design a new campaign for the take-up of Pension Credit involving advice services, sector stakeholders and political representatives, prioritising those areas where take-up rates are well below the average take-up level, and pensioner couples.

8.4 Design new take-up campaigns to increase take up of housing benefit and disability benefits.

9.20 Plan to expand support for advice services in line with anti-poverty policies and targets, and the diminished claimant rights associated with online applications and payments.

9.24 In consultation with the Consumer Council, the advice sector and other bodies, develop strategies to minimise the 'poverty premium', exclusions arising from personal debts, the negative activities of 'loan sharks' and exposure to all forms of high interest credit targeted at those on low incomes. As a minimum, strengthen the enforcement of lending regulations and prevent illegal lending by establishing a NI inspectorate with enforcement powers. But also provide support to

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assist the development of low/no interest financial facilities.

The Anti Poverty Strategy Co-Design Group recommended:

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Outcome 6:- All people experiencing or at risk of poverty have equal access to high quality public services that meet their needs in a timely manner and are based on dignity, fairness, and respect.”

And with reference to independent advice:

“Access to advice services and justice:-

Summary of calls

- Ensure the availability of high-quality advice services for those who need them.
- Ensure legal advice services, to enable access to justice, are available to everyone who needs them.

- Working with the advice sector and Consumer Council, develop a strategy to minimise the ‘poverty premium’, loan sharks and high interest credit, targeted at those on low incomes.

What is required

- Ensure the availability of high-quality advice services for those who need them, including:
 - o Long term funding and job security for those in the independent advice sector.
 - o Improved awareness and training (trauma informed) of frontline staff regarding their understanding of the circumstances of those experiencing poverty.
 - o Capacity in frontline services for signposting to ensure those who need it can access advice services.
- Ensure legal advice services, to enable access to justice, are available to everyone who needs them, including:
 - o Access to specialist legal advice and advocacy services.
 - o Increased access to legal aid for Tribunal proceedings.
 - o Targeted assistance to meet service user needs, including language interpreters, reasonable adjustments.
- Working with the advice sector and Consumer Council, develop a strategy to minimise the ‘poverty premium’, loan sharks and high interest credit, targeted at those on low incomes, including:
 - o Strengthening enforcement of lending regulations.
 - o Preventing illegal lending.
 - o Supporting the

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development of low / no interest financial facilities.

The independent advice network

Advice NI's vision⁵ is of a society of confident, informed, and active citizens who can access their rights and entitlements.

Using the official definition of the independent advice network adopted by the Department for Communities:

- Generalist advice services:

Generalist advice is considered to cover independent advice given in the categories of advice provided and recorded by Advice NI members and reported to the Department. These categories are:

- Welfare benefits • Money and debt • Housing • Immigration – Asylum • Legal • Family • Employment • Signposting • Consumer / General contract • Education • Health • Tax • Travel • Utilities • Tribunal representation and advocacy

Note that in categories such as debt, immigration, and legal “straightforward” cases can be dealt with by generalist advice providers whereas “complex” cases would be referred on to relevant specialist advice providers. It is for the generalist advice providers covered by this strategy and the relevant specialist advice providers to determine the point when referral is appropriate.

- Specialist advice providers/services:

Specialist advice providers provide advice to a specific ‘target’ client group or on a particular subject.

Specialist advice providers for specific ‘target’ client groups tailor their service towards the interests, needs and demands of a specific, definable target group. Services are bespoke and authoritative in

⁵ [Our Vision | Advice NI](#)

application due to familiarity with and expertise in understanding and addressing the problems, queries or barriers experienced by the particular client groups.

Specialist providers on a specialist subject focus their service on a particular issue, where comprehensive, in depth expert knowledge of a specific subject or topic defines the service provided.

The latest statistical information on the work of the independent advice network is available in Advice NI’s latest Annual Report⁶, including for 2021/22:

- 241, 088 enquiries;



The independent advice sector role in tackling poverty and inequality

The independent advice network has been to the fore in tackling need over many years but most notably during the Covid-19 crisis.

- Covid-19: The independent advice network stepped up during the pandemic by continuing to deliver vital advice services albeit via digital and telephony channels. Money management training was developed for the public and was available for free. Triage training was available for free to support workers to enable people to access advice services. In addition, Advice NI and the network delivered the Covid-19 Community Helpline which was a key support channel for those seeking emergency food at the beginning of the pandemic, those seeking emergency fuel support and those seeking clarification on public health messages. At the frontline, member organisations were central to delivering local Council-led initiatives such the emergency food box scheme.

⁶ [Annual Report 2022 | Advice NI](#)

- Social security and welfare reform: The importance of the role of the independent advice sector is assisting people to deal with their social security and welfare reform problems can be traced back to the Welfare Mitigations Working Group ('Evason') Report (2016)⁷:

"It is acknowledged in the [Fresh Start] Agreement that access to skilled, independent advice will be of critical importance in managing, and helping people to negotiate, all of the changes in the legislation. There are many critical points at which people - especially those who are vulnerable as a result of, for example, mental health problems - will need to be directed towards the support that will be available. We can foresee four major areas of work: the time limiting of contributory ESA; the move from DLA to PIP for those of working age; the new sanctions regime and the introduction of Universal Credit."

The advice sector itself set out its role in the publication 'Why advice matters'⁸ stating:

"The message of this discussion paper is that advice matters. Frontline advisers, backed up with specialist legal advice, provide an indispensable service in order to support people to know about and access their rights and entitlements.

Independent advice agencies provide services in every community in every locality in Northern Ireland. Access to advice supports people to receive the benefits they are entitled to or resolve problems before they escalate. Timely debt advice, for example, enables people to alleviate their money problems and take charge of their financial future. Newcomers to Northern Ireland face particular difficulties and the advice sector plays a critical role in enabling migrants to enjoy their legal rights and entitlements.

Regional infra-structural support organisations provide infra-structural support to frontline providers through a range of services; for example, information, training, ICT support, help with addressing social policy issues, assistance with governance and finance/funding issues and a broad range of other support functions to allow the frontline services to function effectively."

Following a decade of austerity and a year of Covid-19, the independent advice sector is ready and willing to play its part to the full in tackling poverty, inequality and addressing the future challenges as society recovers from the Covid-19 pandemic: and focusing on making people's lives better and changing how things are done to ensure a fairer and more equal society that supports those who need it most.

Universal Credit Managed Migration ('Move to UC')

Managed migration to Universal Credit (UC) began in April 2023 in Northern Ireland, with 500 legacy benefit claimants in both Andersonstown & Enniskillen Jobs and Benefits Office areas contacted as part of an initial 'Discovery Phase', advising them that they have 3 months to move to Universal Credit.

'Move to UC' refers to the UK government's plan to move 'legacy' benefit claimants on to Universal Credit. This will see the managed migration of around 115,000 claimants (amounting to 250,000 'legacy' benefit claims) to Universal Credit in NI. 'Legacy' benefits refer to those working age means-

⁷ [Welfare Reform Mitigations Working Group Report | The Executive Office \(executiveoffice-ni.gov.uk\)](#)

⁸ [NIASC Why Advice Matters.pdf \(adviceni.net\)](#)

tested benefits that are to be replaced by UC including tax credits, Housing Benefit, Income Support income-based Jobseekers Allowance and income-related Employment and Support Allowance.

UC is like no other benefit we have seen before. It is a digital benefit which means people must apply for and manage their claim online. That will require claimants to have a level of digital skills as well as access to the Internet and a digital device. This will be a challenge for many. Other challenges involve the monthly Assessment Period, the five week wait for the first payment, the claimant commitment with ongoing conditionality and risk of sanctions.

Advice NI's research report 'Move to UC: Get Ready'⁹ highlights the concerns of advice sector advisers and benefit claimants around the upcoming migration to Universal Credit, particularly in terms of finance (fears about getting into debt), access (fears about coping with the digital nature of making and maintaining a Universal Credit claim) and well-being (fears about coping with greater conditionality). The research found that:

- 82% of legacy benefit claimants would seek independent advice before making a claim to UC;
- 81% of existing UC claimants needed help to make their claim;
- 89% of existing UC claimants needed help to maintain their claim;

Advice NI calls on the following actions regarding the Department's funding allocation:

- Social security claimants need to be able to rely on the safe, timely delivery of existing social security services;
- Social security claimants affected by 'Move to UC' need to be reassured that additional resources are in place help with the challenges and safeguard the well-being of vulnerable people;
- Discretionary Support (DS) applicants who find themselves in extreme, exceptional or crisis circumstances which present a significant risk to their health, safety or well-being need to be able to rely on this scheme to escape destitution;
- Commit to ensuring that anyone who meets the requirements for a UC Contingency Fund grant are informed about, supported to apply (including referral to the independent advice network where necessary) and paid as appropriate under the Regulations;
- Provide explicit recognition for the role and impact of the independent advice network and a continued commitment to protect funding for these vital services targeting those most in need;
- Commit to ruling out any JBO closures;
- Ensure transparency, due process and a challenge mechanism for any third party organisations that may see their funding threatened, as a mark of respect for staff and service users;
- Commit to monitoring and publicising the consequences (intended and unintended) of the reduction to the rates support grant for councils;

⁹ [Advice NI publish research as Quarter of million 'legacy' benefit claims in NI set to be 'moved' to Universal Credit | Advice NI](#)



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