



Advice NI Consultation Response: DfC Equality Action Plan

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Advice NI Consultation Response: DfC Equality Action Plan

Summary

Advice NI calls on the Department to ensure that the work and impact of the independent advice network is explicitly included within the DfC Equality Action Plan (in addition to the reference to the 'Fundamental Refresh'). In many ways the work and impact of the independent advice network is of more importance in terms of tackling 'Poverty and Disadvantage' We propose the following wording be considered under section "Poverty and Disadvantage":

- Strategic Objective: To support the independent advice network
 - o Action Measure: To maintain long term funding and job security for those in the independent advice sector to enable the provision of high-quality advice services for those who need them
 - o Target Milestone: March 2023
 - o Inequalities:
Frontline advisers, backed up by infrastructural support, provide an indispensable service in order to support people to know about and access their rights and entitlements, with a focus on those most in need;

Background

The Department for Communities Equality Scheme commits the Department to developing an Equality Action Plan which sets out the actions the Department proposes to take to address inequality issues identified from the Audit of Inequalities. The audit gathers and analyses information across the Section 75 categories to identify the inequalities that exist for service users and those affected by the Department's policies.

The Department is required by the Equality Commission to undertake an Audit of Inequalities. The Audit of Inequalities requires a review and evaluation of existing reliable and verifiable data, both qualitative and quantitative, for each of the section 75 equality and good relations categories. The aim is to identify the key inequalities that exist for our service users and those affected by our strategies, policies, programmes and identify the areas where we may be able to take steps to better promote equality of opportunity among the relevant Section 75 categories. The Audit of Inequalities is a reference point for policy makers and a source of evidence for all equality assessments.

It is interesting to note that whilst both the Equality Action Plan and the associated Audit of Inequalities references the Department's own 'Make the Call' service, there is absolutely no reference made to the work and impact of the independent advice network (aside from the 'Refresh') and it's key role in combatting disadvantage and poverty, despite the Department having responsibility for policy on generalist advice services.

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)**¹ which sets out the network's key role in tackling poverty and inequality:

¹ [The Anti Poverty Strategy and independent advice | Advice NI](#)

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At its 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 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 Panel² 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.

² [Report from the Anti-Poverty Strategy Expert Advisory Panel | Department for Communities \(communities-ni.gov.uk\)](#)

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 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 vision³ 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:

³ [Our Vision | Advice NI](#)

- 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 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 Report⁴, including for 2021/22:

- 241, 088 enquiries;



⁴ [Annual Report 2022 | Advice NI](#)

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.

- 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)⁵:

"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'⁶ 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

⁵ [Welfare Reform Mitigations Working Group Report | The Executive Office \(executiveoffice-ni.gov.uk\)](#)

⁶ [NIASC Why Advice Matters.pdf \(adviceni.net\)](#)

changing how things are done to ensure a fairer and more equal society that supports those who need it most.

Previous independent advice service strategies

The Department for Communities is responsible for policy on generalist advice services. This includes advice on issues like welfare benefits, housing, finance, consumer and employment issues. It involves the provision of initial broadly based advice services, with the option for referral to organisations which can provide more in-depth support⁷.

Opening Doors⁸, launched in 2007, was the first strategy for the delivery of voluntary advice services to the community, and was the first ever strategy for the delivery of Voluntary Advice Services in Northern Ireland. The aim of the 'Opening Doors' Strategy was to "put in place an integrated, quality advice service across Northern Ireland and a proper framework to ensure that services are planned and delivered in a way which matches resources need, with a particular focus on meeting the needs of the most disadvantaged in society".

The Advice NI Briefing Paper⁹ on the draft strategy, dated February 2006, made points which remain relevant to this day:

"The strategy does offer a strategic framework for the development of the advice sector in Northern Ireland and it does try to address the issue of sustainability. Advice NI members are in an advantageous position in that generalist members provide a targeted service in response to local need and specialist providers provide a focussed service on one particular issue / to a particular client group."

"By not being side tracked by the Treasury-led efficiency savings mantra that is dominating the public sector, members (both generalist and specialist) can concentrate on highlighting essential advice service provision targeted towards meeting the needs of deprived areas / disadvantaged social groups."

"Members must take the opportunity to press for this approach and not allow the [DSD] advice and information strategy to take an overly simplistic approach, to the long term detriment of the advice sector, and more importantly to the detriment of service users."

"Advice NI and members have to a large extent led the quality assurance debate in recent years. The membership criteria has been revised with a view to focussing on exactly what subjects are advised on by members, to what level, with what information resources and with what training. At a grassroots level, members continue to provide essential advice services to local communities of need / particular social groups and it is essential that this provision be supported in an inclusive fashion. This provision must not be alienated or marginalised by prohibitive standards which reflect bureaucratic need rather than practical need."

"On the issue of service delivery members should take the opportunity to highlight their key role in providing services to socially excluded people who would otherwise suffer by not being aware of their

⁷ [Generalist advice services strategy | Department for Communities \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk/generalist-advice-services-strategy)

⁸ <http://archive.niassembly.gov.uk/researchandlibrary/2009/6909.pdf>

⁹ [Advice NI Briefing Paper 2.doc](#)

rights, not being able to exercise their rights effectively and having nowhere to turn for independent help and advice.”

As this strategy expired, consultation then began on a new a strategy for the delivery of generalist advice services in Northern Ireland - ‘Advising, Supporting, Empowering’¹⁰.

“As Minister for Social Development, one of my key priorities is to help those most in need, people living in disadvantaged areas, people living in poverty. My work, and that of my Department, is about supporting and empowering people to help themselves, enabling them to access the range of support services available which can help in improving their life chances. Generalist advice services are an important part of this support.”

September 2014

Nelson McCausland MLA, Minister for Social Development

Advising, Supporting, Empowering¹¹ - the Department’s strategy for generalist advice provision was consulted upon in 2014¹² and published in 2015, covering the period 2015 – 2020.

Advice NI’s contribution¹³ to the consultation is still relevant and included:

- *“We believe it is important in the context of reform and in the context of staff turnover across key local and regional stakeholders, to set the scene in terms of advice provision, workloads and the key drivers of demand ... Advice services have developed and been shaped by significant external factors and it is important that this ‘journey’ is properly understood, for example acknowledging and understanding the phenomenal growth in demand for tribunal representation services.”*
- *“Advice services assist the most vulnerable with crisis interventions such as dispensing vouchers for food banks where clients find themselves in crisis situations with no food for themselves or their family. With statutory providers already shifting away from face to face access channels (for example the closure of HMRC Enquiry Centres) there is an ever-greater responsibility on the advice sector to maximise the availability of all channels so that the most vulnerable can access the help they need.”*
- *“Advice NI believes that given the importance of this single issue, the Strategy should have a strategic objective solely dedicated to the future role of advice services in the context of the implementation of welfare reform.”*
- *“Advice NI would continue to draw attention to the work of specialist advice providers.”*
- *“Advice NI would reiterate that it is a step too far to advocate that “As a consequence of increased internet usage, and a greater focus on digital and telephony services by government, the preferred method of contact for advice services should be by use of telephony and digital channels whenever possible.” Advice NI would take the view that certainly digital and telephony should complement and supplement: should form a menu of access channels that are available to meet client need.”*
- *“Advice NI warmly welcomes the vision and the fact these principles are acknowledged. In particular ‘independence’ is a key principle amid concerns relating to new Lobbying*

¹⁰ [Advising, Supporting, Empowering - Consultation Document \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk/advising-supporting-empowering-consultation-document)

¹¹ [Advising, Supporting, Empowering - a strategy for the delivery of generalist advice services in Northern Ireland 2015 - 2020 \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk/advising-supporting-empowering-a-strategy-for-the-delivery-of-generalist-advice-services-in-northern-ireland-2015-2020)

¹² [Advising, Supporting, Empowering consultation | Department for Communities \(communities-ni.gov.uk\)](https://www.communities-ni.gov.uk/advising-supporting-empowering-consultation)

¹³ [Advice NI Response to the advice strategy consultation Dec 2014.pdf \(adviceni.net\)](https://www.adviceni.net/advice-ni-response-to-the-advice-strategy-consultation-dec-2014.pdf)

legislation and quotes like “charities should stick to knitting and keep out of politics” and the pressure faced by charities like Oxfam who were attacked for opposing benefit cuts and zero-hour contracts. The advice sector has a vital role to play and research has shown that independence is crucial in securing client confidence in both the frontline services and social policy analysis.” Additionally ‘independence’ is something to which public sector service provision such as ‘Make the Call’ cannot lay claim.

- “We believe that the idea of maximising the use of scarce resources should extend beyond the advice sector in terms of an analysis of what is driving demand for advice services. This ‘demand analysis’ is a powerful tool and may point towards government service delivery ‘failures’; a greater focus on correcting these system failures would free up capacity within the advice sector and also improve public service delivery.”
- “We believe that over the longer term, a secure and stable funding mechanism needs to be found that allows for long term planning and development of advice services.”

In launching the strategy, the Social Development Minister said of advice services:

“As Minister for Social Development I am committed to having in place good quality advice services which are readily accessible to all. My work, and that of my Department, is about supporting and empowering people to help themselves and enabling them to access a range of support services which can help them improve their life chances. Generalist advice services are an important part of this support.”

October 2015

Mervyn Storey MLA, Minister for Social Development

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-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.

Advice NI’s research report ‘Move to UC: Get Ready’¹⁴ 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;

¹⁴ [Advice NI publish research as Quarter of million ‘legacy’ benefit claims in NI set to be ‘moved’ to Universal Credit | Advice NI](#)

- 89% of existing UC claimants needed help to maintain their claim;

Proposed amendment to the DfC Equality Action Plan

Advice NI calls on the Department to ensure that the role and impact of the independent advice network is explicitly included within the DfC Equality Action Plan. We propose the following wording to be included under section “Poverty and Disadvantage”:

- Strategic Objective: To support the independent advice network
 - o Action Measure: To maintain long term funding and job security for those in the independent advice sector to enable the provision of high-quality advice services for those who need them
 - o Target Milestone: March 2023
 - o Inequalities:
Frontline advisers, backed up by infrastructural support, provide an indispensable service in order to support people to know about and access their rights and entitlements, with a focus on those most in need;

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