



**Tithe an
Oireachtais**
**Houses of the
Oireachtas**

AN COMHCHOISTE UM SOCIAL PROTECTION

CLÁR OIBRE

IÚIL – NOLLAIG 2016

JOINT COMMITTEE ON SOCIAL PROTECTION

WORK PROGRAMME

JULY – DECEMBER 2016

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Joint Committee on Social Protection

Work Programme 2016

1. Introduction

The Joint Committee on Social Protection was established following Orders of Dáil Éireann on 16 June 2016 and of Seanad Éireann on. Standing Orders 89(4) Dáil Éireann and 75(4) Seanad Éireann require that *“as soon as may be following its appointment and thereafter at annual intervals, each Select Committee shall prepare a work programme and shall lay such programme before Dáil Éireann and Seanad Éireann”*.

2. Select Committee

The function of the Select Committee is to consider Bills, Estimates and other business referred to it by Dáil Éireann which relate to the Department of Social Protection.

A. Legislation (Bills) See 3(c) also

Programme for Government, pages 32 – 40. Available at:

http://www.taoiseach.gov.ie/eng/Work_of_the_Department/Programme_for_Government/A_Programme_for_a_Partnership_Government.pdf

B. Estimates and other Financial Matters

Select Committees are tasked with consideration of annual Estimates for Public Services that fall within their remit. The Estimates are Ministers' spending plans for the coming financial year. When the Estimates are referred to Select Committees for consideration, this Committee will have a valuable opportunity to question the Minister for Social Protection on financial allocations and associated output targets for the coming year. In keeping with a whole of year approach, it is the Committee's intention to have an exchange of views with the Minister in September on the emerging position for 2016 and 2017. A Supplementary Estimate may be considered in December if additional monies are required by the relevant Government Department. Note: the Select Committee is required to consider the Estimates but is not empowered to amend them.

In addition, the examination of the Annual Output Statements (AOS) including performance, efficiency and effectiveness in the use of public monies and Value for Money (VFM) Reviews is another important part of scrutinising Government expenditure.

C. Referrals of Motions and Other Matters

From time to time, matters may arise and may be referred to the Select Committee by the Dáil. It is not possible to say in advance what those matters might be or when they might arise. However, there are no items currently referred to the Select Committee.

3. Joint Committee

The duties of the Joint Committee are discharged in two ways (i) there will be items of business referred to it by one or both Houses and (ii) it can select business for consideration itself, from the areas within its terms of reference. In practice, the Joint Committee's core work has comprised EU business and key policy and governance priorities –

A. EU Business

Scrutiny of EU Legislative Proposals

The scrutiny of draft EU legislative proposals will continue to be a standing agenda item of the Joint Committee. Draft proposals will be brought to the attention of the Joint Committee by setting out priority (Schedule A) and non-priority (Schedule B) items.

Engagement with Ministers

Ministers of the Government attend EU Council meetings in their relevant policy areas and it is intended that the Joint Committee will invite the Minister for Social Protection from time to time to give oral briefings in advance of his attendance at the Employment, Social Policy, Health and Consumer Affairs Council (ESPCO) Council meetings or in the case of his attendance following such meetings.

Engagement on the Statutory Departmental Scrutiny Report

There is a requirement under S.2(5) of the European Union (Scrutiny) Act 2002 for Ministers to report twice yearly to both Houses on the measures, proposed measures and other developments in relation to the European Communities and the European Union in relation to which he/she performs functions. The Joint Committee can consider these reports with the Secretary-General of the Department.

Engagement with European Bodies

The Committee will continue to further its engagement with European bodies such as the EU Commission and the EU Parliament and its committees during 2016, including delegation visits where appropriate.

B. Key policy priorities

The Joint Committee is empowered to consider such other policy issues as it may select within its terms of reference. In the period July to December 2016, in addition to core business such as legislation, it should be possible to focus on one or two major topics within the remit of the Department, with the aim of producing a well-researched report to the Houses by end of 2016.

The following are key policy issues suggested for examination:

Rent supplement

Back to school costs

Children's Allowance; Child Poverty

Jobseekers 18-25

Labour activation schemes: JobPath - Turas Nua & Seetec; Gateway; JobBridge replacement; CE schemes; voluntary access to activation

Pensions; Gender Pension Gap

Fuel poverty/ Fuel Allowance

Lone Parents
Reflecting the Cost and Contribution of Care in our Social Protection System
Advancing Equality and Social Inclusion
Supplementary Supports and Services
Direct Provision Payments
Minimum Essential Living Standards research
National Action Plan for Social Inclusion

The Joint Committee agreed to prioritise the following policy issues: Pensions; Lone Parents; Labour activation schemes.

Issues not considered by end of 2016 can form part of the Work Programme for 2017.

C. Pre-Legislative Scrutiny/Post-enactment

In addition to this core work, the Joint Committee is also empowered to consider the examination of the general scheme or draft heads of Bills and to consider any post-enactment report on any Bill enacted in the previous 12 months by the Houses of the Oireachtas in respect of the Department.

D. Engagement with Chairperson designates

The Joint Committee is also empowered to engage with the Chairpersons designate of a body or agency under the aegis of the Department of Social Protection, prior to their nomination for appointment, to discuss their strategic priorities for the role.

This Work Programme for the remainder of 2016 of the Joint Committee on Social Protection was agreed by the Joint Committee at its meeting on 6 October 2016. In accordance with Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed that the Work Programme be laid before both Houses of the Oireachtas.

John Curran T.D.
Chairman
6 October 2016

Thursday, 16 June 2016

Dáil Éireann Debate
Unrevised

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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)	(2)
	Committee	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 Finance Public Expenditure and Reform
5	Select Committee on Finance, Public Expenditure and Reform, and Taoiseach	Taoiseach Foreign Affairs and Trade
6	Select Committee on Foreign Affairs and Trade, and Defence	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—

(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 thereof 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 Hildegard 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: Members of the Joint Committee

Member	Party / Group
Deputies:	
Maria Bailey	Fine Gael
John Brady	Sinn Féin
Joe Carey	Fine Gael
Joan Collins	Independents 4 Change
John Curran	Fianna Fáil
Gino Kenny	Anti-Austerity Alliance - People Before Profit
Willie O’Dea	Fianna Fáil
Senators:	
Catherine Ardagh	Fianna Fáil
Ray Butler	Fine Gael
Alice Mary Higgins	Independent
Kevin Humphreys	Labour

Appendix 3: Agencies under the aegis of the Department of Social Protection

The Citizens Information Board

The [Citizens Information Board](#) (CIB) is responsible for supporting the provision of information, advice and advocacy relating to social services and entitlements.

All appointments are made by the Minister and the legislative provisions governing board membership of the CIB are contained in the Comhairle Act 2000 and the Citizens Information Act 2007. The legislation provides that:

- The Board shall consist of fifteen members;
- One member of the Board shall be designated as chairperson;
- The period of membership shall not exceed five years;
- The members of the Board shall include one officer of the Minister, three members representative of people with disabilities and one member of the staff of the Board;
- Not less than six members of the Board shall be female and not less than six shall be male.

The legislation also provides that a member of the Board whose period of membership expires by the effluxion of time (passing of five-year term) shall be eligible for re-appointment as a member of the Board. The last appointment to the Board was made in June 2015.

The Pensions Authority (Formally Pensions Board)

The Pensions Authority is a regulatory body operating under the aegis of the Department of Social Protection and the statutory role of the Authority is to monitor and supervise the operation of the Pensions Act 1990.

Oversight of the Pensions Authority is provided by a three person board. This consists of the following:

- Ms Jane Williams as Authority chair
- Ms Anne Vaughan, Deputy Secretary in the Department of Social Protection, who represents the Minister for Social Protection
- Ms Ann Nolan, Second Secretary in the Department of Finance, who represents the Minister for Finance.

The role CEO of the Pensions Board is now renamed the Pensions Regulator, with Mr Brendan Kennedy continuing in that role.

These changes took effect 6th March 2014.

Social Welfare Tribunal

The Social Welfare Tribunal is a statutory body set up in 1982 to deal with cases where entitlement to Jobseekers Benefit or Jobseekers Assistance is refused due to an involvement in a trade dispute.

The legislation governing the operation of the Social Welfare Tribunal is provided for in Sections 331 to 333 of the Social Welfare (Consolidation) Act, 2005.

The Tribunal consists of a Chairman and four ordinary members, two nominated by the Irish Congress of Trade Unions (ICTU) and two nominated by an organisation representative of employers. All members are appointed by the Minister for Social Protection for a term of three years.

Social Welfare Appeals Office



The Social Welfare Appeals Office is an independent agency established to provide an appeals service to persons who are unhappy with decisions of the Department of Social Protection on questions relating to entitlement to social welfare payments and insurability of employment under the Social Welfare Acts.

The Office is headed by a Chief Appeals Officer and has its own Appeals Officers.

You can contact the Social Welfare Appeals Office at:

Social Welfare Appeals Office
D'Olier House
D'Olier Street
Dublin 2

www.socialwelfareappeals.ie

Telephone: Locall 1890 74 74 34

Fax: 01-6718391

The Pensions Council



The Pensions Council was established to provide pension policy advice to the Minister for Social Protection. Its membership ensures that the relevant skills, knowledge and experience is available to provide the necessary advice and information in the development of pensions policy.

If you wish to contact the Pensions Council you can email info@pensionscouncil.ie