



Submission by Integrating Ireland

to the

OECD Public Consultation

On

The Review of the Irish Public Service

July 2007

Introduction

Integrating Ireland¹ welcomes the opportunity to submit comments and observations to the OECD in relation to the Review of the Irish Public Service. Integrating Ireland welcomes further opportunities to input into the review undertaken.

The issues articulated below are the experiences communicated by Integrating Ireland membership organisations through various fora including regional and national meetings and roundtables, and are based on their experiences and feedback in relation to the delivery of public services. The submission therefore focuses on issues relating to quality, coherence, availability, accessibility and consistency in the delivery of Irish public services with particular reference to the Department of Justice Equality and Law Reform (INIS, RIA). However many of the issues raised have currency across a number of public and statutory service providers.

Further to our comments below, Integrating Ireland recommends that the reports of the National Economic and Social Forum on the 'Delivery of Quality Public Services in Ireland', the Citizens Information Board Research carried out by Goodbody Economic Consultants on, 'Information Pathways and Access to Services for Foreign Nationals in Ireland' and the NCCRI report on 'How Public Authorities Provide Services to Minority Ethnic Groups in Ireland,' are consulted, in order to provide an overview of the key issues in the delivery and quality of public service delivery to immigrants in Ireland.

General comments in relation to the delivery of public services:

Difficulties in interaction with state agencies - disjointed and contradictory service delivery.

Public service delivery and information provision is marked by poor co-ordination between the main statutory actors and Government departments involved. The lack of clarity regarding processes, the interplay between different departments and confusion about who has ultimate responsibility has made the system difficult to navigate for NGOs and immigrants alike, and simplification of what has become an impenetrable and overly complicated system is needed. The apparent fragmented delivery of public services is impacted by the institutional framework and mandates of different public service bodies and the system needs to be streamlined to alleviate the acute inaccessibility that causes undue delays and confusion.

In addition, there is a need for joined up policy and service provision planning and a distinct need to adopt a whole of organisation approach to delivering public services. At present, departmental structures and mandates are not able to deal with complex issues of

¹ Integrating Ireland is the national network of refugee, asylum seeker and immigrant support groups with a membership of over two hundred groups throughout Ireland.

people and lives in flux or crises – statutory and Government service providers have to be responsive and realise that immigrants are not a homogenous group or that one size fits all public service provision will not address the often complex issues presented. There is therefore a clear need to adapt to this changing reality and the distinct needs of certain groups.

Accessibility - Difficulties in access and equity in service delivery and provision

Consistency in delivery and equality of access and delivery of services is required. Gaps and deficits in availability of service need to be addressed, in addition to the ability of service users to access services appropriate to their needs and requirements. This is underlined by the fact that services may be overly bureaucratic and difficult to navigate, information provision may be lacking or inaccurate which is compounded by certain individuals fear of distrust of ‘official’ services, arbitrary and unclear entitlement and a lack of adequate independent complaints, appeals and arbitration systems.

It is therefore important that public bodies and statutory service providers regularly evaluate how accessible their services are to a broad range of customers/service users, particularly those who have difficulty in accessing mainstream services.

Different levels of quality and service

Unevenness and inconsistencies of decisions by public service bodies is underlined by the lack coherence in service delivery and complexity of the system. The lack of clarity and standardised interpretation of information among frontline staff creates confusion and levels of complexity that are difficult for NGO’s to penetrate but must be impossible for an immigrant to navigate. Additional critical issues raised by Integrating Ireland membership focused on the perceived ‘culture of disbelief’, lack of customer service, differentiation in standards of delivery, delivery of misinformation in relation to rights and entitlements, and long delays in dealing with queries and applications without a corresponding understanding of the impact of these delays (for e.g. applications for family reunification).

In relation to Government Departments and in particular the Department of Justice, Equality and Law Reform specific issues were raised focusing on inaccessibility. In particular, practical issues such as certain sections not taking public phone calls, the move to automated services, a phone service that is only accessible two days a week in the morning and the subsequent time wasted in a call queuing system. Membership organisations stressed that if it is difficult for an NGO to access the Department, it is equally so for an immigrant who may not have the money to do so and whose status may depend on getting through to a particular section and getting a response.

Accessible and relevant information

Information is an absolute basic requirement for effective service delivery and is key consideration in quality public service delivery. Without relevant and accessible information it is difficult for people to access the services they need and to vindicate their

rights. At present there is a clear information gap in terms of the clarity, accuracy and adequacy of the information, in addition to issues centering on delivery and dissemination.

The lack of clear, up to date and understandable information from statutory agency personnel working in frontline positions is a critical issue. Integrating Ireland member organisations have experienced instances where information provided by statutory service providers is inaccurate, contradicts stated Government policy and differentiates between which department/section you talk to, the personnel you talk to and what day you talk to them. Issues of information withholding and incorrect information provision in order to appease or get rid of people has also been reported, in addition to situations where people were not advised of an entitlement to a particular benefit.

The State has an obligation to provide information; however consideration should be also focus on how information is communicated and received and what the appropriate channels are. Production and dissemination of high quality, easily accessible information on public services and their delivery in relevant languages should be made a key strategic priority.

Service providers also need to understand and make provision for the needs of particular users. In particular, while information from statutory or Government departments may provide information on guidelines, they are very specific and legalistic and what is missing is information of a practical nature, i.e. how does this impact on me, what forms do I have to fill in and how do I do it. NGO's and community groups now fill that role or have moved into that space because the state is lacking – NGO's have become information gatekeepers and have had to become more legalistic in order to address the gap left by the state in this regard. Therefore greater linkage on the production and dissemination of information materials and related issues needs to happen between the NGO, community and statutory sector. NGO's understand their constituency better and understand how to communicate, when to communicate and use information models and channels that address the information needs of people.

Lack of integrated service provision

The multiplicity of public sector agencies and organisations and the range of services they deliver requires greater coordination and integration². There is a lack of a co-ordinated approach and support to ensure fair and effective service to users, either as individuals or organizations. In addition, there is a lack of joined up thinking and long term perspective in relation to planning, and of the consequences and implications in gaps of public service delivery and its impact on integration.

² For e.g. complexity of the social welfare system and relationship between DSCFA and the HSE CWO's –lack of clear lines of responsibility. Need for greater integration, co-ordination between social welfare offices and HSE and also between different departments and sections in DJELR so that delays and gaps in services are avoided

Difficulties in enforcing rights and reliance on the advocacy role of NGO's

Difficulties in accessing services and support due to their perceived bureaucratic, inaccessible and complicated nature have resulted in an over reliance on NGO's and community groups to intervene and mediate. Integrating Ireland member organisations encounter on a regular basis the impact of local policies or discretionary decisions with the result that resolution is usually only reached when a local NGO advocates or intervenes on behalf of an individual. This is compounded by a system that is characterized by the length, complexity, inadequate appeal process and the lack of resources of most clients.

Lack of understanding of the administrative system and clarity on rights and entitlements

Many migrants are reticent to make a complaint or follow up on issues due to a lack of understanding of the administrative system, feelings of nowhere to turn if you do not get the service required, and a fear of engagement with 'officialdom'. People encounter difficulties in their dealings with statutory service providers due to various factors, including a lack of clarity about rights and entitlements, the approach taken by service providers, and instances of the arbitrary delivery of services.

Human resources, delivery of services and training

The demand on, and lack of human resources to deal with changing demands in public service delivery needs to be addressed. Issues of knowledge management, training and retention of key staff are also critical in relation to the process of decentralisation and the potential loss of key people, expertise, and information. There is also a clear need for ongoing training on anti-racism for public service frontline staff, as it is a recurrent issue impacting on the delivery of quality public service. Services for migrants frequently depend on the performance of frontline staff and the negative experience of some users in this regard is a cause for concern. Reports of racist attitudes are increasingly mentioned in relation to the delivery of public services. Whether attitudes are perceived or real, it needs to be addressed and there is a clear need for continuing and enhanced focus on combating racism. Clear codes of practice regarding relationships between public servants and clients are needed and should be readily available to users. It is unclear the impact that the Principles of Quality Customer Service or Customer Action Plans and Charters have had.

Appeals and complaints procedures

Effective mechanisms for making complaints and an independent appeal system are an important element in a quality public service and need to be put in place and promoted. Due to the lack of transparency and published guidelines in relation to immigration decision making there is a distinct need for an independent immigration appeals system.

While there are a number of areas where the lack of an independent appeals mechanism impacts in relation to immigration decisions, one of the consistent issues that Integrating Ireland members raise is in relation to the reception remit of RIA in relation to people

seeking asylum. In particular, the lack of independent arbitration of grievances and complaints and lack of an independent and transparent appeal process, including the necessary supports for residents to understand their rights is a key concern. In addition, the use of arbitrary transfers as the primary option in a process that lacks mediation needs to be addressed, as in practice it is ineffective in dealing with and resolving complaints. Resolution of complaints often means a forced transfer to another location uprooting families and moving children to new schools and disrupting efforts at integration. In addition, supports and key relationships i.e. with schools, GP's, counsellors and other important services are severed and in many cases people are moved to isolated areas where there is a distinct lack of services and support.

Further to the issues highlighted in relation to the delivery of public services above, there is a clear need for:

- A rights based approach to access services underlined by clear, transparent and detailed standards, with timely outcomes and clear appeals mechanisms. Also a need for the development of indicators to monitor these standards and the establishment of accessible, transparent and effective mechanisms for ensuring the implementation of and adherence to these standards. Action should be undertaken immediately on the implementation of the Governments stated commitments in this arena in full consultation with voluntary and community sector. Moreover the National Anti-Poverty Strategy (NAPS) is explicit in its commitment to a rights-based approach with regard to access to public services. NAPS commits to:
 - move towards a more formal expression of entitlements across a range of public services and to setting standards and guidelines regarding the standard of service delivery; and to
 - Monitor access to services and to improve performance in this regard over time.
- Targeted services to meet the complex needs of migrants. However targeted services must operate in tandem with mainstreaming so that the needs of migrants are considered as a central component of public service delivery. Delivery needs to be prioritised and adequate resources, human and financial made available. Flexibility of approach and delivery is also needed in order to meet the reality of people's lives. There is also a need for recognition that the issues people face are sometimes complex and may not neatly fit into standard information or service delivery provision – need for contingency services, wrap around services and services with staff who have specialised knowledge.
- Need for recognition of the importance of community participation and engagement in the delivery of public services and the important role which the community and voluntary sector plays in delivering critical services to various vulnerable groups. Partnership approach should be developed further to ensure that innovation and change are an integral part of the delivery of public services.

- Ongoing monitoring and evaluation of public service delivery linked to disaggregated data collection is needed. Lack of data and inconsistent data collection prevents the development and delivery of effective public services that are inclusive and responsive to the current and emerging needs of immigrants. Monitoring and evaluation regarding gaps and deficits in service and information provision in particular in relation to the most vulnerable and the consequent impact is needed.
- The centralised and compartmentalised nature of public services gives rise to local problems such as access and integration. In addition, services need to be relevant and take cognizance of the situation and needs at the local and at the individual level related to the co-ordination and delivery of public services.
- Lack of diversity in public sector employment impacts on service provision. In addition the lack of concrete consultation and engagement mechanisms with service users in relation to planning, implementation and review of public services is a key factor that needs to be addressed.