



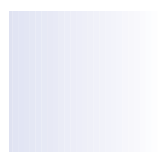
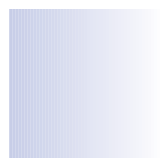
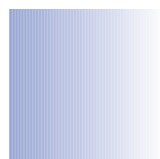
# Annual Report

of the Social Fund

Commissioner for

Northern Ireland

## 2008-2009



INVESTOR IN PEOPLE

# **Annual Report**

**of the Social Fund  
Commissioner for  
Northern Ireland  
2008-2009**



INVESTOR IN PEOPLE

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## Foreword



I am pleased to present my annual report for the 2008/09 year. In this, my final report as Social Fund Commissioner, I account for the work of my Inspectors and other staff, the standard of the reviews we carried out and the matters that influenced our achievements.

This year's workload was higher than expected; more than 40% higher than last year. This proved particularly challenging in the second half of the year due to a combination of increased workload and a staff shortage. Despite this challenge, we continued to maintain our commitment to the vulnerable people we serve by delivering decisions quickly and to high standards. Completion times for standard, complex and express cases were exceeded. Assessed against exacting standards, Inspectors decisions met all the requirements in over 90% of cases.

To respond to the extraordinary demand we have used overtime when necessary to tackle the high peaks of work, the policy of carrying out home visits to some customers was suspended for a short time and bookings for training courses delivered by Social Fund Inspectors were restricted in the later part of the year. In addition, 3 new Social Fund Inspectors were appointed who, following a period of training and mentoring, will become valuable members of the Office of the Social Fund Commissioner ("OSFC") team.

Based on the cases that come to us, I have continued to feed back to Social Security Office/Jobs and Benefits Office ("SSO/JBO") staff about the quality of their decisions. I welcome the efforts they have made in this regard during the period covered by this Report.

The Welfare Reform Bill was laid before Parliament in January 2009. It includes provision for fundamental changes to the Social Fund and its review. I believe the Fund should continue to play an important part in helping vulnerable people with particular difficulties. It is also vital that people have access to a grievance process which is effective, proportionate and quick, such as the model currently operated successfully by OSFC. I have advised the Parliamentary Under Secretary and her officials of my initial thoughts and I welcome the opportunity to contribute further as the reforms take shape.

This report reflects a challenging year in the OSFC. All of this required considerable agility, resilience and dedication on the part of the organization and its staff. I am grateful to Steven Rea, the Manager, and all his staff for the way they have risen to the challenge this year.

A handwritten signature in black ink that reads "Richard Tilt". The signature is written in a cursive, slightly informal style.

**Sir Richard Tilt**  
**Social Fund Commissioner**

## 2008/09 Summary

### Work Activity

- Inspectors delivered 1,580 decisions.
- Overall Inspectors changed 38% of the decisions they reviewed.
- Inspectors changed 40.4% of community care grant decisions and made 357 awards resulting in a spend of £141,510.38 from the grants budget.
- Inspectors changed 33.9% of crisis loan decisions and made 143 awards resulting in a spend of £27,804.62 from the loans budget.
- Inspectors changed 0% of budgeting loan decisions.
- OSFC provided regular reports to the JBOs/SSOs about the findings of the cases.
- OSFC carried out a review of community care grant cases that had been checked by the Social Security Agency's ("SSA's") Standard Assurance Unit.
- OSFC delivered 15 workshops to 129 people.
- I met with people from a range of organisations with an interest in the Social Fund.
- OSFC issued quarterly Statistical Reports on decision making to SSO/JBOs.

### The Standard of Social Fund Inspectors' Decisions

- Case readers examined 187 cases (equivalent to 14.7% of the cases registered in 08/09).
- 92 requests for further reviews of Inspectors' decisions were received. Of these 20 cases were reopened and 18 of these were changed (this equates to 1.1% of the total workload).

### The Standard of Administration

- Inspectors completed 99.7% of their reviews within the respective 12 day and 23 day targets.

### Important Issues Arising

This year the issues I have raised relate to:

- the budgets for loans and community care grants; and
- the time taken to deliver Community Care Grant and Budgeting Loan case papers to OSFC.

### Resources

- The OSFC spent £366,598 giving a cost per decision of £232.02.

## Summary of Issues for Consideration

I have summarised below the issues I have raised in this report for the SSA. These focus on some of the issues I consider the SSA needs to address in order to help achieve the improvements it seeks in achieving the aims of the Fund and the standards of decision making and the quality of service delivered by Social Fund Officers. I suggest the SSA:

- reviews the budgets for discretionary Social Fund loans and community care grants to take account of the demands on the current scheme brought about by the recent increases in the number of people eligible to apply for assistance from the Fund.
- takes steps to reduce the time taken to deliver all Community Care Grant and Budgeting Loan case papers to OSFC to below 4 working days for each Social Fund District.

# The Statutory Framework

## The Social Fund

The Social Fund was introduced in 1988 and comprises two distinct parts; one regulated and the other discretionary. The Social Fund Commissioner and Social Fund Inspectors are concerned solely with the discretionary part of the Fund. This is a scheme of payments, by grant or interest free loan, to meet the needs, other than those covered by the regulated Fund, of the poorest and most vulnerable in society. The Commissioner and Inspectors have no involvement in the regulated part of the Fund, which allows for payments for funeral and maternity expenses, periods of cold weather and winter fuel.

The Social Security (Northern Ireland) Order 1998.

The Social Security Contributions and Benefits (Northern Ireland) Act 1992.

The Social Security Administration (Northern Ireland) Act 1992.

## The Social Fund Commissioner

The Social Fund Commissioner is appointed by the Department for Social Development (“the Department”). The Commissioner has a duty to:

- appoint Social Fund Inspectors and other staff;
- monitor the quality of Inspectors’ decisions and give advice, as he thinks fit, to improve the standard of their decisions;
- arrange appropriate training for Inspectors; and
- report annually, in writing, to the Department on the standard of Inspectors’ reviews.

Article 37 of the Social Security (Northern Ireland) Order 1998.

## Social Fund Inspectors

Social Fund Inspectors provide the independent grievance process, by means of a review, for applicants who are dissatisfied with the JBO’s/SSO’s decisions on their applications to the discretionary Social Fund.



## Jurisdiction

Inspectors can only review decisions that have already been reviewed by the JBOs/SSOs, providing that an application for review has been made in the time, form and manner prescribed in regulations. Applications for an Inspector’s review must be made directly to the OSFC within 28 days of the date of issue of the SSO/JBO review decision.

The Social Fund (Application for Review) Regulations (Northern Ireland) 1988.

## Nature of the Review

The review is conducted in two stages in accordance with directions issued by the Department. At the first stage, the Inspector considers whether the Reviewing Officer has:

- interpreted and applied the law correctly, which includes taking into account all relevant considerations and not taking account of irrelevant considerations;
- acted fairly and exercised his discretion reasonably; and
- observed the principles of natural justice.

Article 38(3), Social Security (Northern Ireland) Order 1998.

If the decision has been reached correctly, applying the tests of the first stage of the review, the Inspector conducts a second stage which:

- considers the merits of the case;
- decides whether the decision was a right one in the circumstances; and
- takes account of relevant changes in circumstances and new evidence.

The Department's Directions 1, 2, 3, 4, 5 and 6 to Inspectors

Depending on the outcome of the second stage, the Inspector exercises the appropriate power on review – see below.

Where the decision has not been reached correctly, applying the tests of the first stage, the second stage does not take place. Instead, the Inspector exercises the appropriate power on review.

### **Powers on Review**

On review, the Inspector has the power to:

- confirm the Reviewing Officer's decision;
- refer the case back to the Reviewing Officer to make a fresh decision; or
- make any decision the Reviewing Officer could have made (these are referred to as substituted decisions).

Article 38(4) of the Social Security (Northern Ireland) Order 1998

### **Reviews of Inspectors' Decisions**

The Inspector has a discretionary power to review his own or another Inspector's decision. Inspectors generally use this power to correct a decision that was wrong in law or fact, or where new relevant evidence has come to light. There is no statutory right to this type of review. This is a matter for the discretion of the Inspector, who must decide whether to conduct a review of the earlier decision. Where the Inspector conducts such a review, the outcome may or may not change. The only recourse from an Inspector's decision is to the High Court on judicial review.

Article 38(5) of the Social Security (Northern Ireland) Order 1998



# The Purpose and Structure of the Office of the Social Fund Commissioner

The Social Fund Commissioner is the head of the OSFC, which comprises the Office Manager, Inspectors, who conduct the reviews, and support staff who administer the service. The office is based in Belfast and provides an independent review of discretionary Social Fund applications to Northern Ireland's citizens.

The Commissioner is separately appointed as the Social Fund Commissioner for England, Scotland and Wales, heading the Independent Review Service ("IRS"), based in Birmingham.

The OSFC corporate plan sets out the organisation's strategic aims and objectives. It defines the business purpose, objectives and values of OSFC as follows:

## Purpose

To deliver independent reviews of discretionary Social Fund decisions, providing a high quality and accessible service to all.

## Objectives

- Deliver impartial decisions to published standards.
- Make continuous improvements in the standard of our work and in doing so, seek and take into account the views of our users.
- Provide advice and information to the public, their advisers and staff of the SSA about the Social Fund, the role and work of the OSFC and the right of applicants to seek an independent Social Fund review.
- Help the SSOs and JBOs to improve the standard of decision-making, and customer service including customer access through regular feedback, training and advice. Assist, as appropriate, their centralisation programme and the operation and monitoring of the Social Fund.
- Provide advice and information to the Minister for Social Development and the Department on Social Fund policy and potential changes or reform.
- Contribute to research to help improve the operation and development of the Social Fund and its role in wider government objectives.
- Employ our business resources in a way that maximises economy, efficiency and effectiveness and delivers savings where achievable.

## Values

Our business values, which we set out below, are the foundation of our approach to work. These values will guide staff in the delivery of their work and will help them to recognise the contribution they make. We will:

- provide an open and accessible service to all customers;
- treat all customers, users and colleagues with respect and courtesy;
- respect and accept the differences of others;
- work to improve standards for all customers of the Social Fund;
- promote easy access for customers and potential customers of the fund;
- be open to learning in our work and use this to make improvements to the service we give;

- provide a value for money service seeking improvements in the efficiency of our work;
- deliver the best service for the customer and balance fairly the needs of our staff.

## **Organisational Structure**

Our business objectives underpin the two distinct strands to our work. The first relates to delivery of the independent review and the second draws on OSFC expertise and data to feed back to the JBO's/SSOs on operational and policy matters, and to provide training and advice to those actively involved in the Social Fund as well as providing general information to the public. Our organisational structure is designed around these strands.

## **Reviews**

- Social Fund Inspectors conduct reviews on Social Fund applications;
- Team based project work assists the Commissioner to discharge his duties to monitor the quality of Inspectors' decisions; and
- An Administration Section which provides support for the Commissioner, the Office Manager and Inspectors.

## **Feeding Back**

Our External Focus team is responsible for our public information strategy, including raising awareness of the independent review. It also delivers workshops to applicants' advisers and JBO/SSO staff and feeds back information to improve standards.



## Work Activity

### OSFC workload comprises:

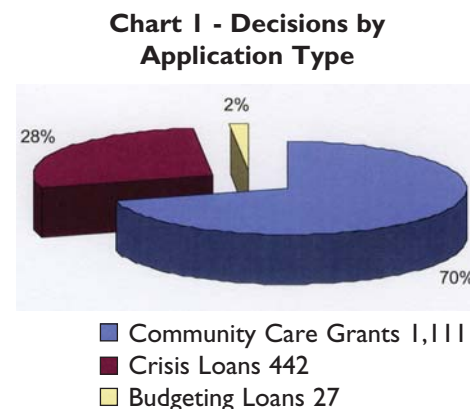
- decisions on applications for Inspectors' reviews;
- applications for community care grants, which are also considered as crisis loans, and vice versa; and
- reviews of Inspectors' decisions in accordance with Article 38(5) of the Social Security (Northern Ireland) Order 1998.

Inspectors made 1580 decisions during 2008/09 (0.51% of all initial Social Fund applications and 15% of all decisions reviewed by the SSA). Chart 1 shows the breakdown by community care grants, crisis loans and budgeting loans.

Appendices 1(a) and 1(b) show the breakdown of decisions by month and SSA districts.

Table 1 below shows a comparison of the OSFC workload during the past two years.

	2006/07	2007/08	2008/09 (% increase from 2007/08)
Community care grants	872	811	1111 (37%)
Crisis loans	341	277	442 (59.6%)
Budgeting loans	34	18	27 (50%)
<b>Total</b>	<b>1247</b>	<b>1106</b>	<b>1580</b> <b>(42.9% increase)</b>



The overall number of decisions made by OSFC this year increased by 42.9%, compared to 2007/08.

The decision figure of 1,580 includes: 15 cases which were referred back to JBOs/SSOs; 2 cases which were not in the correct Time, Form or Manner; 7 cases which were outside our Jurisdiction; and 12 applications which were withdrawn before the Inspector conducted a full review. The figure excludes 30 applications which were reviews of Inspectors' decisions under Article 38(5) of the Order. There were 1,549 reviews of decisions made by the SSA. There were also 74 additional requests for further reviews of Inspectors' decisions, which after consideration were not reviewed in accordance with Article 38(5) and are therefore not included in the workload figure. Reviews under Article 38(5) are dealt with later in the report. Appendix 2 shows a breakdown of decisions for each district.

## Inspectors' Decisions and Findings

On review, the Inspector has the power to:

- confirm the JBO's/SSO's decision;
- make any decision the JBOs/SSOs could have made (these are referred to as substituted decisions);
- refer the case back to the JBOs/SSOs to make a fresh decision.

The Inspector will generally confirm a decision if the outcome was right irrespective of whether there was an important error in the decision making process at the JBO/SSO. The Commissioner's Advice to Inspectors describes an important error as:

*"...one on which the decision, at any stage in the process, turns and that leads to a different decision at that stage. In other words an error at one of the key stages of the decision-making process, which knocks the decision "off-course" and makes the rationale for the decision incorrect."*

The Inspector will substitute the decision where:

- there is an important error in the JBO's/SSO's decision which makes the outcome wrong;
- there is an important error in the JBO's/SSO's decision and new evidence or a relevant change in circumstances; or
- there is no important error in the JBO's/SSO's decision but a different outcome is appropriate because of a relevant change in circumstances or new evidence or, exceptionally, he adjudges the outcome is not a right one in all the circumstances.

The Inspector rarely refers cases back to the JBO/SSO to make a fresh decision. This power is generally only used where further necessary investigations would best be undertaken locally.

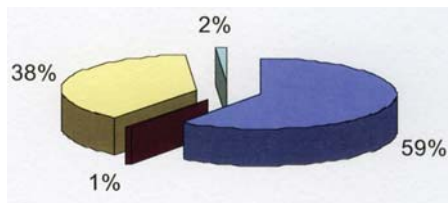
Chart 2 shows the outcome of Inspectors' decisions across all types of applications.

Overall, Inspectors found important errors in 24.2% of the decisions they reviewed. The error rate for substituted decisions was 54.1% and the error rate for confirmed decisions was 5.1%. Appendix 2 shows a breakdown of the spread of decisions for each district.

The following paragraphs set out more detail of the reviews and include, for each application type:

- the OSFC Reviews;
- decision outcomes; and
- awards made by Inspectors.

**Chart 2 - Outcome of Inspectors' Decisions - all application types**



■ Confirmed 942  
 ■ Withdrawn 12  
 ■ Substituted 601  
 ■ Referred Back 15; Time, Form & Manner 2; Jurisdiction 7

## Community Care Grants

### Reviews

Community care grants again accounted for the largest proportion of our work (70.3%). Inspectors delivered 1,111 decisions of this type. Table 2 below shows a comparison of community care grant activity from 2006/07 to 2008/09.

<b>Table 2 Community Care Grant Activity from 2006/07 to 2008/09<sup>1</sup></b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>
1. Initial Applications	50,985	44,998	49,786
2. Initial Refusals	22,806	19,418	22,588
3. Applications for Reviewing Officer review	6,948	6,390	8,003
4. Applications unchanged on review	2,718	2,432	3,519
5. Applications changed on review but not wholly in the applicant's favour	3,476	3,332	3,869
6. OSFC Reviews	872	811	1,111

<sup>1</sup>SSA figures rows 1-5 provided by Operations Directorate Support

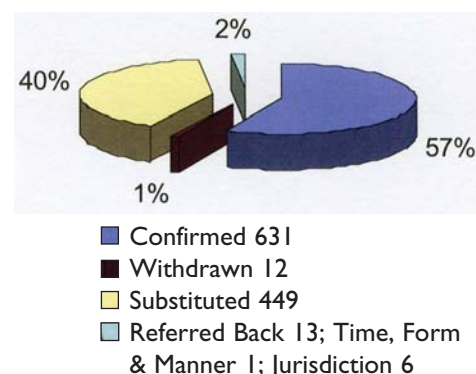
Inspectors' reviews accounted for 2.2% of initial community care grant applications to the Social Fund and 4.9% of those refused at that stage. The OSFC potential community care grant workload was 7,388 (the sum of rows 4 and 5 of Table 2) and Inspectors reviewed 15% of those potential cases.

### Decision Outcomes

Chart 3 shows the outcomes of Inspectors' reviews. Appendix 3a shows, by district, a breakdown of confirmed decisions and the percentage of those reached correctly. Appendix 3b shows, by district, a breakdown of substituted decisions, the percentage of those not reached correctly and the percentage changed on the basis of new information.

Overall, Inspectors identified important errors in 27.4% of all grant decisions. They found important errors in 58.1% of cases in which they substituted the decisions and 6.8% in the cases they confirmed.

**Chart 3 - Community Care Grant Decision Outcomes**



## Awards

Inspectors made 357 awards for community care grants. These awards resulted in a spend of £141,510.38 from the community care grants budget of £13,659,162. This represents 1.04% of the total annual grants allocation. The average amount awarded by Inspectors was £396.39 giving an average decrease for each award of £52.77 from 07/08.

## Crisis Loans

### Reviews

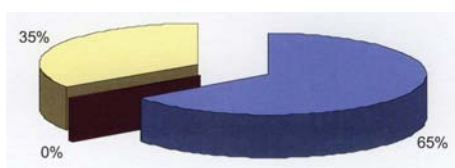
Crisis loans accounted for 28% of our workload this year. Table 3 below shows a comparison of crisis loan activity from 06/07 to 08/09.

<b>Table 3 Comparison of Crisis Loan Activity from 2006/07 to 2008/09<sup>2</sup></b>	<b>2006/07</b>	<b>2007/08</b>	<b>2008/09</b>
1. Initial Applications	107,534	100,887	127,734
2. Initial Refusals	20,857	20,861	24,614
3. Applications for Reviewing Officer review	1,482	1,609	1,965
4. Applications unchanged on review	878	1,016	1,314
5. Applications changed on review but not wholly in the applicant's favour	259	328	355
6. OSFC Reviews	341	277	442

<sup>2</sup>SSA figures rows 1-5 provided by Operations Directorate Support

Inspectors' reviews accounted for 0.35% of initial applications to the Social Fund and 1.8% of those refused at that stage. Inspectors reviewed 26.5% of the 1,669 applications which could potentially have come to the OSFC (the sum of rows 4 and 5). Crisis loans can be awarded to meet living expenses or to help with the cost of items or services required urgently. The proportion of crisis loan applications for items this year accounted for 69.2% of the total crisis loan review decisions, less than in 07/08. Of the total crisis loan decisions 133 were for living expenses, 299 were for items and 10 were for both items and living expenses.

**Chart 4 - Crisis Loan Decision Outcomes**



■ Confirmed 282  
 ■ Time, Form & Manner I; Jurisdiction I  
 ■ Substituted 150

### Decision Outcomes

Chart 4 shows the outcome of Inspectors' crisis loan decisions. Appendices 3(c) to 3(f) show a detailed breakdown of those confirmed and substituted for items and living expenses for each district.

The rate at which Inspectors substituted crisis loan decisions has fallen this year from 43% to 33.9%.

## Awards

Inspectors made awards in 143 crisis loan cases and the total amount awarded was £27,804.62. The average amount awarded by Inspectors was £194.44. This represents 0.05% of the total loans allocation of £56,097,000. Table 4 shows a breakdown of awards for crisis loans by application type.

Application Type	Number of awards	Total awarded	Average amount of award
Living expenses	11	£703.84	£63.99
Items	131	£27,000.78	£206.11
Living Expenses/Items	1	£100	£100
<b>Total</b>	<b>143</b>	<b>£27,804.62</b>	<b>£194.44</b>

## Budgeting Loans

### Reviews

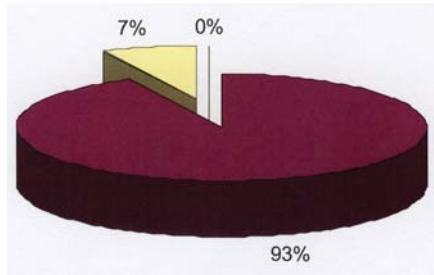
Budgeting loans accounted for 1.7% of our workload this year. Inspectors delivered 27 reviews of this type. Table 5 below shows a comparison of budgeting loan activity from 2006/07 to 2008/09.

	2006/07	2007/08	2008/09
1. Initial Applications	137,716	119,985	132,192
2. Initial Refusals	26,867	23,462	29,109
3. Applications for Reviewing Officer review	809	457	534
4. Applications unchanged on review	516	357	415
5. Applications changed on review but not wholly in the applicant's favour	87	40	63
6. OSFC Reviews	34	18	27

<sup>3</sup>SSA figures rows 1-5 provided by Operations Directorate Support

Inspectors' reviews accounted for 0.02% of initial applications to the Social Fund and 0.09% of those refused at that stage. Inspectors reviewed 5.65% of the 478 applications which could potentially have come to the OSFC (the sum of rows 4 and 5).

**Chart 5 - Budgeting Loan Decision Outcomes**



- Substituted 0
- Confirmed 25
- Referred back 2

## Decision Outcomes

Chart 5 shows the outcome of Inspectors' budgeting loan decisions. Appendices 3(g) and 3(h) show a detailed breakdown of confirmed and substituted decisions for each district.

## Awards

Inspectors confirmed all budgeting loan decisions they reviewed in 2008/09.

## Other Work

### Feeding Back on Standards and Policy

The OSFC has a long-standing agreement with the Department to feed back its findings and observations to JBOs/SSOs to improve the standard of first line decision making and administration of the Fund. As in previous years, we have provided regular feedback via quarterly reports which give detailed information for each district and region about performance and operational issues drawn from all the cases that Inspectors reviewed.

During 2008/09 the reports highlighted the most common problems identified in the course of Inspectors' reviews, in addition to Direction 4 qualification and judging the priority of items requested, other key errors included:

- failure to consider a community care grant on a crisis loan application as provided for by Direction 49; and
- failure to correctly apply the exclusions contained in the Social Fund Directions.

I meet the District Managers, Social Fund Managers and staff in each district once a year to discuss the OSFC reports. In the course of the year I have also had meetings with the Minister for Social Development and the Chief Executive of the SSA.

### Improving Knowledge

One of our key objectives is to use our expertise and experience to provide advice to applicants, advisers and JBO/SSO staff about the Social Fund and the role of the OSFC. We do this in a number of ways, for example, by delivering training and providing materials about the Social Fund.

The OSFC has undertaken various activities to help improve the standards of decision making, improve the knowledge of advisers and raise awareness amongst those at whom the Fund is aimed. During 2008/09, we:

- delivered 15 workshops to 129 people including adviser organisations and SSA staff;
- Received 4 awareness sessions from external stakeholder bodies;
- Made available self-instruction packs on different areas of the Social Fund, these can be accessed by a link on the OSFC website (Appendix 4 provides details of these self-instruction packs);

- met a range of people with an interest in the Social Fund and wider social policy issues (Appendix 8 provides details of the people and organisations I have met this year);
- attended meetings of the Social Fund Quarterly Forum (OSFC/SSA); and
- ran two best practice forums with district Social Fund staff to discuss case issues and learning points.

OSFC publications are made available on our website [www.osfcni.org.uk](http://www.osfcni.org.uk).



## Standard of Social Fund Inspectors' Decisions

Article 37(5) of the Social Security (Northern Ireland) Order 1998

I have a statutory duty to monitor the quality of Inspectors' decisions and to give them such advice and assistance, as I think fit, to improve the standard of their reviews. I discharge these duties by reading cases, examining complaints and other correspondence about decisions, giving formal written advice, and ensuring on-going support, training and development for Inspectors.

### Case Reading

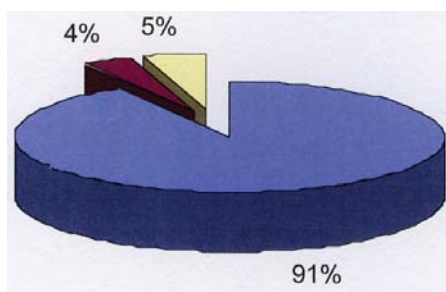
Case reading is the primary means by which I assess the standards of Inspectors' decisions. I read a selection of cases each year, as does my manager and members of the Peer Case Reading Team.

Although the provision to seek judicial review through the High Court exists, in practice, the Inspector's review provides the final resolution for applicants to the Social Fund. It is vital, therefore, that Inspectors deliver high standards and our monitoring processes are robust. The overall quality standards required are set out in detail in Appendix 7.

As well as Social Fund law, Inspectors' decisions must comply with general legal principles, such as burdens and standards of proof, and natural justice. The people who use our service have a right to know the reasons for the Inspector's decision and in order to ensure this, they must be presented in plain language. Our case readers, therefore, also assess the clarity of explanation to ensure it respects the applicant's level of understanding and avoids jargon.

Our aim for 2008/09 was to read 5% of our total workload, selected at random. Our total case reading for the year was 187 cases (14% of cases registered in 2008/09), of which I read 88. Chart 6 shows the results. The results show a high proportion of decisions (91%) where the outcome reached was correct, 5% were found to be incorrect.

Chart 6 - Case Reading Results



- Fully met the standards in the case reading template 171
- Couldn't determine whether the outcome was correct without gathering further information from the customer 7
- Did not fully meet the standards in the case reading template 9

## Training and Assisting Inspectors

### Advice to Inspectors

This year I introduced new advice on Daily Living Expenses. I also reviewed and revised my existing advice to Inspectors on Direction 31, Direction 7, Housing Costs (General), and Direction 4(a)(v).

All the Commissioner's advice to Inspectors is accessible via the OSFC website.

### Training

3 additional Social Fund Inspectors were recruited during the year to bring the number of Inspectors up to the OSFC's full complement of 7. They attended a 5 week training programme which was held in the Independent Review Service office in Birmingham.

In addition members of my staff also attended training and awareness sessions on the following:

- Institute of Line Management's Introductory diploma in management
- Performance management
- Premises officer in charge of a building
- Display screen equipment risk assessment
- General risk assessments
- Use of evacuation chair
- Manual handling risk assessment
- Content management for website authors
- HR connect (personnel management system for the Northern Ireland Civil Service)
- Account NI and I-procurement
- Criteria based interviewing
- Freedom of Information Act 2000

Awareness sessions were also provided by the following groups:

- Asthma Awareness
- Rethink
- St Vincent de Paul
- Disability Action

### Complaints about Inspectors' Decisions

My manager is responsible for dealing with all complaints about decisions. When a complaint is received it is examined thoroughly before being passed to a different Inspector for reconsideration. The Inspector examines the complaint thoroughly and provides the appropriate remedy. Where the complaint is justified, the Inspector considers whether the error impacted on the substance of the decision or its outcome. Where it has not, he acknowledges the error and apologises for it. In those cases where the error has impacted, he conducts a review of the

Go to [www.osfcni.org.uk](http://www.osfcni.org.uk)

Click on "About OSFC"

Click on "Useful Links"

Click on "Independent Review Service for the Social Fund GB" (site will open as a separate window)

Click on "Publications"

Click on "Commissioner's Advice to Inspectors"

Click on the topic required from the list provided.

*"A social fund inspector may review a determination under paragraph (3) made by himself or some other social fund inspector". Article 38(5) of the Social Security (Northern Ireland) Order 1998.*



Inspector's decision under Article 38(5) of the Social Security (Northern Ireland) Order 1998.

During 2008/09 we received 92 complaints. As in previous years, most complaints were about the amount of, or refusal of, an award. In the majority of these cases the Inspector's decision had been reached properly and was legally sound. Of these 92 cases the outcome was changed in 18 (19.6%) of them which equates to 1.4% of our workload. We analyse all the complaints we receive to identify learning points and areas for improvement. The breakdown of complaints was as follows:

**Table 6 – Complaints about Inspectors' decisions 2008/09**

Source	Number received	Number re-opened	Number changed
Applicant	74	13	11
Representative	15	4	4
SSA	3	3	3
<b>Total</b>	<b>92</b>	<b>20</b>	<b>18</b>

In addition to the 92 complaints, a further 20 cases were identified through our internal case reading of which 15 were re-opened and 12 changed.

Inspector's aim for 2008/09 was to clear standard complaints about Inspectors' decisions and cases picked up through case reading within 12 working days, and within 23 days in more complex cases. Out of the 92 complaints received about Inspectors' decisions and 20 identified through case reading, 98 (87.5%) were cleared in 15 days and a further 11 (9.8%) in 30 days. 3 cases (2.7%) exceeded the 30 day target, however in each of these cases this was due to external factors beyond the control of the OSFC.

## Standard of Administration

The standard of our administration is an integral part of our overall quality standard, and we aim to deliver a service that is easily accessible, straightforward and prompt.

### Completion Times

#### Inspectors' Decisions

We recognise the need to complete reviews as quickly as possible since the people who use our service are generally in urgent need and have already had two decisions on their application made at the JBO/SSO. Nevertheless the Inspector has a duty to ensure natural justice is served. In order to do this, before he makes a decision he sends the applicant a copy of the key papers, sets out the facts and issues to be decided, invites the applicant to comment, and asks any relevant questions. We issued 1,068 statements of facts and issues to which there were 883 responses (82.7%). This part of the process is included in the overall clearance times.

Table 7 sets out our targets and our achievements. Appendix 5 shows the breakdown of our achievements by month.

Action/Timescale	Target %	Achieved %
Community Care Grants: No enquiries/straightforward enquiries (completed within 12 days of receipt)	95	99.5
Budgeting Loans: No enquiries/straightforward enquiries (completed within 12 days of receipt)	95	100
Further investigation /complex enquiries (completed within 23 days of receipt)	90	100
Urgent cases (completed within 24 hours)	95	100

In relation to both the classes of non-urgent cases and urgent cases, which should be completed within 12, 23 days and 24 hours respectively, we exceeded all our targets.

Of the applications that progressed to full review, 93 (7.3%) fell into the 23-day timescale. We generally allocate a 23 day timescale to cases which require extensive enquiries or involve exceptionally complex legal or evidential issues.



## Complaints

Where an applicant makes a complaint, we aim to deal with it as quickly as possible, commensurate with the need to investigate the matter thoroughly. We acknowledge receipt of the complaint as soon as it is received, and if a full response is not sent by day 8, we advise the applicant of progress. Appendix 6 contains details of OSFC customer service standards.

## Customer Surveys

During the period 2008/09 OSFC surveyed 120 applicants and received 35 responses (29%). The survey enables us to monitor the satisfaction levels with our service and to identify areas where we could make improvements. Some questions were amended from previous years' surveys. Of those who responded:

- 100% indicated that their call to the office was answered promptly and effectively
- 89% found the information sent in advance of the review helped them to understand the issues in their cases;
- 80% found the Inspector's decision easy to follow. This is a drop from 94% from 07/08. However, comments made related to the fact that they found it difficult to understand that they had been disallowed, rather than the decision itself being difficult to understand; and
- 86% said they would use the OSFC again, while 8% said they didn't know.

This represents a continuing high level of satisfaction amongst our customers, which we will endeavour to maintain.

## Section 75 Statutory Equality Duty

The OSFC's Equality Scheme was drawn up in accordance with Section 75 of the Northern Ireland Act 1998 which deals with the promotion of equality of opportunity and good relations. The scheme received the approval of the Equality Commission in September 2005.

One of OSFC's policies entitled 'Customer Led Reviews' was identified as requiring an Equality Impact Assessment (EQIA). Data we had collected indicated that customers with mental health issues were less likely to fully engage in the review process. OSFC consulted with a number of interested bodies including PRAXIS, NIAMH, Disability Action and Rethink. Following the consultation, amendments were made to some of the questions asked to people with mental health issues. OSFC will monitor this to see if there is any improvement in the number of customers with mental health issues who fully engage in the review process.

Work is still ongoing with the SSA to obtain the necessary data needed for OSFC to carry out an EQIA on one of its other policies entitled 'External Focus'. When this information is received, OSFC will liaise with the Northern Ireland Statistics and Research Agency (NISRA) to see if there is any adverse impact on any of the Section 75 'groups'.

We continued our drive to promote our services and raise our profile amongst different voluntary and community organisations. This also helped to implement the good relations duty. Workshops and awareness sessions were delivered to a number of interested groups. Staff also participated in workshops provided by Disability Action and Rethink, an organisation that deals with people who have mental health issues.

Once again, new staff received Section 75 information included in their OSFC induction packs. All staff received training on equality issues and have been appraised of progress through team briefings and emails from the Equality Commission.

As part of its ongoing efforts to improve the provision of information to clients, the OSFC continues to provide leaflets translated into 7 languages. Furthermore, our new website was launched on 17 December 2008 and was audited to ensure it conformed to accessibility standards.

I am committed to providing a high quality service to all our customers and we will continually assess how we provide information in order to improve this service. We will also continue to implement the Section 75 duties to ensure equality of opportunity and the promotion of good relations.

## Disability Action Plan

I am also committed to complying with the duties imposed on the OSFC by sections 49A and 49B of the Disability Discrimination Act 1995, as amended by Article 5 of the Disability Discrimination (Northern Ireland) Order 2006. In accordance with the legislation the OSFC has drawn up a Disability Action Plan that details how the organisation will fulfil its duties up to 2010. This Action Plan was subject to widespread consultation with those groups with an interest in disability matters and was subsequently submitted to the Equality Commission in June 2007.

A revised Disability Action Plan was submitted to the Equality Commission in 08/09. To date OSFC has been unable to acquire specialist training for staff involved in the implementation of the Disability Action Plan, this situation is being kept under review. All other targets in the Action Plan have now been met. Work is due to start on devising a new Disability Action plan which will be implemented from 2010. In the meantime, OSFC continues to monitor its current Action Plan, and deliver on its targets and objectives.

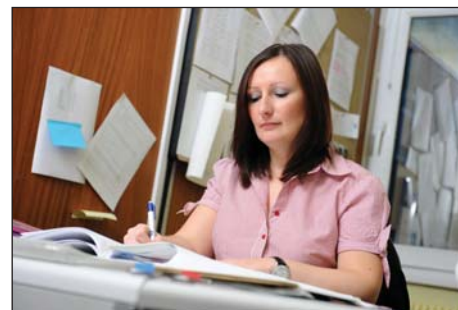
The disability duties were again included in both business and personal development plans. This places the disability duties at the centre of OSFC policy and decision making processes, as well as promoting positive attitudes amongst staff. All correspondence from OSFC includes a minicom number for the hard of hearing and leaflets can be obtained in different formats such as Braille.

## Complaints about Service

I take complaints about OSFC's service as seriously as those about decisions. My office manager is responsible for investigating complaints about our service and providing the appropriate remedy. This might be:

- Acknowledging the error and explaining what when wrong, and apologising;
- Correcting anything that can be put right; and/or
- Instigating a review and revision of procedures, where appropriate, to prevent similar occurrences in the future.

During 2008/09 we received 1 complaint regarding the time taken for a second Inspector's review to be carried out on the customer's case. The Inspector missed the target date for this case by 6 working days due to work pressures at the time, a situation which was compounded for the customer by the case papers taking an additional 6 working days (from the date they were requested) to arrive in OSFC. As a result of this lapse, all Inspectors were reminded of the need to



adhere to the set time targets and my Office Manager apologised to the customer concerned for the delay in handling his case.

## Important Issues Arising

My 2007/08 report raised a number of issues for the SSA's consideration. I have set these out below together with the SSA's response and the current position based on our experience. I am grateful to its consideration of the issues.

### Issues for Consideration raised in 2007/08

#### Review Interviews

##### SSA Response

"The Agency takes positive steps to ensure that all Social Fund customers are advised of the review process and of their appeal rights. These details are given in Social Fund application forms and also in all decision letters issued to customers. We also provide further information about the customer's right of appeal in leaflet GL24: "Appeal – if you think our decision is wrong" and in leaflet S16: "A Guide To The Social Fund" which gives comprehensive advice on all aspects of Social Fund (including disputes and appeals), the latter being available to customers via the internet at [http://www.dsdni.gov.uk/index/ssa/social fund s16 leaflet contents-pg.htm](http://www.dsdni.gov.uk/index/ssa/social%20fund%20s16%20leaflet%20contents-pg.htm)

Social Fund application forms also advise the customer that they can ask for a further review by the Social Fund Inspector. They also give the address of the Social Fund Commissioner and explain how to obtain leaflet OSFC6 which describes the review process and how the Inspector will look at their application.

The Department regularly reviews and updates all forms, leaflets and internet sites to ensure that our customers have the most up to date information on the review process."

*"I suggest the SSA continues to ensure that applicants are given the opportunity to engage in the review process" (Social Fund Commissioner's Report 2007/08)*

##### OSFC Position

I welcome the SSA's assurance that it takes positive steps to ensure all Social Fund customers are advised of the review process. The Department's Social Fund Direction 33, which governs the need for interviewing during a Reviewing Officer's review of determinations, has been amended since this issue was raised in my 2007/08 Report. The OSFC will monitor the correct application of this revised Direction, in particular the use of interviews to address crucial gaps in evidence in order that a sound decision may be arrived at, and provide feedback to the SSA, if required.

#### Implementation of the Quality Assurance Framework

##### SSA Response

"Two senior managers have recently visited a Benefit Delivery Centre in Perry Barr Birmingham to see the Quality Assurance Framework in operation and to discuss it with Social Fund Managers. We are currently assessing the resource and practical implications of introducing the framework in the SSA delivery model and

*"The SSA considers implementing the Quality Assurance Framework for Social Fund, with the assistance of OSFC." (Social Fund Commissioner's Report 2007/08)*

hope to be in a position to make a decision by early Autumn. The Agency will of course liaise with OSFC as necessary.”

### **OSFC Position**

I am pleased that the SSA is giving consideration to implementing the Quality Assurance Framework in Northern Ireland. It has now been fully rolled out across Great Britain.

## **Social Fund Training**

### **SSA Response**

“All Social Fund officers are full conversant with Social Fund legislation and procedures and are kept abreast of all changes to the Department’s guidance through intranet access. Social Fund guidance is continually updated to provide Agency staff with access to the most accurate information. The concentration of expertise in the specialist Social Fund centres and the sharing of knowledge and skills through various Social Fund meetings also ensures the continued delivery of a high quality service. OSFC attend the quarterly Social Fund Managers forum where there is an opportunity to discuss specific case related issues. This helps to identify any additional training requirements and Agency staff continue to avail of the workshops provided by OSFC.”

*“I suggest the SSA continues to take action to ensure staff are equipped to offer a good quality service” (Social Fund Commissioner’s Report 2007/08)*

### **OSFC Position**

I am encouraged by the SSA’s response on this issue and agree that the discussion of case issues at quarterly Social Fund Managers’ Forum has assisted in improving the accuracy of decisions. However, the uptake of OSFC workshops remains inconsistent by Districts across the network. Therefore, I would encourage District managers to invest their staff’s time in this training with a view to bringing about a further improvement in the quality of decisions made.

## **Issues Arising in 2008/09**

### **Discretionary Social Fund Budgets**

The current community care grant budget has only been increased by 0.3% and the gross loans budget has been reduced by 8% in the 2 years since 2006/07, whilst the same period has seen a 4.5% increase in discretionary Social Fund applications. If this increasing pressure continues in the coming year due to the prevailing economic situation, with higher numbers of people coming onto qualifying benefits, then Districts may no longer be in a position to meet all needs classed as high priority by Social Fund Officers and Inspectors.

The discretionary Social Fund is designed to meet the needs of the most vulnerable and needy people in our society who are not able to help themselves. These are the very people who are likely to suffer most in the current economic climate. In my opinion, this makes the allocation of additional funds to ensure their most urgent and basic needs can be met all the more pressing. It is essential that the Department takes action to secure an appropriate increase in these budgets

so that all high priority needs can be met across Northern Ireland in the challenging year ahead.

### Timely provision of Case Papers

The prompt provision of Community Care Grant and Budgeting Loan case papers to OSFC upon their request is important to enable Social Fund Inspectors to carry out their independent reviews in a timely fashion. This is particularly the case given that a substantial number of awards continue to be made by my Inspectors at the end of what can be a lengthy process for customers. Some examples have seen case papers take up to 21 working days to be received. The performance of Districts when providing case papers to OSFC within 4 days on average ranges from a low of 62% to a high of 94% (see chart below). I would request that the Agency works to improve on the current performance in this area.

<b>Table 8 – Provision of CCG and BL case papers</b>	
<b>District</b>	<b>% of CCG and BL case papers received within 4 working days</b>
<b>Belfast North and East Antrim</b>	70%
<b>Belfast West and Lisburn</b>	86%
<b>East Down</b>	62%
<b>North</b>	93%
<b>South</b>	94%
<b>West</b>	90%
<b>Total</b>	83%

## Resources

We are committed to employing our resources in a way that maximises economy, efficiency and effectiveness. During 2008/09, the OSFC total spend was £366,598 an under-spend of 7.7% against the budget allocation of £397,319. Salary costs for 2008/09 were £284,744 and accounted for 77.7% of overall expenditure. Due to staff vacancies the spend this year was £23,233 less than in 2007/08.

Inspectors completed 1,580 decisions, giving a unit cost (without accommodation costs) of £195.71 per decision. The unit cost per decision including accommodation costs was £232.02.

## Training and Development

OSFC had 10 staff in post on 31 March 2009. In line with the OSFC commitment to deliver high standards to applicants, £10,920.12 (3%) of our total spend was devoted to training and development of staff. This includes the direct costs of providing the training and the cost of staff time. This figure was higher than normal as it included the travel and subsistence costs associated with the training of 3 new Inspectors which was held in the Birmingham office over a 5 week period. A total of 111 mandays were spent on training and development activities.

## Investor in People

OSFC has been recognised as an Investor in People since November 1998. The OSFC Investor in People accreditation was reviewed in December 2007 and, following a significant amount of work, OSFC was reaccredited.

## Security

The security and confidentiality of the personal data we hold about people is taken very seriously. We design and develop our policies and procedures to ensure data is kept securely.

Following the high profile losses of data in some government departments, we have conducted a security review of our work processes and IT security.

The report highlighted many good practices which gave us a good level of assurance in relation to many of our systems. It also highlighted improvements in our postal arrangements, document security and IT memory devices security, these improvements have now been put in place.

We carry out regular checks to ensure stringent levels of security in OSFC. Our processes are regularly monitored and kept in line with Northern Ireland Civil Service security guidelines.



# Appendices

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## OSFC Decisions by Month

Appendix I(a) <sup>1</sup>

Month	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
April	98	38	3	139
May	58	27	4	89
June	76	28	2	106
July	94	37	2	133
August	86	39	2	127
September	82	49	5	136
October	150	37	2	189
November	89	27	1	117
December	93	46	1	140
January	75	19	1	95
February	93	41	1	135
March	117	54	3	175
<b>Total</b>	<b>1111</b>	<b>442</b>	<b>27</b>	<b>1580</b>

## OSFC Decisions by District

Appendix I(b) <sup>1</sup>

District	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
Belfast North & East Antrim	140	45	0	185
Belfast West & Lisburn	212	127	3	342
East Down	192	69	7	268
North	130	46	5	181
South	245	89	4	338
West	192	66	8	266
<b>Total</b>	<b>1111</b>	<b>442</b>	<b>27</b>	<b>1580</b>

<sup>1</sup> Workload comprises decisions on applications for an Inspector's review; applications for community care grants also considered for crisis loans and vice versa; but excludes reviews of Inspectors' decisions under Article 38(5) of the Social Security (NI) Order 1998 and withdrawn cases.

## Spread of Decisions – by District

## Appendix 2 <sup>2</sup>

District	Confirmed	Referred Back	Substituted	Other	Total
Belfast North & East Antrim	100	3	77	5	185
Belfast West & Lisburn	183	6	150	3	342
East Down	162	1	100	5	268
North	117	2	59	3	181
South	216	1	119	2	338
West	164	4	96	2	266
<b>Total</b>	<b>942</b>	<b>17</b>	<b>601</b>	<b>20</b>	<b>1580</b>

<sup>2</sup> When reviewing decisions the Inspector has the power to confirm the SSA's decision; refer the case back to the SSA for a fresh decision to be made; or substitute the SSA's decision with one of his own.

## Community Care Grants – Confirmed

## Appendix 3(a)

District	Confirmed decisions reached correctly <sup>3</sup>	Confirmed decisions not reached correctly <sup>4</sup>
Belfast North & East Antrim	66 (92%)	6 (8%)
Belfast West & Lisburn	85 (91%)	8 (9%)
East Down	104 (94%)	7 (6%)
North	78 (96%)	3 (4%)
South	151 (96%)	6 (4%)
West	104 (89%)	13 (11%)
<b>Total</b>	<b>588 (93%)</b>	<b>43 (7%)</b>

<sup>3</sup> Number of confirmed decisions reached correctly and as a percentage of all confirmed community care grant decisions for that district.

<sup>4</sup> Number of confirmed decisions where the SSA's decision was not reached correctly under the first stage of the Inspector's review and shown as a percentage of all confirmed community care grant decisions for that district. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

## Community Care Grants – Substituted

## Appendix 3(b)

District	Substituted Decisions <sup>5</sup>	Substituted decisions not reached correctly <sup>6</sup>	Decisions substituted on new information <sup>7</sup>
Belfast North & East Antrim	62 (44%)	44 (71%)	18(29%)
Belfast West & Lisburn	112 (53%)	71 (63%)	41 (37%)
East Down	75 (39%)	45 (60%)	30 (40%)
North	45 (35%)	23 (51%)	22 (49%)
South	85 (35%)	32 (38%)	53 (62%)
West	70 (36%)	46 (66%)	24 (34%)
<b>Total</b>	<b>449 (40%)</b>	<b>261 (58%)</b>	<b>188 (42%)</b>

<sup>5</sup> Number of substituted decisions and as a percentage of all community care grant decisions for that district.

<sup>6</sup> Number of community care grant decisions substituted where the SSA's decision was not reached correctly under the first stage of the Inspector's review and shown as a percentage of all substituted community care grant decisions for that district. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>7</sup> Number of community care grant decisions substituted where new information received by the Inspector changed the outcome of the decision and shown as a percentage of all substituted community care grant decisions for that district. These decisions may, or may not, have been reached correctly.

## Crisis Loans for Items – Confirmed

## Appendix 3(c)

District	Decisions Confirmed	Confirmed decisions reached correctly <sup>8</sup>	Confirmed decisions not reached correctly <sup>9</sup>
Belfast North & East Antrim	18	18 (100%)	0 (0%)
Belfast West & Lisburn	16	16 (100%)	0 (0%)
East Down	22	22 (100%)	0 (0%)
North	31	29 (94%)	2 (6%)
South	50	49 (98%)	1 (2%)
West	26	25 (96%)	1 (4%)
<b>Total</b>	<b>163</b>	<b>159 (98%)</b>	<b>4 (2%)</b>

<sup>8</sup> Number of confirmed decisions reached correctly and as a percentage of all confirmed crisis loan decisions for items for that district.

<sup>9</sup> Number of confirmed decisions where the SSA's decision was not reached correctly under the first stage of the Inspector's review and shown as a percentage of all confirmed crisis loan decisions for items for that district. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

## Crisis Loans for Items – Substituted

## Appendix 3(d)

District	Substituted Decisions	Substituted decisions not reached correctly <sup>10</sup>	Decisions substituted on new information <sup>11</sup>
Belfast North & East Antrim	15	9 (60%)	6 (40%)
Belfast West & Lisburn	33	14 (42%)	19 (58%)
East Down	20	12 (60%)	8 (40%)
North	14	4 (29%)	10 (71%)
South	33	6 (18%)	27 (82%)
West	21	15 (71%)	6 (29%)
<b>Total</b>	<b>136</b>	<b>60 (44%)</b>	<b>76 (56%)</b>

<sup>10</sup> Number of crisis loan decisions substituted where the SSA's decision was not reached correctly under the first stage of the Inspector's review and shown as a percentage of all substituted crisis loan decisions for items for that district. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>11</sup> Number of crisis loan decisions substituted where new information received by the Inspector changed the outcome of the decision and shown as a percentage of all substituted crisis loan decisions for items for that district. These decisions may, or may not, have been reached correctly.

## Crisis Loans for Living Expenses – Confirmed

## Appendix 3(e)

District	Living expenses confirmed	Confirmed decisions reached correctly <sup>12</sup>	Confirmed decisions not reached correctly <sup>13</sup>
Belfast North & East Antrim	9	9 (100%)	0 (0%)
Belfast West & Lisburn	72	71 (99%)	1 (1%)
East Down	20	20 (100%)	0 (0%)
North	1	1 (100%)	0 (0%)
South	4	4 (100%)	0 (0%)
West	13	13 (100%)	0 (0%)
<b>Total</b>	<b>119</b>	<b>118 (99%)</b>	<b>1 (1%)</b>

<sup>12</sup> Number of confirmed decisions and as a percentage of all confirmed crisis loan decisions for living expenses for that district.

<sup>13</sup> Number of confirmed decisions where the SSA's decision was not reached correctly under the first stage of the Inspector's review and shown as a percentage of all confirmed crisis loan decisions for living expenses for that district. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

## Crisis Loans for Living Expenses – Substituted

## Appendix 3(f)

District	Substituted Decisions	Substituted decisions not reached correctly <sup>14</sup>	Decisions substituted on new information <sup>15</sup>
Belfast North & East Antrim	0	0 (n/a)	0 (n/a)
Belfast West & Lisburn	4	1 (25%)	3 (75%)
East Down	4	1 (25%)	3 (75%)
North	0	0 (n/a)	0 (n/a)
South	1	0 (0%)	1 (100%)
West	5	1 (20%)	4 (80%)
<b>Total</b>	<b>14</b>	<b>3 (21%)</b>	<b>11 (79%)</b>

<sup>14</sup> Number of crisis loan for living expenses decisions substituted where the SSA's decision was not reached correctly under the first stage of the Inspector's review and shown as a percentage of all substituted crisis loan decisions for living expenses for that district. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>15</sup> Crisis loan for living expenses decisions substituted where new information received by the Inspector changed the outcome of the decision and shown as a percentage of all substituted crisis loan decisions for living expenses for that district. These decisions may, or may not, have been reached correctly.

## Budgeting Loans – Confirmed

## Appendix 3(g)

District	BL confirmed	Confirmed decisions reached correctly <sup>16</sup>	Confirmed decisions not reached correctly <sup>17</sup>
Belfast North & East Antrim	0	0 (n/a)	0 (n/a)
Belfast West & Lisburn	2	2 (100%)	0 (0%)
East Down	7	7 (100%)	0 (0%)
North	4	4 (100%)	0 (0%)
South	4	4 (100%)	0 (0%)
West	8	8 (100%)	0 (0%)
<b>Total</b>	<b>25</b>	<b>25 (100%)</b>	<b>0 (0%)</b>

<sup>16</sup> Number of confirmed decisions made correctly and as a percentage of all confirmed budgeting loan decisions for that district.

<sup>17</sup> Number of confirmed decisions where the SSA's decision was not reached correctly under the first stage of the Inspector's review and shown as a percentage of all confirmed budgeting loan decisions for that district. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

## Budgeting Loans – Substituted

## Appendix 3(h)

District	Substituted Decisions	Substituted decisions not reached correctly <sup>18</sup>	Decisions substituted on new information <sup>19</sup>
Belfast North & East Antrim	0	0 (0%)	0 (0%)
Belfast West & Lisburn	0	0 (0%)	0 (0%)
East Down	0	0 (0%)	0 (0%)
North	0	0 (0%)	0 (0%)
South	0	0 (0%)	0 (0%)
West	0	0 (0%)	0 (0%)
<b>Total</b>	<b>0</b>	<b>0 (0%)</b>	<b>0 (0%)</b>

<sup>18</sup> Number of budgeting loan decisions substituted where the SSA's decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has: interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>19</sup> Number of budgeting loan decisions substituted where new information received by the Inspector changed the outcome of the decision. These decisions may, or may not, have been reached correctly.

## Appendix 4 – Social Fund Self Instruction Packs

### **The Social Fund 'A Basic Overview'**

A general guide to the Social Fund, covering the key features of the scheme.

### **Community Care Grants**

A technical pack providing a thorough working guide to community care grants. Specifically designed for staff with responsibility for the Social Fund and organisations that advise or assist applicants.

### **Crisis Loans**

A technical pack providing a thorough working guide to crisis loans. Specifically designed for staff with responsibility for the Social Fund and organisations that advise or assist applicants.

### **Budgeting Loans**

This provides a brief summary of the changes to the budgeting loan scheme from 3 April 2006.

### **Evidence in the Social Fund Context**

This is intended to provide the user with a thorough, but not overly technical, guide to competent handling of evidence in the context of Social Fund applications.

### **The Social Fund for JBO/SSO staff**

This pack is designed for SSA staff in local offices who may be required to advise and assist customers, but who are not involved in Social Fund decision-making. It gives an overview of the conditions for payments and advice about the information customers should give to support their applications.

### **The Social Fund for Pension Service staff**

This pack is designed for staff in The Pension Service who may be required to advise and assist customers. It gives an overview of the conditions for payments and advice about the information customers should give to support their applications.

### **Decision Making and Reviews**

This is a 'how-to' guide to making and reviewing decisions. It focuses on the processes by which decisions are made rather than the technical aspects of the various types of Social Fund payments. It is primarily aimed at Decision Makers and Reviewing Officers, but might also be useful to other Social Fund practitioners and to advisers.

### **IRS Self Instruction Pack - Decision Making: The Inquisitorial Role**

This pack is designed to help decision makers understand their role in gathering evidence, with pointers about when additional information is necessary and how best to go about collecting it.

## Appendix 5 - OSFC Decision Completion Times by Month

Month	Community Care Grants % completed within		Crisis Loans % completed within 24 Hours <sup>22</sup>	Budgeting Loans % completed within	
	12 days <sup>20</sup>	23 days <sup>21</sup>		12 days <sup>20</sup>	23 days <sup>21</sup>
April	100%	100%	100%	100%	100%
May	100%	100%	100%	100%	100%
June	100%	100%	100%	100%	100%
July	98.9%	100%	100%	100%	100%
August	100%	100%	100%	100%	100%
September	100%	100%	100%	100%	100%
October	100%	100%	100%	100%	100%
November	100%	100%	100%	100%	100%
December	98.5%	100%	100%	100%	100%
January	98.7%	100%	100%	100%	100%
February	98.2%	100%	100%	100%	100%
March	100%	100%	100%	100%	100%
<b>Average</b>	<b>99.5%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

<sup>20</sup> Of those cases, which required no enquiries or straightforward enquiries, we aimed to complete 95% in 12 days.

<sup>21</sup> For those cases requiring further investigation or complex enquiries, we aimed to complete 90% within 23 days.

<sup>22</sup> We aim to complete 95% of urgent cases within 24 hours.

## **Appendix 6 - OSFC Customer Targets 2008/09**

**We aim to deliver a high quality decision at the earliest opportunity. Our staff will deliver the following customer service standards:**

### **Overall Customer Service Standards**

#### **Standard cases**

- We will make a decision on 95% of standard cases within 12 working days. Standard cases are all applications to the OSFC, excluding express and complex cases. They form the majority of the work of OSFC.

#### **Express cases**

- We will make a decision on 95% of express cases within 24 hours. Express cases are applications for living expenses or other needs where a very urgent decision is required.

#### **Complex cases**

- We will make a decision on 90% of complex cases within 23 days. Complex cases are those that warrant extensive enquiry or investigation or where the nature of the case is exceptionally complex.

### **Administration**

**In order to deliver the overall standards the following internal targets will guide our work:**

- Direct applications with the required identifying details will be registered and papers requested on the day they are received.
- Cases will be registered on the day they are received.
- Cases will be allocated and passed to the Inspector by the morning of day 2.
- Responses to papers or to requests for further information will be recorded and passed to an Inspector by close of business on the day they are received.

### **Decision Making**

- The relevant papers and the Social Fund Inspector's preliminary summary of the case will be sent to the applicant within 3 working days.
- Exceptionally, when the decision is indisputable, it will be issued within three working days.

### **Enquiries and complaints**

- Enquiries and complaints will be acknowledged on the day they are received.
- A full response, or update as appropriate, will be sent to the applicant within 8 working days.
- A decision will be made on standard complaint cases within 12 working days. Standard complaint cases are all applications, excluding express and complex cases.

- A decision will be made on complex cases within 23 working days. These are applications that warrant extensive enquiry or investigation or where the nature of the case is exceptionally complex.
- A decision will be made on express cases within 24 hours. Express cases are applications for living expenses or other needs where a very urgent decision is required.

### **Telephone Service**

- A telephone service will be provided for customers, on a Freephone line, between 9.00am and 4.30pm, Monday to Friday. An answering service will be available at all other times.

## Appendix 7 - OSFC Quality Standards for the Review

OOSFC will deliver Inspectors' reviews that are independent, impartial, fair and legally sound. In each case we will work to increase our applicants' ability to understand and participate fully and effectively in their review.

To achieve this, the review will meet the following quality standards:

before the decision is made the Inspector will:

- Examine thoroughly all the evidence presented to decide the key issues, establish the relevant facts and identify all necessary enquiries.
- Ask the right questions, in the right way, to enable all the relevant facts to be established.
- Deliver the information to the applicant in such a way that clarifies the key issues the Inspector has to decide, the facts he already knows about those issues and the information he still needs.

in making the decision the Inspector will:

- Take full account of the relevant information provided in the case and reflect that in the decision.
- Correctly interpret and apply the law, including the Department's directions.
- Ensure the rules of natural justice are met: that the applicant knows the case he must answer and has been given a fair opportunity to put his own case; and that there has been no bias.
- Reach an outcome that is reasonable and is right in all the circumstances of the case.
- Tailor each letter and decision to the case ensuring, in particular, that the applicant's level of understanding is respected.
- Explain the law clearly, in a way the applicant can understand, avoiding legal terminology wherever possible.
- Apply any relevant Commissioner's Advice to Inspectors.

in doing this OSFC will deliver the review:

- Promptly and within published Customer Service Standards.
- In the most cost effective way, delivering value for money.

## Appendix 8 – Social Fund Commissioner’s Meetings

Margaret Ritchie MLA, Minister for Social Development

Bryan Davis, Chief Executive SSA

Clare Magill, MLA

David Mehaffey and Dawn Thompson, Bryson House

Trevor Wright, USEL

Law Centre NI

Bob Stronge and colleagues, Advice NI

Sinead Campbell and colleagues, Help the Aged

Ciaran Sheehan and colleagues, The Welcome Centre

Aileen Coney and colleagues, St Vincent de Paul

Raymond Jackson and colleagues, Ballybot House, Newry

Social Fund Managers and Staff in North District

Social Fund Managers and Staff in South District

Social Fund Managers and Staff in West District

Social Fund Managers and Staff in Belfast West and Lisburn District

Social Fund Managers and Staff in Belfast North and East Antrim District

Social Fund Managers and Staff in East Down District









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