



OFFICE OF THE SOCIAL FUND
COMMISSIONER
FOR NORTHERN IRELAND

ANNUAL REPORT
2015-2016



OFFICE OF THE SOCIAL FUND
COMMISSIONER
FOR NORTHERN IRELAND

ANNUAL REPORT
2015-2016



© Crown copyright 2016

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/government/publications

Any enquiries regarding this publication should be sent to Department for Communities, Social Security Policy and Legislation Division, Level 8, Causeway Exchange, 1-7 Bedford Street, Belfast, BT2 7EG

Print ISBN 9780339000179

ID P002829747 10/16

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the Williams Lea Group on behalf of the Controller of Her Majesty's Stationery Office

Contents

	Page
Foreword	002
Executive Summary	004
About the OSFC	006
Customer Experience	008
Delivering the Review	009
Standard of Administration and Social Fund Inspectors' Decisions	014
Building Relationships	018
Resources	019
Appendix 1 – Organisational Structure	021
Appendix 2(a) – OSFC Decisions by Month	022
Appendix 2(b) – OSFC Decisions by District Area	022
Appendix 2(c) – OSFC Spread of Decision Types by District Area	023
Appendix 3 – OSFC Customer Targets 2015/16	024
Appendix 4 – OSFC Quality Standards for the Review	026
Appendix 5 – The Statutory Framework	027
Appendix 6 – Customer Survey 2015/16	029
Charts	
Chart 1 - Decisions by Application Type	009
Chart 2 - Outcome of Inspectors' Decisions - all application types	010
Chart 3 - Community Care Grant Decision Outcomes	011
Chart 4 - Crisis Loan Decision Outcomes	012
Chart 5 - Budgeting Loan Decision Outcomes	013
Chart 6 - Case Reading Results	015
Tables	
Table 1 – Analysis of Awards 2015/16	009
Table 2 – Analysis of Community Care Grant activity 2015/16	010
Table 3 – Analysis of Crisis Loan activity 2015/16	011
Table 4 – Analysis of Budgeting Loan activity 2015/16	012
Table 5 – Requests for Reviews of Inspectors' decisions 2015/16	015
Table 6 – Inspectors' Decisions - % of decision types and targets	016
Table 7 – Provision of CCG and BL case papers	017
Table 8 – OSFC Expenditure in 2015/16	019

Foreword



Dear Minister

As Interim Social Fund Commissioner I find myself in the unique position of presenting both my penultimate report, and my final report, for a full operational year period. When I was appointed Interim Commissioner for Northern Ireland, on 01 July 2015, it was in the full knowledge that major changes in welfare reform were anticipated. I am the first local person to hold the role of Commissioner NI and I hope that I have brought some local knowledge and experience to the role, having spent over 40 years working with communities here. All previous incumbents were the GB Commissioner who also undertook the Commissioner NI role.

1988 - 1995 Mrs Rosalind Mackworth CBE BA MA;
1995 - 2000 Mr John Scampion MA;
2000 - 2009 Sir Richard Tilt;
2009 - 2015 Mr Karamjit Singh CBE.

I want to acknowledge both the contribution made by my 4 predecessors and the more than 30 staff members who have ensured that the independent external review of Social Fund decision making has been delivered over a 28 year period.

On taking up post in July 2015, I visited a number of front line Jobs and Benefit Office locations - Antrim, Falls, Lisburn, Armagh, Omagh, Knockbreda, Downpatrick & Foyle. This greatly assisted my learning about the processes and procedures used and provided an opportunity to meet staff and management. I was enormously impressed by the dedication and commitment of everyone that I met. Their determination to put the customer first was very evident.

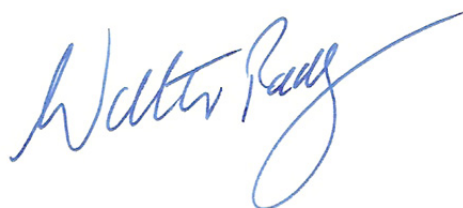
My office team, encompassing collectively over 55 years of experience and knowledge, have delivered high quality reviews, during a time of change. The team has provided me with both excellent support and a willingness to respond to my endless questions, for which I want to record my very sincere appreciation. I have also had very positive relations with departmental staff and in particular those implementing the new welfare reform arrangements, for which I am grateful.

In the short time that I have been in post, I can clearly see that the Social Fund has made a vital contribution to the most vulnerable and poorest people across Northern Ireland. In the last year we have ensured that an additional £230,927.67, in grants and loans, has been allocated to those most in need. I can confirm that over the 28 years, during which the Office of the Social Fund Commissioner has been in operation, over £7.7 Million has been allocated to those most in need as a result of our statutory review process.

During the past year I am pleased to report that we have reduced the costs of processing each decision, as set out in the Resources section (Pg 19) of this report.

We will continue to ensure that our statutory review process is available to those people who require our service, until the incoming Discretionary Support Fund is in place.

As we move towards the implementation of new arrangements, may I assure those charged with delivery of our cooperation in the transition period.



Walter Rader OBE MA Dip YCS
Interim Social Fund Commissioner

The Commissioner with Social Fund Inspectors and Support staff



Back Row (L to R): Walter Rader, Deborah Quinn, David Kielty, Nuala Baxter
Front Row (L to R): Marion French, Ellen Cooke, Christine Logue, Nikki Croft

Executive Summary

Work Activity 2015/16

- Social Fund Inspectors (SFIs) delivered 1892 decisions (152 less than in 2014/15 due to decreased demand).
- Inspectors changed 39.2% of Community Care Grant (CCG) decisions and made 376 awards resulting in a spend of £208,786.62 from the CCG budget.
- Inspectors changed 17.8% of Crisis Loan (CL) decisions and made 84 awards resulting in a spend of £21,015.41 from the loans budget.
- Inspectors changed 6.5% of Budgeting Loan (BL) decisions and made 2 awards resulting in a spend of £1,125.64 from the loans budget.
- Across all CCGs, CLs and BLs, Inspectors awarded a total of £230,927.67 to customers at the Level 3 review stage.
- OSFC provided feedback to the Social Security Agency (the Agency) about the findings, in each of the cases an Inspector reviewed.
- OSFC provided quarterly Statistics Reports on decision making in each of the Agency's Social Fund district areas.

In 2015/16, 30% of the decisions reviewed by Inspectors were substituted, resulting in:

- 376 Community Care Grant awards at an average of £555.28 per award;
- 84 Crisis Loan awards at an average of £250.18 per award; and
- 2 Budgeting Loan awards at an average of £562.82 per award.

The Standard of Social Fund Inspectors' Decisions

- I have examined 103 cases (equivalent to 8% of the 1,294 cases registered in 2015/16). In 97.1% of cases the outcome was correct, and in 2.9% I could not tell from the papers whether the outcome was right or wrong without acquiring additional information.
- 53 cases were examined following the Inspector's review, due to requests for a further review or as a result of internal checks. Of these, 12 were reopened and 8 were changed.

The Standard of Administration

- Inspectors cleared 100% of standard CCG cases within the 12 day target, 100% of standard CL cases within the 12 day target and 100% of standard BL cases within the 5 day target.
- 100% of complex cases were cleared within the 21 day target and 100% of routine express crisis loan cases within the 24 hour target.

In 2015/16, the average time taken by Inspectors to complete independent reviews was:

- less than 1 working day for an urgent crisis loan;
- less than 1 working day for a Budgeting Loan; and
- 9.4 working days for a Community Care Grant.

A definition of standard and complex cases is set out in the OSFC Customer Targets for 2015/16 at Appendix 3.

Resources

Excluding the Social Fund Commissioner's salary, travel and subsistence costs, OSFC spent £262,931 in total during the year giving a cost per decision of £138.97.

In 2014/15 there were 2,044 decisions completed. Had we completed this number of decisions outcomes in 2015/16, the cost per decision would have fallen further to £128.64.

About the OSFC

The core purpose of the Office of the Social Fund Commissioner (OSFC) is to deliver independent reviews of discretionary Social Fund decisions made in the Agency. We also share information and expertise with those who have an interest in the discretionary Social Fund and the independent review process. We participate in social policy research that contributes to wider debates about the Social Fund and related issues.

The Social Fund

The Social Fund was introduced on a United Kingdom wide basis 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 Social Fund. This is a scheme of payments, by grant or interest free loan.

The Social Fund for Great Britain was abolished in 2013 following the passage of the Welfare Reform Act (2012) by the Westminster Parliament. This also included abolition of the independent review process and the role of Social Fund Commissioner.

The Social Fund Commissioner

The Social Fund Commissioner for Northern Ireland is appointed by the Department for Social Development (the Department) – now the Department for Communities. The Commissioner has a statutory 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.

Grant payments are intended to help meet a need for community care. The prime objectives of grants are to:

- help people to establish themselves in the community;
- help people remain in the community;
- help with the care of a prisoner or young offender on release or temporary licence;
- ease exceptional pressures on families;
- help people setting up home as a part of a planned resettlement programme; and
- assist with certain travel costs.

Crisis Loans are interest free and are intended to help meet an immediate short term need either in an emergency, or as the consequence of a disaster, whereby the provision of that help is the only means of avoiding serious damage or serious risk to health or safety.

Budgeting Loans are interest free and are intended to help meet certain intermittent expenses which can be difficult to budget for, e.g:

- furniture and household equipment;
- clothing and footwear;
- rent in advance;
- travelling expenses;
- expenses associated with seeking or re-entering work.

Social Fund Inspectors

Inspectors can only review decisions that have already been reviewed internally within the Agency. Providing the customer has submitted their review in the appropriate manner. The Inspector has the authority to:

- confirm the decision under review;
- substitute the decision of the Reviewing Officer; or
- refer the case back to the Reviewing Officer to make a fresh decision.

Our organisational structure and functions are set out in Appendix 1.

Advice to Inspectors

The Social Fund Commissioner's Advice and Support Notes are made available to assist Inspector's with the interpretation and application of the law. These documents are reviewed and updated in response to changes made to the Social Fund scheme, or to address issues which arise in casework.

Customer Experience and Perceptions

Our Vision

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

Our Values

- Be open and accessible to our customers.
- Treat all with respect and courtesy.
- Work for continuous improvement in our standards and the service we provide.
- Promote easy access to the Fund.
- Provide value for money.

Complaints

During 2015/16 OSFC received 1 complaint about our service. The Office Manager responded to the complaint, providing an explanation on the decision taken by the Inspector. This figure does not include requests to have an Inspector's decision looked at again – statistics on such cases are shown on page 15, Table 5.

Timeliness

In 2015/16 Inspectors continued to make decisions on urgent crisis loans within the 1 working day target.

The percentage of case papers received during the year by OSFC from the Agency, within the 4 working day target, was 94.3% (a slight improvement on the previous year). The timeliness in receiving case papers is important as a customer's independent review application cannot commence until

the case papers are received within OSFC. Our targets for casework completion times begin at the point when the case papers are received.

Perceptions

During the period 1 April 2015 to 31 March 2016 a total of 161 questionnaires were issued to a random selection of OSFC customers in respect of reviews that were undertaken. This is broken down into 120 community care grant applications, 23 crisis loans and 18 budget loans.

A total of 34 replies were received (21.1% of the sample) which consisted of 25 CCG responses (73.5% of replies received), 3 CL responses (8.8% of replies received) and 6 BL responses (17.7% of replies received).

A summary of the responses is set out in Appendix 6.

Delivering the Review

Inspectors made 1,892 decisions during 2015/16. The overall number of decisions made by OSFC this year fell by 7.4%, compared to 2014/15 due to reduced demand. Chart 1 illustrates the demand for independent Social Fund reviews over the past 3 years, confirming the ongoing downward trend.

Chart 1 – Decisions by Application Type

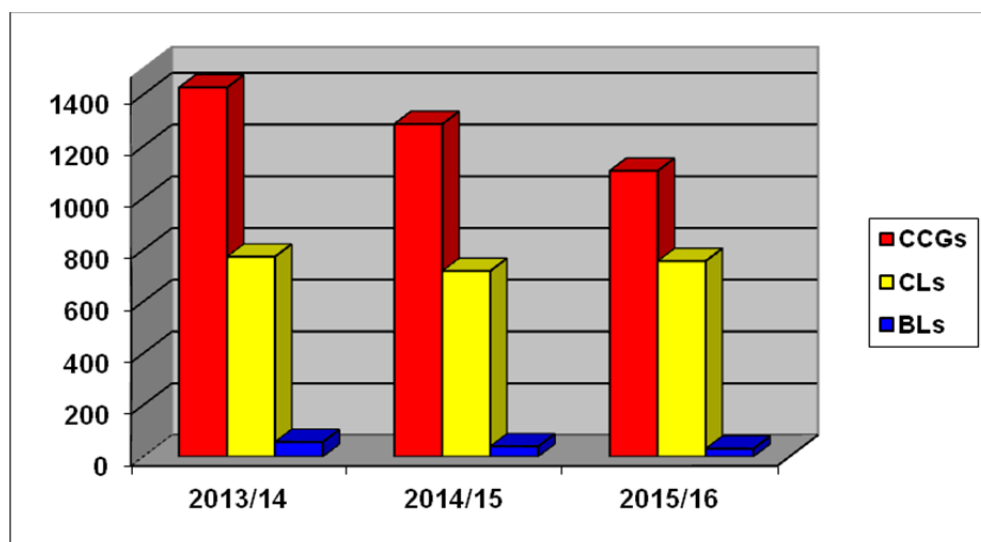
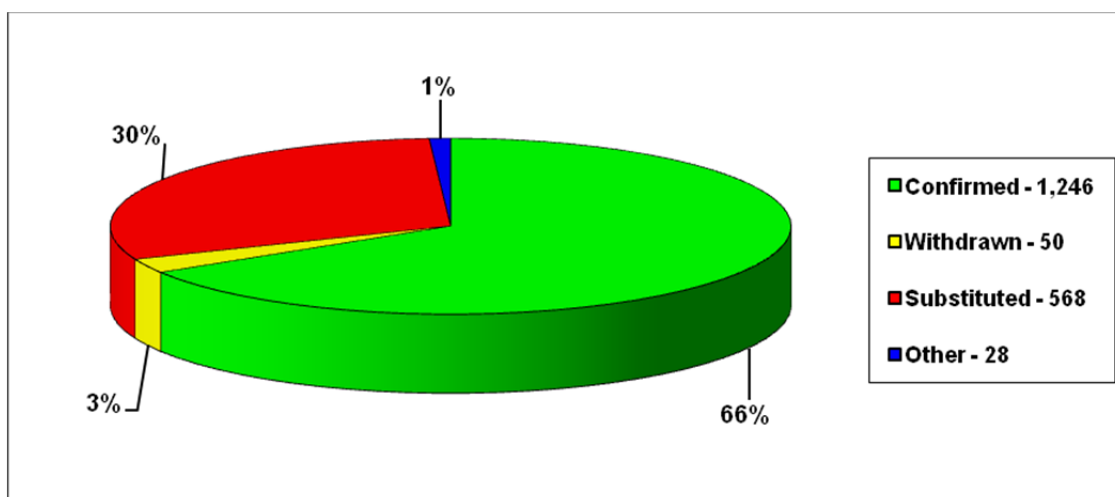


Table 1 shows the number of awards made by Inspectors during 2015/16 and the average amount of awards.

Application Type	Total NI Scheme Expenditure	Number of awards by Inspectors	Total amount awarded by Inspectors	Average amount awarded by Inspectors
CCG	£13,715,406	376	£208,786.62	£555.28
CL	£11,719,993	84	£21,015.41	£250.18
BL	£55,033,937	2	£1,125.64	£562.82
TOTAL	£80,469,336	462	£230,927.67	£499.84

Chart 2 shows the outcome of Inspectors' decisions across the three types of applications that make up the discretionary Social Fund.



Overall, Inspectors found important issues in 28% of the Agency decisions they reviewed. The issue rate for substituted decisions was 54.2% and the issue rate for confirmed decisions was 17.7%. Appendix 2 shows a breakdown of the spread of decisions by month, District area and type.

Community Care Grants

Community care grants again accounted for the largest proportion of our work (58.4%). Inspectors delivered 1105 decisions of this type. Table 2 below shows the number of independent review requests for grants, which were received by OSFC during 2015/16.

Table 2: Analysis of Community Care Grant activity 2015/16

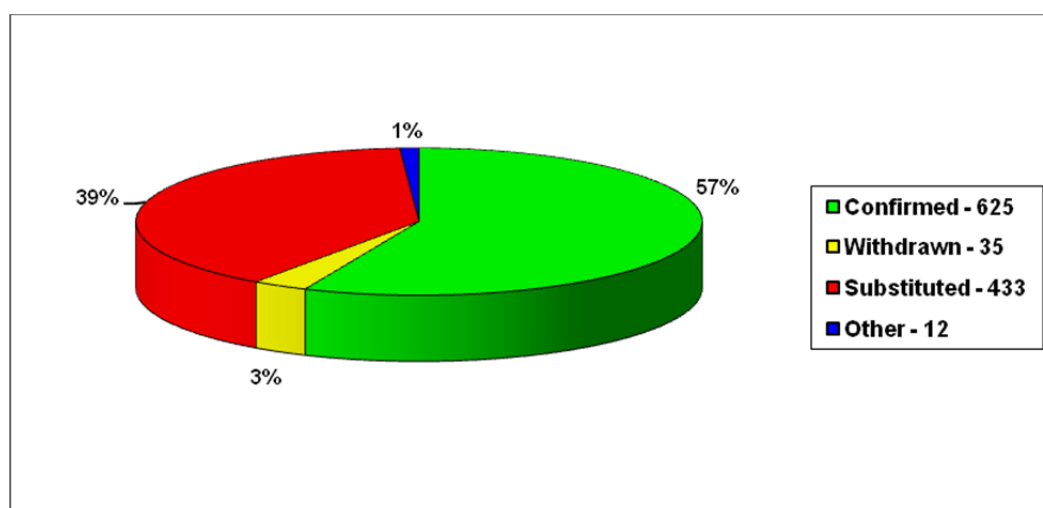
1. Initial Applications to the Agency	35,973
2. Initial Refusals by the Agency	17,779
3. Applications for Reviewing Officer review	7,315
4. Applications unchanged on review	3,697
5. Applications changed on review but not wholly in the applicant's favour	3,330
6. Applications for independent review received in OSFC	1101
7. Number of grant awards made by Inspectors	376
8. Average amount of grant award	£555.28

The Agency received 7,315 applications for review of grant decisions. Of the grant cases reviewed by the Agency, 1,101 applications for independent reviews were subsequently received by OSFC. This represents 15.7% of the 7,027 cases where there was potential for an independent review (ie those which were either unchanged or not wholly changed in the applicant's favour by the Reviewing Officer).

These figures emphasise the importance of making applicants aware of the role of the OSFC and also making our service accessible. This is underlined by the fact that 39.2% of the Agency’s grant decisions reviewed by Inspectors were substituted (Chart 3 below refers).

Decision Outcomes

Chart 3 shows the outcomes of Inspectors’ reviews on CCG decisions.



Crisis Loans

Crisis loans accounted for 40% of our workload this year. Table 3 shows the number of independent review requests for crisis loans, which were received by OSFC during 2015/16.

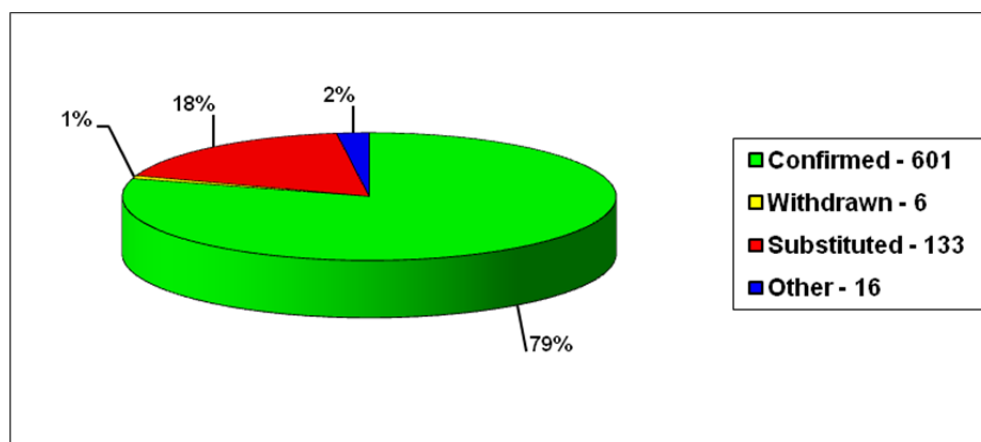
Table 3: Analysis of Crisis Loan activity 2015/16

1. Initial Applications to the Agency	110,963
2. Initial Refusals by the Agency	22,054
3. Applications for Reviewing Officer review	1,940
4. Applications unchanged on review	1,456
5. Applications changed on review but not wholly in the applicant’s favour	254
6. Applications for independent review received in OSFC	162
7. Number of crisis loan awards made by Inspectors	84
8. Average amount of crisis loan award	£250.18

The Agency received 1,940 applications for review of crisis loan decisions. Of the crisis loan cases reviewed in the Agency, 162 applications for independent reviews were subsequently received by OSFC. This represents 9.5% of the 1,710 cases where there was potential for an independent review (ie those which were either unchanged or not wholly changed in the applicant’s favour by the Reviewing Officer).

Decision Outcomes

Chart 4 shows the outcome of Inspectors' crisis loan decisions.



Budgeting Loans

Reviews

Budgeting Loans accounted for 1.6% of our workload this year. Inspectors delivered 31 decisions of this type. Table 4 shows the number of independent review requests for budgeting loans, which were received by OSFC during 2015/16.

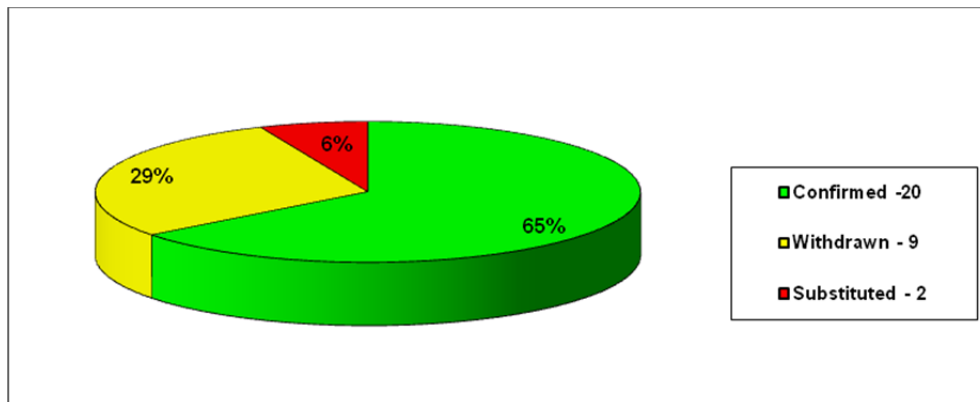
Table 4: Analysis of Budgeting Loan activity 2015/16

1. Initial Applications to the Agency	147,714
2. Initial Refusals by the Agency	22,869
3. Applications for Reviewing Officer review	708
4. Applications unchanged on review	423
5. Applications changed on review but not wholly in the applicant's favour	209
6. Applications for independent review received in OSFC	31
7. Number of budgeting loan awards made by Inspectors	2
8. Average amount of budgeting loan award	£562.82

The Agency received 708 applications for review of budgeting loan decisions. Of the budgeting loan cases reviewed in the Agency, 31 applications for independent reviews were subsequently received by OSFC. This represents 4.9% of the 632 cases where there was potential for an independent review (ie those which were either unchanged or not wholly changed in the applicant's favour by the Reviewing Officer).

Decision Outcomes

Chart 5 shows the outcome of Inspectors' Budgeting Loan decisions.



Standard of Administration and Social Fund Inspectors' Decisions

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

The Commissioner has a statutory duty to monitor the quality of Inspectors' decisions and to give them advice and assistance to improve the standard of their reviews.

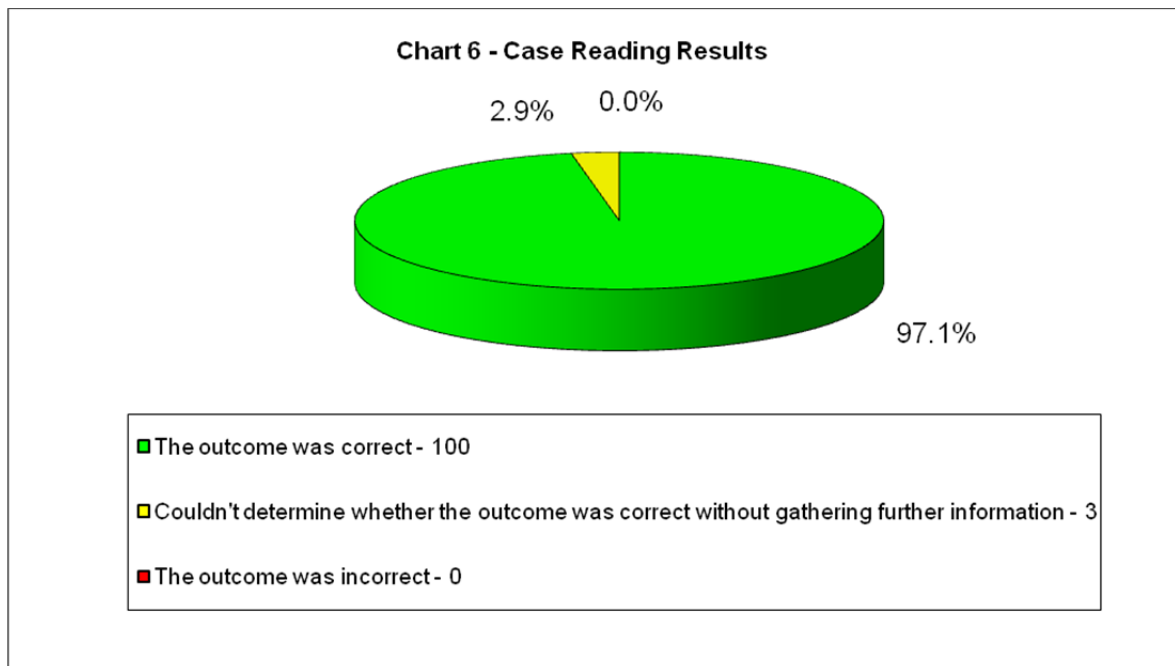
Case Reading

Case reading is the primary means by which I assess the standards of Inspectors' decisions and using a template to ensure consistency, my findings are fed back to individual Inspectors by the Office Manager, or through direct dialogue.

Although there is statutory provision to seek judicial review through the High Court, in practice the Inspector's review tends to provide the final resolution for applicants to the Social Fund. It is vital, therefore, that Inspectors deliver high standards and that our monitoring processes are robust. The overall quality standards required are set out in detail in Appendix 4.

In addition to Social Fund law, Inspectors' decisions must comply with general legal principles - such as burden of proof, standards of proof, and natural justice. All those who use the service of the OSFC have a right to know the reasons why the Inspector reached the decision that they did in their case. In order to ensure this, the Inspectors decisions must be presented in plain language. To this end, I also assess the clarity of explanation - in order to ensure it respects the applicant's level of understanding and avoids jargon.

My aim for 2015/16 was to read 5% of total caseload of grants, Crisis Loans and Budgeting Loans, selected at random. My total case reading for the year was 103 cases (8% of cases registered in 2015/16). **Chart 6** shows the results. In 97.1% of cases the outcome was correct, and in 2.9% I could not determine from the papers whether the outcome was right or wrong without acquiring additional information.



Reviews of Inspectors' Decisions

“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.

When a request for a review of an Inspector’s decision is received, it is passed to a different Inspector for reconsideration.

During 2015/16 we received 52 requests for reviews of Inspector’s decisions from customers or their representatives. As in previous years, the reason for most requests was either disagreeing with the amount of the award made by the

Inspector, or the refusal of an award by the Inspector. In the majority of these cases we considered that the Inspector’s decision was legally sound. A further 1 case was identified through our own internal checking processes and was reviewed. In total 8 decisions were changed out of the 53 that were considered.

Table 5 –Reviews of Inspectors’ decisions 2015/16

Source	Reviews of Inspectors’ Decision	Number reopened	Number changed
Customer	47	9	7
Customer’s Representative	5	2	0
Internal Checks	1	1	1
Total	53	12	8

In 2015/16 Inspectors aimed to clear reviews of Inspectors’ decisions within 12 working days, and within 21 working days in more complex cases. Of these 53 cases, 47 (88.7%) were cleared in 12 days and 5 (9.4%) in 13 to 21 days. 1 case exceeded the 21 day target.

Completion Times

This office recognises the importance of completing reviews as quickly as possible. Particularly, as the people who use our service have urgent needs and have already had two decisions made on their application by the Agency. Nevertheless, the Inspector has a duty to ensure natural justice is served. In order to do this, before a decision is made, the Inspector normally telephones the applicant or sends out a copy of the key papers, setting out the facts and issues to be decided. The Inspector invites the applicant to comment on these matters, setting out a series of questions to be addressed, and asks additional questions if appropriate.

We issued letters and made telephone inquiries seeking further information on 902 occasions before making a decision, to which there were 628 responses (69.6%). This part of the process is included in the overall clearance times.

Of those who responded, 37.4% did so by telephone. This considerably reduces the time taken to reach a decision and enables the customer (or their representative) to provide greater detail when responding to the Inspector's questions.

Table 6 illustrates the number of decisions of each type and the proportion of our workload this represents, together with our time targets and achievements for each decision type.

Table 6 – Inspectors' Decisions – % of decision types and targets				
Decision type/Timescale	No. of decisions	% of decision workload	Target %	Achieved %
Community Care Grants: No enquiries/straightforward enquiries (to be completed within 12 days of receipt)	889	47%	95%	100%
Community Care Grants: Further investigation /complex enquiries (to be completed within 21 days of receipt)	216	11.4%	100%	100%
Budgeting Loans: No enquiries/straightforward enquiries (to be completed within 5 days of receipt)	31	1.6%	95%	100%
Crisis Loans for items only (to be completed within 12 days of receipt, or 21 days if further investigation/complex enquiries are needed)	644	34%	100%	100%
Crisis Loans incorporating a request for living expenses (to be completed within 24 hours)	112	6%	100%	100%

The Agency has a target for providing case papers to OSFC within 4 working days of a request from this office. Their performance last year is set out in Table 7 below.

Table 7 – Provision of CCG and BL case papers	
District Area	% of CCG and BL case papers received within 4 working days in 2015/16
Antrim	92.9
Armagh	96.8
Falls Road	85.6
Foyle	97.7
Knockbreda & Downpatrick	95.7
Lisburn	93.3
Average	94.3

Building Relationships

Feeding Back on Standards and Policy

The OSFC works with the Department for Communities (previously the Department of Social Development) in order to improve the standard of first line decision making, by providing feedback on each case we review. We also provide regular feedback (via quarterly statistics reports which give detailed information for each of the Social Security Agency's Social Fund district areas and Northern Ireland as a whole) about performance and operational issues drawn from all the cases that Inspectors reviewed.

During 2015/16 the most common issues identified in these reports included:

- Qualification – for example the law was misinterpreted, the wrong test was applied, or the decision reached was not a reasonable one based on the available evidence.
- Inquisitorial role – the Reviewing Officer failed to ask crucial questions where more information was needed.
- Natural justice - the applicant has not been given a fair opportunity to state their case or to know the case against them.

Examples of leaflets and information packs include:

- “The Social Fund – A Basic Overview”
- “Evidence in the Social Fund Context”
- “The Social Fund for JBO/SSO staff”

Improving Knowledge

One of our objectives is to use our expertise and experience in order to provide advice to applicants, their representatives and advisers, and

the Agency's staff about the Social Fund and the role of OSFC.

During the year OSFC staff have engaged with customers, and their representatives, during independent reviews to provide information on the review process. In addition, we have made leaflets on the independent review process available on our website.

We have also been represented at meetings with Social Fund staff in the Agency to discuss their standard of decision making and raise awareness of common issues being reported in Social Fund review decisions made in the Agency.

We continue to produce Statistics Reports to highlight the quality of decision making within the Agency, across their network. These Reports are produced quarterly, together with an overarching annual Report, and are published on our website and emailed to the Agency and interested stakeholders.

I have also visited a number of JBOs in order to better understand the system, procedures and challenges faced by frontline staff, and those involved in decision making.

Resources

Table 8 – OSFC Expenditure in 2015/16	
Business Operating Costs	£2,292
Salaries	£260,639
Total¹	£262,931
Cost per decision	£138.97

¹The total excludes a separate budget of £29,500 for the Social Fund Commissioner’s travel, subsistence costs and remuneration. During the year covered by this Annual Report the sum of c. £ 25,257 was paid in respect of the Commissioner’s 4 days per month spent on Northern Ireland Social Fund issues and this sum also covers remuneration and employer related costs.

Inspectors completed 1,892 decisions, giving a unit cost of £138.97 per decision. It should be noted that this ‘cost per decision’ figure is gross including other non-review or decision making activity carried out by OSFC staff, e.g., providing information relevant to the reform of the discretionary Social Fund in Northern Ireland, attending various meetings with the Social Fund Commissioner, together with providing training to new Inspectors and the induction programme for the Interim Commissioner.

As Commissioner I have scrutinised our use of resources and the implementation of processes, in order to ensure that our productivity and objectivity are not compromised. The cost table set out below clearly demonstrates greater efficiency over a 6 year period.

Cost of processing review decisions

Year	Cost per decision
2009/10	£204.79
2010/11	£263.46
2011/12	£173.51
2012/13	£157.81
2013/14	£157.48
2014/15	£148.98
2015/16	£138.97

These achievements in efficiency have been realised against a backdrop of reducing the staff resource and increasing the productivity of our well motivated team.

Sick Absence

The sick absence rate in OSFC during the 12 month period 2015/16 was c. 5.9%.

Risk Assessment

OSFC continues its commitment to improving its risk management. Central to this commitment is a detailed Risk Register and Business Continuity Plan. These are reviewed regularly and discussed at team meetings. Quarterly reports and stewardship statements are made to DSD's Departmental Management Board. A series of internal controls are also in place.

Security

OSFC took steps to minimize the amount of sensitive customer information it holds by safely disposing of sensitive data which was no longer required for business purposes, in line with our Document Retention and Destruction Schedule. We continue to seek improvements to our Certificate of Assurance processes to help ensure we keep retained customer and staff information secure.

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 can be viewed on the OSFC website.

We provide some information in other languages, including:

- Arabic
- Chinese
- Latvian
- Lithuanian
- Polish
- Spanish
- Portuguese

Disability Action Plan

Correspondence from OSFC includes a Minicom number for the hearing impaired and leaflets can be provided in different formats such as Braille.

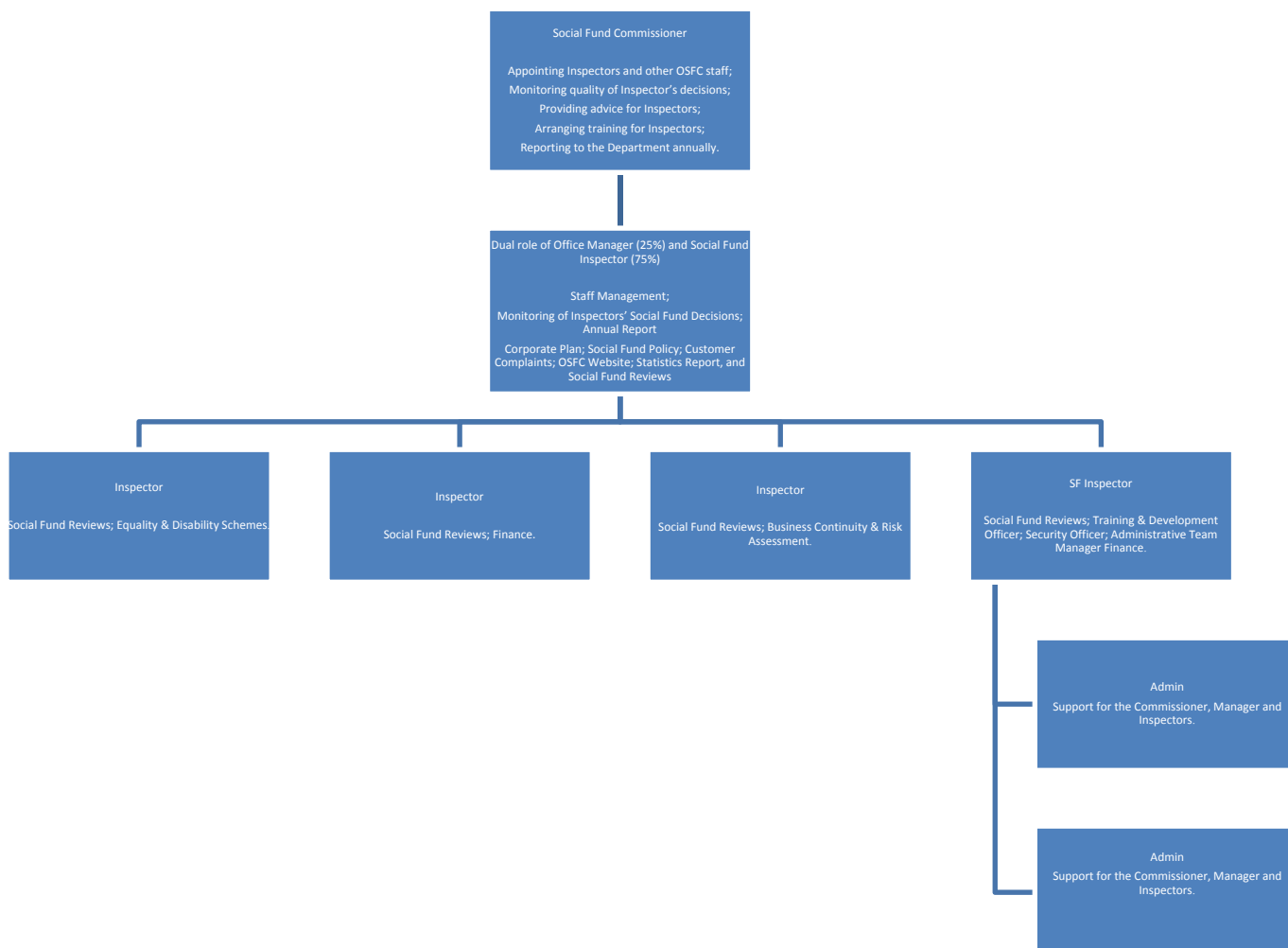
As the Social Fund Commissioner, I am also committed to complying with the duties imposed by the Disability Discrimination Act 1995. In accordance with this the OSFC has in place a Disability Action Plan.

Appendix 1 - Organisational Structure

There are two distinct strands to our work.

- The first relates to delivery of the independent review process.
- The second draws on OSFC expertise and data to:
 - feed back to the Agency on operational and policy matters; and
 - to provide general information to the public.

Our organisational structure is designed around these strands and the following organisational chart demonstrates some of the work that we do.



Appendix 2(a) – OSFC Decisions by Month

Month	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
April	90	68	3	161
May	106	65	1	172
June	129	66	5	200
July	82	59	2	143
August	93	53	3	149
September	70	63	5	138
October	92	63	1	156
November	125	95	4	224
December	113	69	3	185
January	71	52	1	124
February	73	65	1	139
March	61	38	2	101
Total	1105	756	31	1892

Appendix 2(b) – OSFC Decisions by District Area

District Area	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
Antrim	154	109	3	266
Armagh	275	165	5	445
Falls Road	138	86	2	226
Foyle	161	91	8	260
Knockbreda & Downpatrick	201	172	5	378
Lisburn	176	133	8	317
Total	1105	756	31	1892

Appendix 2(c) – OSFC Spread of Decision Types by District Area

Location	Community Care Grants			Crisis Loans			Budgeting Loans		
	Confirmed	Substituted	Other ²	Confirmed	Substituted	Other ²	Confirmed	Substituted	Other ²
Antrim	88	58	8	88	15	6	3	0	0
Armagh	156	107	12	122	38	5	4	0	1
Falls Road	89	43	6	69	17	0	0	0	2
Foyle	90	65	6	72	16	3	4	1	3
Knockbreda & Downpatrick	96	96	9	136	30	6	5	0	0
Lisburn	106	64	6	114	17	2	4	1	3
Total	625	433	47	601	133	22	20	2	9

² Other includes review applications that were not made in the correct time, form or manner; withdrawn review requests; applications which were outside the jurisdiction of OSFC; and cases which were referred back to the Social Security Agency for further action.

Appendix 3 - OSFC Customer Targets 2015/16

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 CCG and CL cases within 12 working days and standard BL cases within 5 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 of receipt of the papers. 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 100% of complex cases within 21 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:

- Some customers send their request for an independent review directly into OSFC. The associated case papers will be requested from the Agency on the same day as the request is received.
- We will work towards obtaining 95% of direct application papers within 4 days.
- Applicants will be informed when their papers remain outstanding from the Agency for more than 10 days.
- Cases will be fully registered on the day they are received.
- Cases will be allocated and passed to the relevant Inspector by the morning of day 2.
- Written responses to papers or to requests for further information will be recorded and passed to a decision maker on the day they are received.

Decision Making

- Any necessary enquiries to be made of the applicant will be made within 3 working days of receipt of the papers.
- Where no further enquiries are necessary in order to reach a sound decision, the decision will be issued within 3 working days of receipt of the papers.

Enquiries and complaints

- A full response, or update as appropriate, will be issued to the applicant within 12 working days of the receipt of an enquiry or complaint.
- Where a full response has not been issued by day 12, it should be issued, on all cases, within 21 working days.
- A full response will be issued 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, at a free phone call rate, between 9.00 am and 4.30 pm, Monday to Friday. An answering service will be available at all other times.

Appendix 4 - OSFC Quality Standards for the Review

We will deliver Inspectors' reviews that are independent, impartial, fair and legally sound. In each case we will work to increase the applicant's 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, detail the facts that they already know about those issues, and detail the information they still need.

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 they must answer and has been given a fair opportunity to put their own case; and that there has been no bias.
- Reach an outcome that is reasonable and appropriate in 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 the relevant Commissioner's Advice to Inspectors.

In doing this we will deliver the review:

- Promptly and within published Customer Service Standards.

Appendix 5 - 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. The Commissioner has a duty to:

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

- 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.

Social Fund Inspectors

Social Fund Inspectors provide the independent review process for applicants who are dissatisfied with the Agency's decisions on their applications to the discretionary Social Fund.

Jurisdiction

Inspectors can only review decisions that have already been reviewed by the Agency, 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 Agency's review decision.

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

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

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:

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

- 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.

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.

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

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

The Inspector has a discretionary power to review their 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.

Appendix 6 - Customer Survey 2015/16

The following is a summary of those responses complete with any customer comments that were made.

Q1. – How did you find out about the OSFC?

Source	Number	Percentage
JBO	24	70.6
Advice Worker	4	11.8
Phonebook	1	2.9
Internet	1	2.9
Other	4	11.7

Others – a friend, a mate, social services

Q2. - Was it easy to apply for a review at the Office of the Social Fund Commissioner?

Response	Number	Percentage
Yes	30	88.2
No	3	8.8
Unanswered	1	2.9

How Could It Be Improved?

Comments

- Due to my circumstances it was tough to get a minute, so when I missed a phone call and tried to ring back I wasn't allowed to as the inspector didn't take calls back.
- Simplification
- If they made contact with the customer before making a decision first, without going by social fund decision makers review papers, which [individual] received a copy of, and regarding a hall carpet. All details were not taken into consideration ie stained was mentioned but severe ripples in carpet were not mentioned which have now caused [individual] to trip and injure his right leg. This fall occurred Saturday 2nd April, the same day he received this form from OSFC.

Other comments

- No improvement needed 100% good

Q3. – Did you have a representative?

Response	Number	Percentage
Yes*	7	20.6
No	27	79.4

* Project worker in NIACRO, husband, Sure Start family officer

Comments

- I got a letter from my health visitor to help me

Q4. - Did you or your representative telephone the Office of the Social Fund Commissioner?

Response	Number	Percentage
Yes	13	38.2
No	20	58.8
Unanswered	1	2.9

Q5. - Was your call answered promptly and politely?

Response	Number	Percentage
Yes	18	52.9
No	2	5.9
N/A	10	29.4
Unanswered	4	11.8

Comments

- The Inspector phoned me regarding the questions and was most polite and understanding of my circumstances
- Went down, got loan form
- No one contacted [individual] by phone or letter
- Asked to be put through, was passed from pillar to post and phone rang out
- I didn't ring them

- Couldn't give info over phone as the office was overloaded with calls. So I had to contact and apply by letter

Q6. - Did you find the questions asked by the Inspector on the forms easy to understand?

Response	Number	Percentage
Yes	27	79.4
No	3	8.8
N/A	2	5.9
Unanswered	2	5.9

Q7. - Did you find the papers issued to you from the Inspector useful?

Response	Number	Percentage
Yes	21	61.8
No	5	14.7
N/A	6	17.6
Unanswered	2	5.9

Q8. – Would you have preferred the Inspector to have telephoned you to gather information rather than send out papers?

Response	Number	Percentage
Yes	21	61.8
No	11	32.4
N/A	1	2.9
Unanswered	1	2.9

Comments

- Because I didn't feel I was listened to on initial application as I couldn't get speaking to anyone
- I found the whole experience and service fantastic and I am so grateful
- It may have been easier as what I wrote sometimes appeared more complicated written down
- Yes on the phone would have been easier

Q9 - Were the reasons for the Social Fund Inspectors decision easy to follow?

Response	Number	Percentage
Yes	28	82.4
No	6	17.6

If No, how could we improve? (Comments below)

- More clear and precise definitions of how they reached the decision and why
- Useless
- Think about what I applied for and why
- More info on the criteria
- Just a few questions

Q10 - Do you feel the Inspectors review was independent?

Response	Number	Percentage
Yes	26	76.5
No	5	14.7
Unanswered	3	8.8

Comments

- Pre-determined decision made before even entering the process set by targets by the social fund
- Other people involved
- Not sure what the process is to review

Q11. - Would you use the Office of the Social Fund Commissioner again?

Response	Number	Percentage
Yes	31	91.2
No	3	8.8

Comments

- Because I was turned down
- Only through necessity rather than choice

Additional Comments made:

- Although I'm very aware that the social fund isn't an eternal well of wealth, many people have no other options and not every scenario is not clean cut, black and white, allow for grey areas. I personally was told I was ineligible although on the front page, 3 of the criteria applied to my desperate situation. The commission would do well to note that this is peoples lives and not statistics that they are dealing with.
- Community care grant much harder!
- If I was a foreigner I'd have got whatever I wanted
- [Customer] sent forms, not from social fund commissioner but the form he was sent by Armagh social fund service back to Armagh jobs & benefits office and they sent the form to OSFC. At no point did [customer] receive a phone call or a list of questions regarding his case from the OSFC and felt by the decision that was made by the commissioners office not to allow for one item he had applied for was not properly looked into. If he had contact from the OSFC by phone or letter he thinks your decision would have been different.
- I would like to take this moment to thank the office of the social fund commissioner. I'm very grateful and thankful for the help I received.
- Do not need to be improved, first class service, 100% good. Thanks
- Thankyou I thought it was very helpful to me
- Very happy with process and its outcome. I have mental health issues as well as physical problems so the uncomplicated procedures helped me feel less stressed. Thank you very much for your attention, it was very much appreciated.
- Every time I phone up to speak to someone they are nice and very helpful when you speak to them
- I would rather they would understand my issues when I applied for mattress. I was given the answer cats would not pee on your mattress so I really feel let down when I am the person whos mattress was destroyed. It was the cats urine that did it I seen the cats in my home
- I have used your review process a few times and was happy with your decision. I will probably use it again as my wife is in and out of hospital

quite often and every time they turn me down for a travel grant and I have to go through the appeal system, then go to yourselves for help. Thank you

- Other than the inspector the first person I was reviewed by was very ignorant. He had my forms filled in already so when I went up all he asked me to do was sign my name. He put me down for something other than lost money. He made me feel like I was dirt on the street when I was in an actual crisis but when the inspector was involved she couldn't have been more helpful.
- 'very efficient'
- Well I am not happy about your decision knowing you can get £1500 in budgeting loans. I owe £482 only paying £5 a week. I'm in a crisis no fridge freezer no food no bed. You should allow people in a crisis a loan which I am in.
- I feel that what you have done for me means that I can lead a more normal life and I appreciate that so much. Thank you again
- I would like to thank you so much for all your help in the difficult period for me. Once again the service was excellent.
- I was very glad that the office of the social fund understood why I was entitled to what I was asking for. The social security no matter how many times I explained and wrote down dates and had letters etc to explain, still not accept that I was entitled. So I think they did a good job – the OSFC. Thank you
- I just want to say a massive 'thank you' to the final inspector who looked at my case. I really appreciate the time you took to read and listen to our circumstances. The grant has helped is so much!! IT has entitled me to make a good start in our new home for my familys health and well being. THANK YOU
- I did not get my community care grant, maybe because I thought my older sons could help with the money. They didn't and don't call round so myself and my son [name] are as far back as ever. We are going to apply again hopefully turn out better
- More info on the criteria required

	08/09	09/10	10/11	11/12	12/13	14/15	15/16
Questionnaires issued	120	120	168	239	134	141	161
Questionnaires returned	36	38	43	56	33	32	34
Received extra award	26 (72%)	28 (74%)	30 (70%)	26 (53%)	21 (64%)	20 (62.5%)	16 (47.1%)
No extra award	10 (26%)	10 (26%)	13 (30%)	23 (47%)	12 (36%)	12 (37.5%)	18 (52.9%)
Percentage of replies received	29%	32%	26%	23%	25%	23%	21%
Was it easy to apply for a review at the Office of the Social Fund Commissioner?	91%	95%	95%	93%	91%	84%	91%
Did you have a representative?	23%	34%	36%	35%	36%	28%	21%
Did you or your representative telephone OSFC?	43%	50%	71%	50%	55%	38%	39%
Would you have preferred the Inspector to have telephoned you to gather information rather than send out papers?	-	-	43%	48%	64%	40%	66%
Was your call answered promptly and politely?	100%	89%	97%	95%	88%	91%	90%
Did you find the questions asked by the Inspector easy to understand?	94%	86%	93%	88%	86%	90%	90%
Did you find the papers from OSFC that accompanied the questions useful in helping you understand the issues in your case?	89%	86%	88%	81%	79%	82%	81%
Were the reasons for the Social Fund Inspectors decision easy to follow?	80%	84%	88%	80%	86%	87%	82%
Do you feel the Inspectors review was independent?	77%	85%	90%	75%	83%	81%	84%
Would you use the Office of the Social Fund Commissioner again?	94%	81%	95%	87%	86%	90%	91%

Non-responses and those answering "not applicable", "other" or ticking both "yes" and "no" to the same question have been ignored in calculating these percentages.

ISBN 978-0-339-00017-9



9 780339 000179