



OFFICE OF THE SOCIAL FUND  
**COMMISSIONER**  
FOR NORTHERN IRELAND

**ANNUAL REPORT**  
**2011-2012**



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# Foreword



Dear Minister,

I am pleased to present my third Annual Report to you since my appointment as the Social Fund Commissioner for Northern Ireland. I report on the achievements of my staff during the year ending March 2012.

The calls on our service to provide an independent review have increased during the past year. We have continued to resolve cases quickly and effectively within challenging timescales; maintained high quality standards in our decisions; and as our customer survey demonstrates we have retained high levels of satisfaction on the part of customers and those acting for them. Whilst our primary responsibility is to ensure that we deliver a high quality service to a poor and vulnerable section of the community we are conscious of our accountability to the taxpayer in terms of securing value for money. I am pleased to report that our unit cost per case during this past year was £174, a reduction from £263 during the previous year, which we achieved without any decline in the quality of our decision making or service to the public.

The Welfare Reform Bill due to be introduced to the Northern Ireland Assembly will abolish the discretionary Social Fund and my office thus bringing an end to the independent review process. However this also provides an opportunity to have a Northern Ireland approach in this policy area for the first time. I believe that the experience and insights gained from our casework, which span more than two decades, represent a valuable legacy from which key principles can be drawn to underpin any successor arrangements. An effective, independent grievance mechanism should be a necessary component. The transition to new provision in Northern Ireland needs to occur in as seamless a way as possible, because the types of need met by the discretionary Social Fund will not disappear.

I would like to express my appreciation to all staff in the office. Our achievements throughout the year represent a highly commendable performance by them, during what has been a continuing period of uncertainty. Throughout my time as Social Fund Commissioner, I have been encouraged by their constructive approach, positive attitude and hard work, in meeting challenges as they emerge. I am confident that we will continue to meet our commitments to customers and to taxpayers for our remaining time in operation.

Yours sincerely

**Karamjit Singh CBE**  
**Social Fund Commissioner for Northern Ireland**

# Executive Summary

## Work Activity 2011/12

- Social Fund Inspectors (“Inspectors” or “SFIs”) delivered 2,191 decisions.
- Overall Inspectors changed 31.7% of the decisions made by Reviewing Officers in the Social Security Agency (“the Agency” or “SSA”).
- Inspectors changed 35.2% of Community Care Grant (“Grant” or “CCG”) decisions and made 355 awards resulting in a spend of £145,417.64 from the CCG budget.
- Inspectors changed 27.6% of Crisis Loan (“CL”) decisions and made 222 awards resulting in a spend of £39,918.81 from the loans budget.
- Inspectors changed 9.8% of Budgeting Loan (“BL”) decisions and made 5 awards resulting in a spend of £1,275.89 from the loans budget.
- The Office of the Social Fund Commissioner (“OSFC”) delivered 6 workshops to 48 people.
- OSFC provided feedback to the Agency about the findings in each case an Inspector reviewed.
- OSFC provided quarterly Statistics Reports on decision making in each of the Agency’s Social Fund districts.
- I met with a range of stakeholder organisations with an interest in the Social Fund during the year, a list is provided at Appendix 7.

In 2011/12, 31.7% of the decisions reviewed by Inspectors were substituted, resulting in:

- 355 Community Care Grant awards at an average of £409.63 per award;
- 222 Crisis Loan awards at an average of £179.81 per award; and
- 5 Budgeting Loan awards at an average of £255.18 per award.

## The Standard of Social Fund Inspectors’ Decisions

- Case readers examined 82 cases (equivalent to 5.3% of the cases registered in 11/12). 95.1% of the decisions were found to be correct.
- 98 requests for further reviews of Inspectors’ decisions were received. Of these 44 cases were reopened and 32 were changed.

## The Standard of Administration

- Inspectors cleared 100% of routine cases within the 12 day target, 100% of complex cases within the 21 day target and 100% of express crisis loan cases within the 24 hour target.

In 2011/12, the average time taken by Inspectors to complete independent reviews was:

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

## Resources

OSFC spent £380,167 during the year giving a cost per decision of £173.51. The cost per decision figure does not reflect the important training and social fund policy work undertaken by the Commissioner and OSFC staff.

# About the OSFC

Our core business 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. We participate in social policy research that contributes to the wider debate about the Social Fund and related issues.

## 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 Social Fund. This is a scheme of payments, by grant or interest free loan.

## 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.

## Social Fund Inspectors

Inspectors can only review decisions that have already been reviewed in the Agency, providing that an appropriate application for review has been made. 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 explained further in Appendix 1.

### 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.

# Customer Experience

## Customer Survey

During the period 2011/12 OSFC surveyed 239 applicants and received 56 responses (23%). As in previous years, half of the surveys issued were sent to those who have received an extra award following the independent review, and half were sent to customers who received no additional award at that stage. The survey helps us to monitor the satisfaction levels with our service and to identify areas where we could make improvements. This year's survey indicated:

- 93% found it easy to apply for an independent review;
- 95% indicated that their call to OSFC was answered promptly and efficiently;
- 88% found the questions asked by the Inspector easy to follow;
- 80% found the reasons for the Inspector's decision easy to follow; and
- 87% would use the OSFC again.

Over the previous 3 surveys, 70-74% of respondees had received an extra award due to the Inspector's decision. This figure dropped to only 53% of respondees for this year's customer survey. Despite this, the report for 2011-12 shows continuing high satisfaction rates with the service provided by OSFC. However, there remains room for improvement in each category and the management team and those delivering the service to customers at every level will be working to improve these results in 2012-13.

## Stakeholder Survey

During the period 2011/12 OSFC surveyed 283 organisations it views as key stakeholders in the discretionary Social Fund. 37 responses (13%) were received. The survey helped us to understand how the independent review service we provide is viewed by these organisations, their level of involvement in supporting Social Fund customers so that we may better target our training workshops and to help improve the service we deliver, particularly when liaising with organisations which are acting as representatives of Social Fund customers during their application and review.

The responses received to this survey showed:

- 89% assisted at least 1 Social Fund customer per month (on average);
- 78% were aware of the OSFC;
- 76% were aware that the OSFC was independent from DSD/SSA;
- 97% of those aware of OSFC would recommend their clients apply for an independent review if they are unhappy with the SSA's decision on

### Case study 1

Ms A was in receipt of a qualifying benefit. She was estranged from her parents and had some physical and mental health problems.

Ms A had been living in a furnished, privately rented property, but had to leave as she was unable to meet a rent increase imposed by the landlord. She took up a new, unfurnished tenancy and applied for a grant for items including a bed, fridge freezer and seating.

- their case;
- 59% had previously assisted someone in applying for an independent review by OSFC;
- 86% were satisfied with the time it took to complete the Inspector's review; and
- 81% of the organisations would be interested in receiving a free OSFC training workshop on the discretionary social fund.

The Stakeholder Survey also invited a response to a list of suggested reasons as to why their clients decide not to apply for an independent review of the Agency's decision by a Social Fund Inspector. The reasons and the degree to which they were supported by respondents are as follows:

- Client/representative believes the SSA decision is unlikely to change – 20 respondents agreed.
- Client has met their need having been given item(s), e.g. by a friend, relative, charity, etc. - 12 respondents agreed.
- Client/representative is put off by further time needed to carry out the independent review – 11 respondents agreed.
- Client made a fresh Social Fund application instead, rather than apply for an independent review of their earlier application - 11 respondents agreed.
- Client has instead borrowed money from a source other than the Social Fund to meet their needs - 11 respondents agreed.
- Client perceives OSFC is not independent from the Agency - 11 respondents agreed.
- Client/representative feels the independent review is too difficult to negotiate - 9 respondents agreed.
- Client has met their need by borrowing item(s) - 9 respondents agreed.
- Client/representative is unaware of Social Fund Inspector's independent review option – 8 respondents agreed.

## **Experiences of Social Fund Customers in Northern Ireland Report**

In 2011, OSFC published an examination of 225 cases it had handled in a report entitled "Experiences of Social Fund Customers in Northern Ireland". It followed an equivalent report published in GB by the Independent Review Service. The report provides insights into the issues which some customers of the Social Fund in Northern Ireland face and enables comparisons to be made with the situation in Great Britain. The report presents information across a number of different criteria including health problems; debt; housing status; addiction issues and the items applied for and is available on the OSFC website.

## **Complaints**

During 2011/12 OSFC received 5 complaints about our customer service, this does not include requests to have an Inspector's decision looked at again – statistics on such cases are shown on page 11. The Office Manager responded to each of these complaints within the OSFC customer service target (see Appendix 5), offering further explanations on decisions taken by Inspectors and arranging for further independent reviews to be carried out by a different Inspector, if appropriate.

# Delivering the Review

Inspectors made 2,191 decisions during 2011/12. The overall number of decisions made by OSFC this year increased by 20.3%, compared to 2010/11. Chart 1 illustrates the demand for independent Social Fund reviews over the last 3 years.

**Chart 1 – Decisions by Application Type**

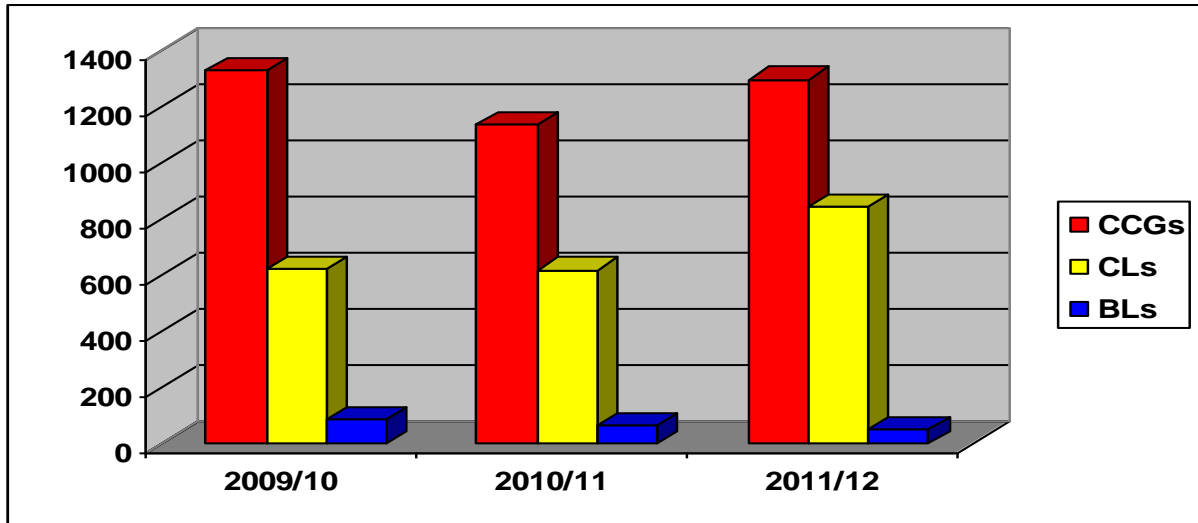
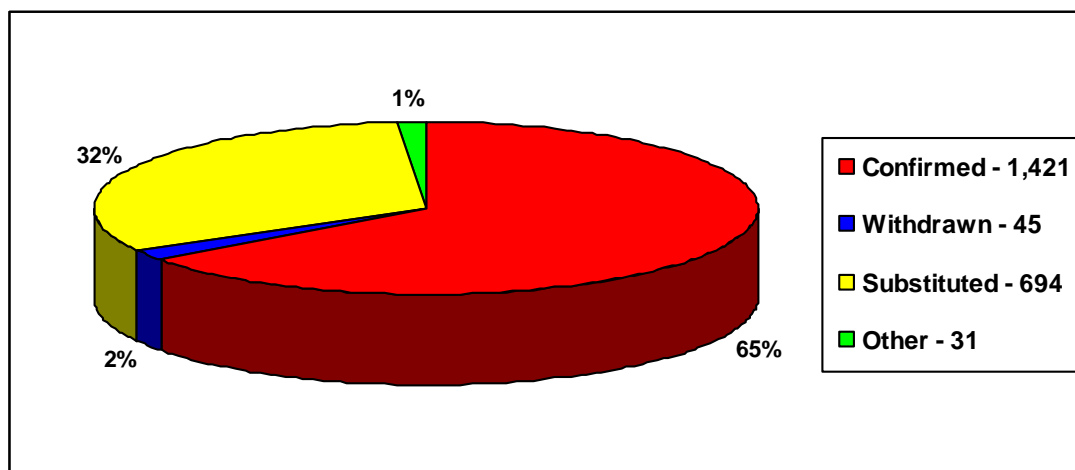


Table 1 shows the number of awards made by Inspectors this year and the average amount of awards.

Application Type	Total Scheme Expenditure	Number of awards by Inspectors	Total amount awarded by Inspectors	Average amount awarded by Inspectors
CCG	£13.54m	355	£145,417.64	£409.63
CL	£15.28m	222	£39,918.81	£179.81
BL	£48.49m	5	£1,275.89	£255.18

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





Overall, Inspectors found important errors in 23.9% of the Agency decisions they reviewed. The error rate for substituted decisions was 48.1% and the error rate for confirmed decisions was 12.1%. Appendix 2 shows a breakdown of the spread of decisions by month, District and type.

## Community Care Grants

Community care grants again accounted for the largest proportion of our work (59.2%). Inspectors delivered 1,296 decisions of this type. Table 2 below shows the number of requests for review of grant decisions made by the Agency during 2011/12.

**Table 2: Analysis of Community Care Grant activity 2011/12**

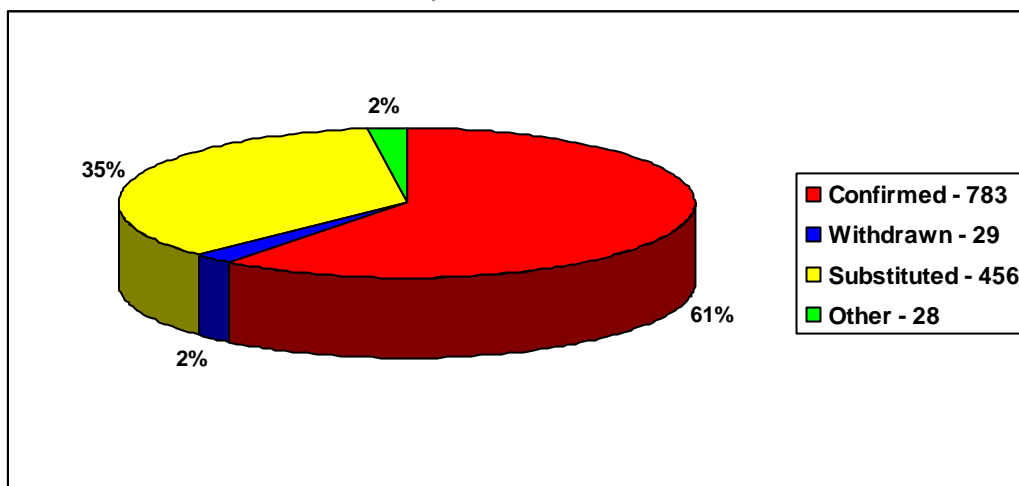
1. Initial Applications to the Agency	47,066
2. Initial Refusals by the Agency	23,802
3. Applications for Reviewing Officer review	8,612
4. Applications unchanged on review	4,812
5. Applications changed on review but not wholly in the applicant's favour	3,687
6. OSFC Reviews	1,296
7. Number of grant awards made by Inspectors	355
8. Average amount of grant award	£409.63

Only 1,296 reviews of grant decisions made in the Agency were made in OSFC. This represents only 15.2% of the 8,499 cases which could have been independently reviewed, that is those which were either unchanged or not wholly changed in the applicant's favour by the Reviewing Officer.

This emphasises the importance of making applicants aware of the role of the OSFC and also of making our service accessible. This is underlined by the fact that 35% 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 38.5% of our workload this year. Table 3 below shows the number of requests for review of Crisis Loan decisions made by the Agency during 2011/12.

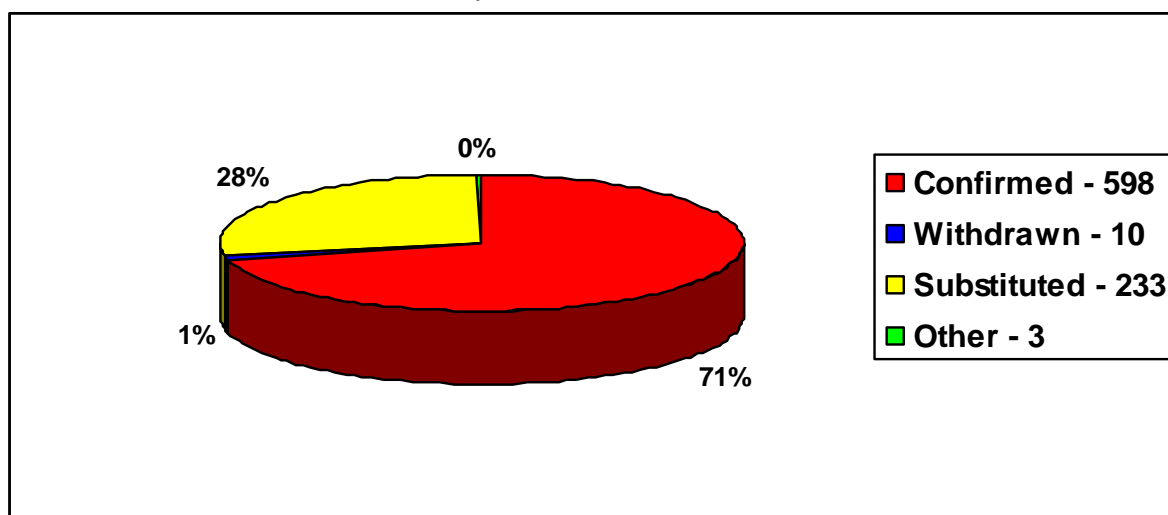
**Table 3: Analysis of Crisis Loan activity 2011/12**

1. Initial Applications to the Agency	152,464
2. Initial Refusals by the Agency	35,593
3. Applications for Reviewing Officer review	3,137
4. Applications unchanged on review	2,479
5. Applications changed on review but not wholly in the applicant's favour	454
6. OSFC Reviews	844
7. Number of crisis loan awards made by Inspectors	222
8. Average amount of crisis loan award	£179.81

Only 844 reviews of Crisis Loan decisions made in the Agency were made in OSFC. This represents 28.8% of the 2,933 cases which could have been independently reviewed, that is 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 2.3% of our workload this year. Inspectors delivered 51 reviews of this type. Table 4 below shows the number of requests for review of Budgeting Loan decisions made by the Agency during 2011/12.

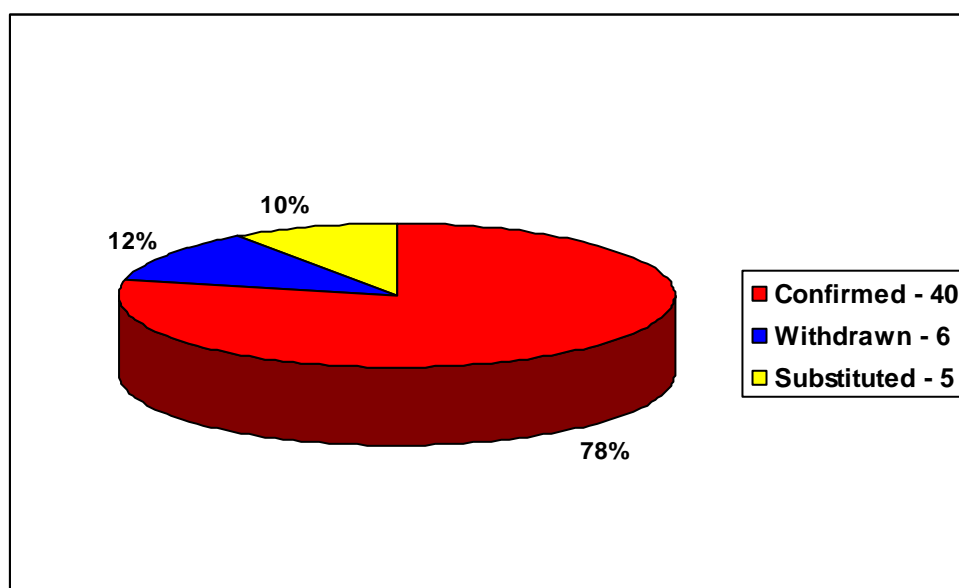
**Table 4: Analysis of Budgeting Loan activity 2011/12**

1. Initial Applications to the Agency	156,687
2. Initial Refusals by the Agency	35,110
3. Applications for Reviewing Officer review	949
4. Applications unchanged on review	785
5. Applications changed on review but not wholly in the applicant's favour	133
6. OSFC Reviews	51
7. Number of budgeting loan awards made by Inspectors	5
8. Average amount of budgeting loan award	£255.18

Only 51 reviews of BL decisions made in the Agency were made in OSFC. This represents only 5.6% of the 918 cases which could have been independently reviewed, that is 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.

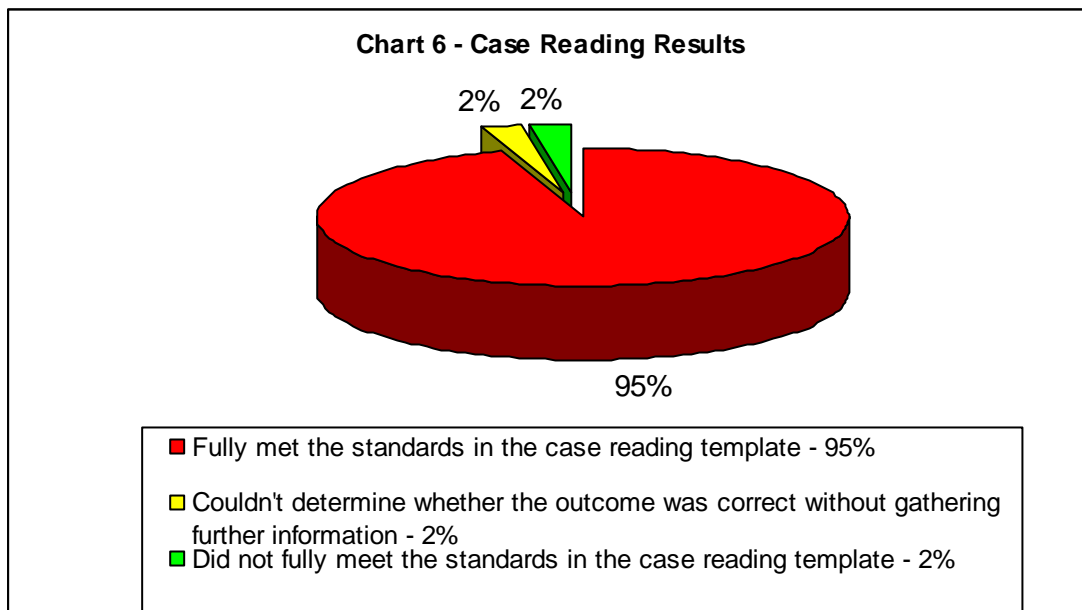
## Case Reading

Case reading is the primary means by which I assess the standards of Inspectors' decisions.

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 6.

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 2011/12 was to read 5% of our total workload, selected at random. Our total case reading for the year was 82 cases (5.3% of cases registered in 2011/12). Chart 6 shows the results. 95.1% of cases were correct, in 2.4% the case reader could not tell from the papers whether the outcome was right or wrong and 2.4% were found to be incorrect.



## 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 examined thoroughly before being passed to a different Inspector for reconsideration.

During 2011/12 we received 91 requests for reviews of Inspector's decisions from customers or their representatives. As in previous years, most requests 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. 1 case was identified by the SSA and a further 6 cases were identified through our internal case reading.

Source	Number received	Number reopened	Number changed
Customer	82	32	20
Representative	9	5	5
SSA	1	1	1
Internal Checks	6	6	6
<b>Total</b>	<b>98</b>	<b>44</b>	<b>32</b>

In 2011/12 Inspectors aimed to clear reviews of Inspectors' decisions within 12 working days, and within 21 days in more complex cases. Of these 98 cases, 91 (92.9%) were cleared in 12 days and 5 (5.1%) in 13 to 21 days. 2 cases (2.0%) exceeded the 21 day target.

## Completion Times

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 by the Agency. Nevertheless the Inspector has a duty to ensure natural justice is served. In order to do this, before he makes a decision he normally telephones the applicant or sends out a copy of the key papers, sets out the facts and issues to be decided, invites the applicant to comment on these, and asks any relevant questions.

### Case Study 2

Ms B had mental health problems causing her to spend much of her time indoors. Her family gave her significant day to day help.

Ms B applied for a grant for sofa and mattress which needed replaced due to her incontinence.

Time taken for Inspector's review: 4 days

We issued letters and made telephone inquiries seeking further information in 1,271 cases before proceeding with a decision, to which there were 1,087 responses (85.5%). This part of the process is included in the overall clearance times.

51.0% of these customers responded using our Freephone service. This 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. Appendix 3 shows the breakdown of our decision completion times by month.

<b>Decision type/Timescale</b>	<b>No. of decisions</b>	<b>% of decision workload</b>	<b>Target %</b>	<b>Achieved %</b>
Community Care Grants: No enquiries/straightforward enquiries (to be completed within 12 days of receipt)	1,174	53.6%	95	100%
Community Care Grants: Further investigation /complex enquiries (to be completed within 21 days of receipt)	122	5.7%	100	100%
Budgeting Loans: No enquiries/straightforward enquiries (to be completed within 12 days of receipt)	51	2.3%	95	100%
Crisis Loan cases for items only (to be completed within 12 days of receipt)	660	30.1%	95	100%
Crisis Loan cases incorporating a request for living expenses (to be completed within 24 hours)	184	8.4%	95	100%

The Agency have a target for providing case papers within 4 working days of a request from OSFC. Their performance over the last 3 years is illustrated in Table 7 below.

<b>Table 7 – 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>2009/10</b>	<b>2010/11</b>	<b>2011/12</b>
Belfast North and East Antrim	74%	79%	69%
Belfast West and Lisburn	81%	93%	96%
East Down	78%	75%	85%
North	89%	78%	90%
South	94%	95%	96%
West	93%	92%	88%
<b>Total</b>	<b>86%</b>	<b>87%</b>	<b>87%</b>

# Building Relationships

## Feeding Back on Standards and Policy

The OSFC works with the Department 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 Agency's Social Fund districts and Northern Ireland as a whole about performance and operational issues drawn from all the cases that Inspectors reviewed.

During 2011/12 the most common problems identified in these reports included:

- misinterpreting the law, applying the wrong test or reaching a decision that was not a reasonable one on the evidence available; and
- failing to ask crucial questions where more information was needed.

I have had a number of meetings with the Department, the Agency and various welfare rights organisations during the year. A full list of these meetings is held at Appendix 7.

## Improving Knowledge

One of our key objectives is to use our expertise and experience to provide advice to applicants, and their advisers and the Agency's staff about the Social Fund and the role of OSFC. We mainly do this by delivering training and information about the Social Fund. Social Fund information packs (detailed in Appendix 4) and leaflets can be accessed and downloaded via the OSFC website.

### 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"

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 Social Fund is aimed. During 2011/12, we:

- Delivered 6 workshops to 48 people from 9 different stakeholder organisations;
- met a range of people with an interest in the Social Fund and wider social policy issues; and
- held 3 Best Practice Forums with Agency staff to discuss case issues and disseminate any learning points on cases to Social Fund staff in the Agency.




## External Focus

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

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We also offer practical and informative advice about the Social Fund procedures and the independent review process for applicants, their representatives and the Agency. We have a dedicated team of Inspectors who deliver training workshops.

If you are interested in a particular Social Fund subject, we can normally tailor a presentation to meet your needs. We use practical examples and discussion to enable advisors to help their clients effectively. Feedback on workshops has been very positive and it underlines the importance of this area of work.

### The training is:

- free of charge;
- delivered at a venue of your choice;
- designed for a minimum of 6 people;
- participative; and
- designed to meet a range of needs.

*“Hope to fill out forms more fully now and will appeal much more confidently now.”* **Armagh CAB/St Vincent De Paul Workshop, March 2012**

*“Fantastic insight provided” and “Very concise and clear”* **East Belfast Advice Centre, January 2012**

*“It was all incredibly informative and useful for me.”* **Larne CAB and Carrick CAB Workshop, January 2012**

OSFC delivered 6 training workshops to a total of 48 people in 2011/12.

Feedback questionnaires were completed at each workshop and a breakdown of responses is shown in Table 7 below.

**Table 8 – Overview Workshop Evaluation Responses**

<b>Evaluation Question</b>	<b>Not Very Useful</b>	<b>Quite Useful</b>	<b>Useful</b>	<b>Very Useful</b>
<i>How useful did you find the workshop as a whole in providing you with an understanding of the discretionary Social Fund?</i>	1	2	3	38
<b>What did you think of the:</b>	<b>Poor/ok</b>	<b>Good</b>	<b>V Good</b>	<b>Excellent</b>
<i>Presentation</i>	0	1	15	28
<i>Slides</i>	0	1	10	13
<i>Written materials/handouts</i>	0	2	17	25
<i>Case Studies/Discussion</i>	0	3	7	14
		<b>Too short</b>	<b>Just Right</b>	<b>Too Long</b>
<i>Length of workshop</i>		0	41	3

Organisations which received OSFC training in 2011/12 were:

- Ardoyne Association;
- Armagh and District CAB & St. Vincent de Paul;
- Causeway Women’s Aid;
- East Belfast Advice Centre;
- Larne CAB and one person from Carrick CAB; and
- STEP (Dungannon) and 1 person from Sinn Fein.

*“The workshop was handled in a very efficient yet informal and friendly manner.”* **Armagh CAB/St Vincent De Paul Workshop, March 2012**

*“Very useful and informative – will be helpful in day to day work with service users.”* **Causeway Women’s Aid, Feb 2012**

*“Very knowing lecturers, pleasure to attend the training.”* **STEP (Dungannon) and Sinn Fein Workshop, September 2011**

# Investing in Staff and Training

## Advice to Inspectors

Social Fund Commissioner's Advice and Support Notes are made available to assist Inspectors 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. All the Commissioner's advice to Inspectors is accessible via the OSFC website.

## Training

In addition, OSFC staff also attended various training courses to assist them with their other roles in the office.

- Go to [www.osfcni.org.uk](http://www.osfcni.org.uk)
- Click on "About OSFC"
- Click on "Useful Links"
- Click on "Commissioner's Advice to Inspectors" (site will open as a separate window)
- Click on the topic required from the list provided

We continued with the provision of awareness sessions from outside organisations as an aspect of improving the knowledge of Inspectors. These are designed to provide an awareness of the wider issues facing some applicants to the Social Fund. These sessions were delivered by staff from the following organisations:

- Northern Ireland Chest, Heart and Stroke; and
- An Munia Tober.

OSFC had 10 staff in post on 31 March 2012, including the Social Fund Commissioner. In line with the OSFC commitment to deliver high standards to applicants £5,525 (1.5%) of our total spend in 2011/12 was on the training and development of staff. This includes the direct costs of providing the training (excluding training provided centrally through HR Connect) and the cost of staff time. Approximately 35 mandays were spent on training and development activities.

The in-house training consisted of courses related to the handling of case evidence, when to proceed straight to decision and Direction 4(a)(ii) qualification issues.

## Investor in People

OSFC has been recognised as an Investor in People since November 1998. On 29<sup>th</sup> November 2010 we achieved IiP re-accreditation for a further 3 years. We continue to develop staff through regular and relevant training, provided both internally and externally.

## Resources

<b>Business Operating Costs</b>	£63,000
<b>Salaries</b>	£317,167
<b>Total<sup>2</sup></b>	£380,167
<b>Cost per decision</b>	£173.51

<sup>2</sup>The total excludes a separate budget of £30,000 for the Social Fund Commissioner's travel and subsistence costs and remuneration of c. £28,975 per annum for 4 days per month spent on Northern Ireland Social Fund issues.

Inspectors completed 2,191 decisions, giving a unit cost of £173.51 per decision. The cost per decision figure does not take account of the important other work carried out by OSFC staff, such as the provision of training workshops, providing information relevant to the reform of the discretionary Social Fund in Northern Ireland and various meetings with the Social Fund Commissioner.

### **Sick Absence**

The sick absence rate in OSFC for the period 2011/12 was 3.9%.

### **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, to these we have also added weekly checks of the OSFC website.

### **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. One such improvement in the period has been an increased effort to contact customers by telephone to reduce the risk of losing personal data being sent by post with the added benefit of reducing the time taken to carry out the review.

## 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 hard of hearing and leaflets can be provided in different formats such as Braille.

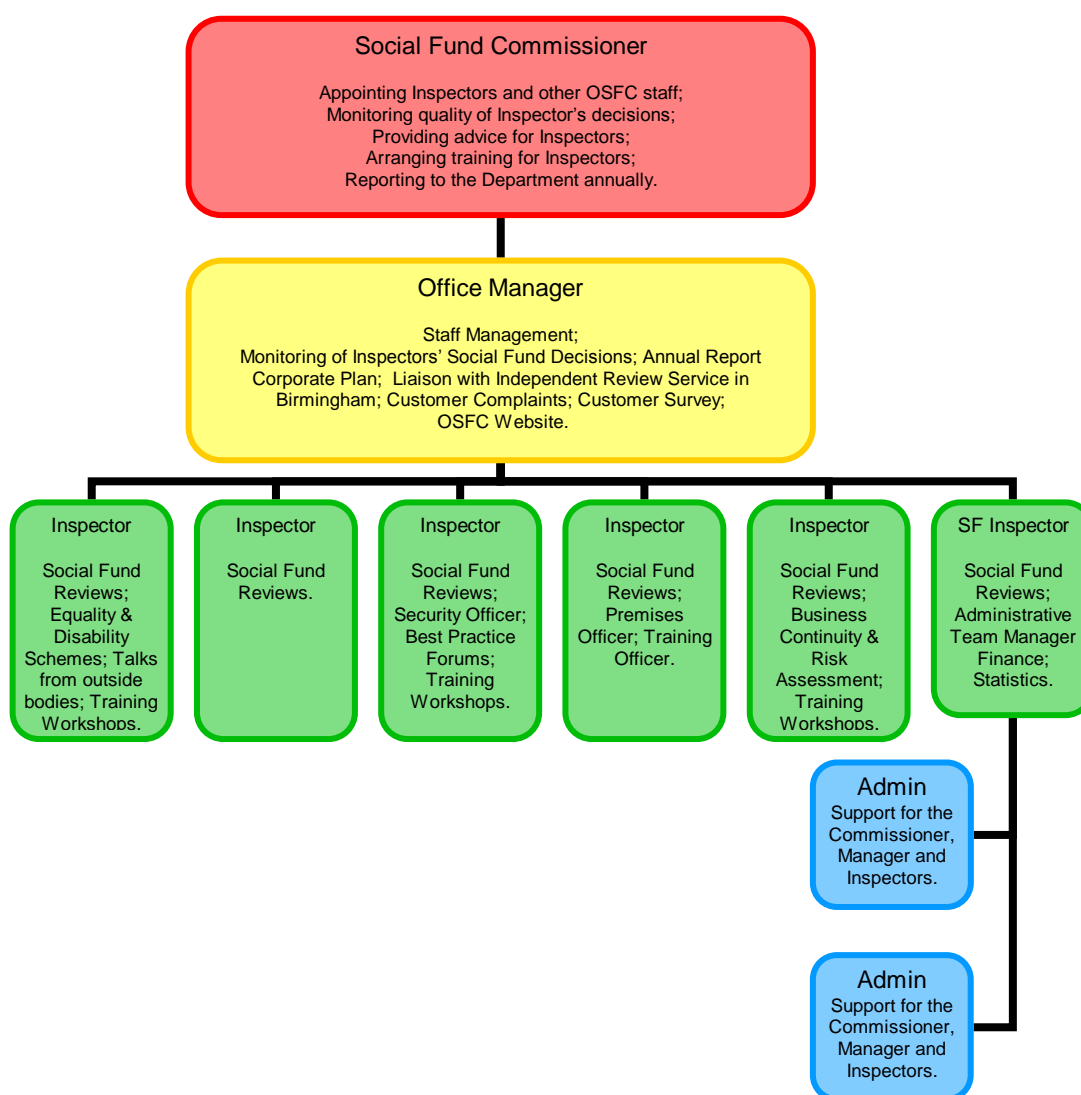
I am also committed to complying with the duties imposed by the Disability Discrimination Act 1995. In accordance with this the OSFC has drawn up a Disability Action Plan that details how we will fulfil our duties up to 2012.

## Appendix 1 - Organisational Structure

There are two distinct strands to our work.

- The first relates to delivery of the independent review.
- The second draws on OSFC expertise and data to:
  - feed back to the Agency on operational and policy matters;
  - to provide training and advice to those actively involved in the Social Fund; 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	53	2	145
May	105	52	5	162
June	107	67	4	178
July	123	76	4	203
August	100	61	4	165
September	96	71	1	168
October	115	67	4	186
November	132	102	7	241
December	91	54	8	153
January	90	73	5	168
February	127	87	3	217
March	120	81	4	205
<b>Total</b>	<b>1,296</b>	<b>844</b>	<b>51</b>	<b>2,191</b>

## Appendix 2(b) – OSFC Decisions by District

District	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
Belfast North and East Antrim	235	153	7	395
Belfast West and Lisburn	169	188	8	365
East Down	225	133	11	369
North	189	84	9	282
South	284	178	6	468
West	194	108	10	312
<b>Total</b>	<b>1,296</b>	<b>844</b>	<b>51</b>	<b>2,191</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.

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

Location	Community Care Grants - %			Crisis Loans - %			Budgeting Loans - %		
	Confirmed	Substituted	Other <sup>2</sup>	Confirmed	Substituted	Other <sup>2</sup>	Confirmed	Substituted	Other <sup>2</sup>
<b>Belfast North and East Antrim</b>	59.6%	31.9%	8.5%	69.9%	28.8%	1.3%	85.7%	14.3%	0.0%
<b>Belfast West and Lisburn</b>	57.4%	39.6%	3.0%	77.1%	21.3%	1.6%	75.0%	12.5%	12.5%
<b>East Down</b>	54.7%	42.2%	3.1%	69.2%	27.1%	3.8%	72.7%	18.2%	9.1%
<b>North</b>	69.3%	25.9%	4.8%	73.8%	25.0%	1.2%	66.7%	0.0%	33.3%
<b>South</b>	63.0%	33.5%	3.5%	68.0%	31.5%	0.6%	100.0%	0.0%	0.0%
<b>West</b>	58.2%	38.7%	3.1%	65.7%	33.3%	0.9%	80.0%	10.0%	10.0%
<b>Total</b>	60.4%	35.2%	4.4%	70.9%	27.6%	1.5%	78.4%	9.8%	11.8%

<sup>2</sup> 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 Decision Completion Times by Month

Month	Community Care Grants		Crisis Loans		Budgeting Loans	
	% completed within		% completed within		% completed within	
	12 days <sup>20</sup>	21 days <sup>21</sup>	24 Hours <sup>22</sup> Living expenses	12 days <sup>20</sup> Items	12 days <sup>20</sup>	21 days <sup>21</sup>
April	100%	100%	100%	100%	100%	100%
May	100%	100%	100%	100%	100%	100%
June	100%	100%	100%	100%	100%	100%
July	100%	100%	100%	100%	100%	100%
August	100%	100%	100%	100%	100%	100%
September	100%	100%	100%	100%	100%	100%
October	100%	100%	100%	100%	100%	100%
November	100%	100%	100%	100%	100%	100%
December	100%	100%	100%	100%	100%	100%
January	100%	100%	100%	100%	100%	100%
February	100%	100%	100%	100%	100%	100%
March	100%	100%	100%	100%	100%	100%
<b>Average</b>	<b>100%</b>	<b>100%</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 21 days.

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

## **Appendix 4 – Social Fund Self Instruction Packs**

The documents listed below can be accessed via the OSFC website at [www.osfcni.org.uk](http://www.osfcni.org.uk).

### **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.

### **Budgeting Loans**

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**

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. Primarily aimed at Decision Makers and Reviewing Officers, it may also be useful 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 Customer Targets 2011/12**

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 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 90% 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:

- Papers for direct applications will be requested on the day they are 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 SSA 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 of the applicant, whether in writing by issuing a full statement or a letter, or by telephone, 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, it will be issued within 3 working days of receipt of the papers.
- No more than 10% of cases will fall into the Complex Case category.

### Enquiries and complaints

- A full response or update as appropriate will be sent to the applicant within 12 working days of the receipt of an enquiry or complaint.
- Where a response has not been made by day 12, it should be sent on all cases within 21 working days.
- A response 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, 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 6 - 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, 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 the relevant Commissioner's Advice to Inspectors.

In doing this we will deliver the review:

- Promptly and within published Customer Service Standards.

## **Appendix 7 – Social Fund Commissioner’s Meetings**

Mr Will Haire, Permanent Secretary, DSD

Mr Tommy O’Reilly, Chief Executive SSA

DSD Social Fund Reform Oversight Board, Social Fund Reform Project Team  
Staff and Ecorys Consultants

Social Fund Managers and Staff in East Down District

Social Fund Managers and Staff in West District

South Tyrone Empowerment Programme (“STEP”) Organisation, Dungannon

Living Independently Through Empowerment (“LITE”) Organisation, Dungannon

Contact A Family Northern Ireland

Women’s Aid, Coleraine

Simon Community, Coleraine

Citizens Advice Bureau, Armagh

De Paul Ireland, Castlehill Project, Dungannon

Citizens Advice Bureau, Bangor

Seamus McAleavey, Chief Executive, Northern Ireland Council for Voluntary  
Action

WAVE Trauma Centre, Belfast

Derek Alcorn, Chief Executive, Citizens Advice Bureau Northern Ireland

Peter McBride, Chief Executive, Northern Ireland Association for Mental Health

Citizens Advice Bureau, Newtownabbey

Belfast Unemployed Resource Centre

## Appendix 8 - 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 (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 grievance process, by means of a review, 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:

- 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.

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

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 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.