



OFFICE OF THE SOCIAL FUND
COMMISSIONER
FOR NORTHERN IRELAND

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and (6) of the Social Security Administration (Northern Ireland) Act 1992

17 December 2015

ANNUAL REPORT
2014-2015



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Contents

	Page
Foreword	002
Executive Summary	004
About the OSFC	005
Customer Experience	007
Delivering the Review	008
Standard of Administration and Social Fund Inspectors' Decisions	013
Building Relationships	017
Investing in Staff and Training	018
Resources	019
My reflections about the last 5 years	021
Appendix 1 – Organisational Structure	023
Appendix 2(a) – OSFC Decisions by Month	024
Appendix 2(b) – OSFC Decisions by District Area	024
Appendix 2(c) – OSFC Spread of Decision Types by District Area	025
Appendix 3 – OSFC Decision Completion Times by Month	026
Appendix 4 – OSFC Customer Targets 2014/15	027
Appendix 5 – OSFC Quality Standards for the Review	029
Appendix 6 – The Statutory Framework	030
Appendix 7 - Customer Survey 2014/15	031
Charts	
Chart 1 - Decisions by Application Type	008
Chart 2 - Outcome of Inspectors' Decisions - all application types	009
Chart 3 - Community Care Grant Decision Outcomes	010
Chart 4 - Crisis Loan Decision Outcomes	011
Chart 5 - Budgeting Loan Decision Outcomes	012
Chart 6 - Case Reading Results	014
Tables	
Table 1 – Analysis of Awards 2014/15	008
Table 2 – Analysis of Community Care Grant activity 2014/15	009
Table 3 – Analysis of Crisis Loan activity 2014/15	010
Table 4 – Analysis of Budgeting Loan activity 2014/15	011
Table 5 – Requests for Reviews of Inspectors' decisions 2014/15	014
Table 6 – Inspectors' Decisions - % of decision types and targets	015
Table 7 – Provision of CCG and BL case papers	016
Table 8 – OSFC Expenditure in 2014/15	019

Foreword



Dear Minister,

This will be my final Annual Report to you in my capacity as the Social Fund Commissioner for Northern Ireland before I demit office on 30th June 2015. My role as the independent statutory office holder responsible for the external review of Social Fund decision making in Northern Ireland has covered the period since 1st December 2009. During that time my personal focus has been to ensure that the casework undertaken within the Office of the Social Fund Commissioner (OSFC) achieves high ratings in terms of timeliness, efficiency of resource use, quality of decision making and customer satisfaction.

I believe that not only can the OCSC demonstrate tangible improvements during the past five years using these yardsticks but they have been delivered within a context of operating within finite resources, achieving greater productivity and lower unit costs per case. Innovations to our casework processes include an increased emphasis on direct telephone contact when seeking further information before taking decisions. This has led to a significant reduction in the time taken to complete cases and has provided our customers with an opportunity to make points orally rather than in writing. Our customer surveys, which are covered elsewhere in this Annual Report, consistently show high levels of satisfaction. I am certain that the dimensions of access and speed are contributory factors. I also believe that our decision making has contributed to greater insights within the Agency's initial consideration of such applications.

Because this will be my final Annual Report to you I have taken the opportunity to highlight some of the significant milestones in my experience as the Social Fund Commissioner during the past five years. I have always been conscious that many of the persons who apply for an external review of their decisions are amongst the poorest, most disadvantaged and vulnerable people within the communities in Northern Ireland. Our reputation for independence and impartiality amongst these customers and those advising them as well as confidence in the robustness and fairness of our approach has been underpinned by the approach and actions of staff in the OSFC, regardless of the application outcome. It is noteworthy that when the Social Fund was established on a United Kingdom basis twenty five years ago, the Westminster Parliament defined my role in statute as contributing to this reputation and public confidence through a responsibility for recruiting, training and assessing the quality of casework by staff. I am certain that my successor (as the incoming Commissioner) will receive continued support from OSFC staff as part of their efforts to sustain and maintain these objectives.

I am conscious that, at the time of writing this Annual Report, the statutory timetable for welfare reforms in Northern Ireland (including the abolition of the Social Fund and its planned replacement by a Discretionary Support Scheme) is not yet clear. Following the passage of this legislation my successor will have to focus on ensuring that there is a seamless closure of the Social Fund before the new Discretionary Support Scheme emerges.

I would wish to take this opportunity to express my personal appreciation to the Office Manager, Social Fund Inspectors and administrative support staff for their commitment and continuing high levels of productivity during my time in office. I wish my successor as Social Fund Commissioner, Mr Walter Rader, every success in this role. I also appreciate the support and cooperation afforded to my Office and its activities by officials at all levels in the Department for Social Development and the Social Security Agency.

Finally I would wish to express the view, that our poorest and most vulnerable citizens continue to have recourse to a robust, speedy, high quality and independent decision making process which reviews original decisions and inspires confidence.

Yours sincerely,

Karamjit Singh CBE
Social Fund Commissioner for Northern Ireland

Executive Summary

Work Activity 2014/15

- Social Fund Inspectors (“Inspectors” or “SFIs”) delivered 2,044 decisions.
- Inspectors changed 43.7% of Community Care Grant (“Grant” or “CCG”) decisions and made 516 awards resulting in a spend of £292,985.02 from the CCG budget.
- Inspectors changed 26.1% of Crisis Loan (“CL”) decisions and made 147 awards resulting in a spend of £37,524.71 from the loans budget.
- Inspectors changed 15.0% of Budgeting Loan (“BL”) decisions and made 5 awards resulting in a spend of £3,058.33 from the loans budget.
- OSFC provided feedback to the Social Security Agency (“the Agency” or “SSA”) 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 district areas.

In 2014/15, 36.9% of the decisions reviewed by Inspectors were substituted, resulting in:

- 516 Community Care Grant awards at an average of £567.80 per award;
- 147 Crisis Loan awards at an average of £255.27 per award; and
- 5 Budgeting Loan awards at an average of £611.67 per award.

The Standard of Social Fund Inspectors’ Decisions

- Case readers examined 82 cases (equivalent to 5.6% of the 1,472 cases registered in 2014/15). In 96.3% of cases the outcome was correct, in 0% the case reader could not tell from the papers whether the outcome was right or wrong and in 3.7% the decision made was incorrect.
- 48 cases were examined following the Inspector’s review due to requests for a further review or as a result of internal checks. Of these, 17 were reopened and 10 were changed.

The Standard of Administration

- Inspectors cleared 99.9% 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.
- 99.3% of complex cases were cleared within the 21 day target and 100% of routine express crisis loan cases within the 24 hour target.

In 2014/15, the average time taken by Inspectors to complete independent reviews was:

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

A definition of standard and complex cases is set out in the OSFC Customer Targets for 2014/15 at Appendix 4.

Resources

Excluding the Social Fund Commissioner’s salary, travel and subsistence costs, OSFC spent £304,505 in total during the year giving a cost per decision of £148.98.

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”). 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 that an appropriate application 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.

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 2014/15 OSFC received two complaints about our service. The Office Manager responded to each of the complaints, offering further explanations on decisions taken by Inspectors or if appropriate, arranging for further independent reviews to be carried out by a different Inspector. These figures do 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 2014/15 Inspectors continued to make decisions on urgent crisis loans within the 1 working day target on average.

The percentage of case papers received by OSFC within the 4 working day target remained unchanged in the year at 94%.

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 2014 to 31 March 2015 a total of 141 questionnaires were issued to a random selection of OSFC customers in respect of reviews that were undertaken. This is broken down into 104 community care grant applications, 20 crisis loans and 17 budget loans. A total of 32 replies were received (22.7% of the sample) which consisted of 23 CCG responses (71.9% of replies), one CL response (3.1%) and 8 BL responses (25%).

A summary of the responses is set out in Appendix 7.

Delivering the Review

Inspectors made 2,044 decisions during 2014/15. The overall number of decisions made by OSFC this year fell by 9.4%, compared to 2013/14. Chart 1 illustrates the demand for independent Social Fund reviews over the past 3 years, which shows a reduction in each decision type compared to 2013/14.

Chart 1 – Decisions by Application Type

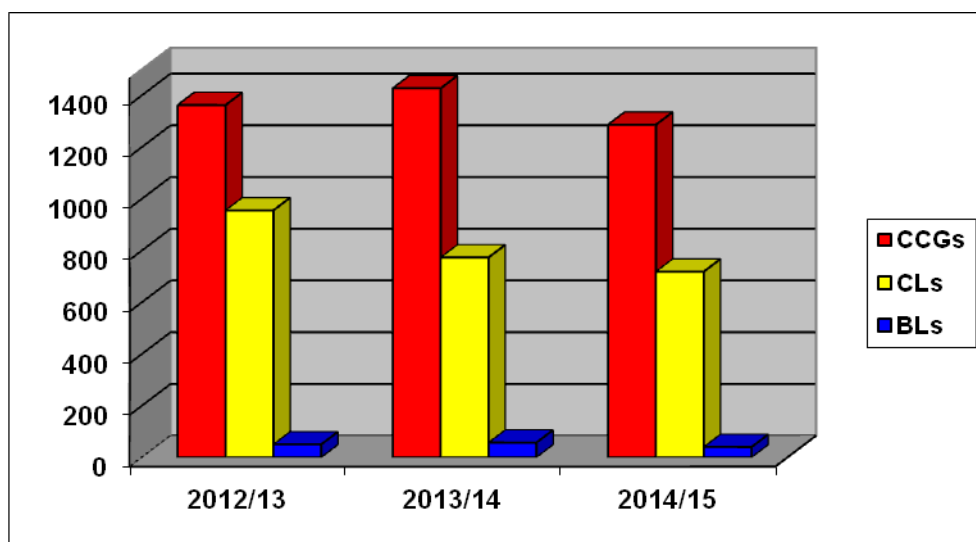
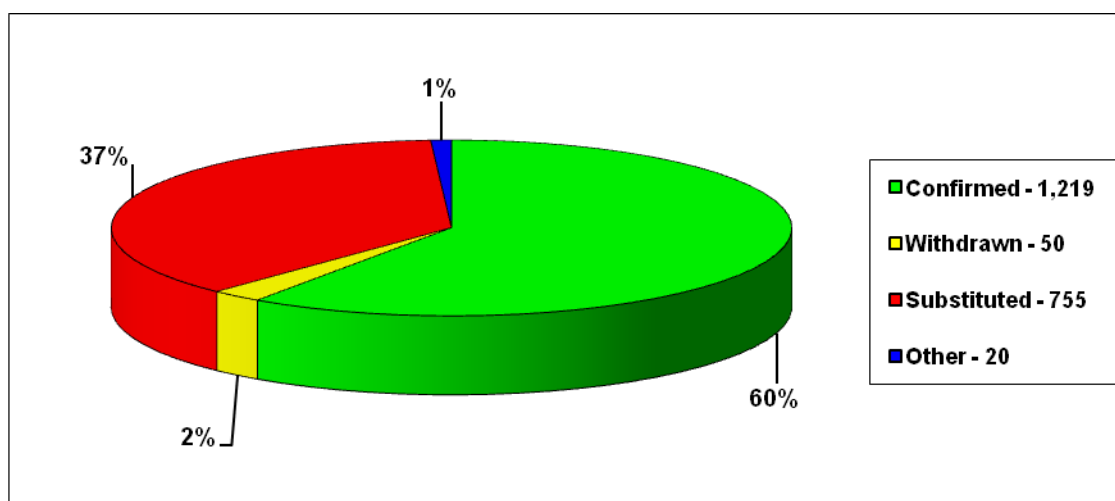


Table 1 shows the number of awards made by Inspectors this year and the average amount of awards.

Application Type	Total Scheme Expenditure	Number of awards by Inspectors	Total amount awarded by Inspectors	Average amount awarded by Inspectors
CCG	£13,719,341	516	£292,985.02	£567.80
CL	£13,572,746	147	£37,524.71	£255.27
BL	£53,964,957	5	£3,058.33	£611.67

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 errors in 27.5% of the Agency decisions they reviewed. The error rate for substituted decisions was 51.7% and the error rate for confirmed decisions was 14.1%. 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 (62.9%). Inspectors delivered 1286 decisions of this type. Table 2 below shows the number of requests for review of grant decisions made by the Agency during 2014/15.

Table 2: Analysis of Community Care Grant activity 2014/15

1. Initial Applications to the Agency	40,277
2. Initial Refusals by the Agency	21,177
3. Applications for Reviewing Officer review	9,941
4. Applications unchanged on review	5,141
5. Applications changed on review but not wholly in the applicant's favour	4,497
6. Applications for independent review received in OSFC	1,296
7. Number of grant awards made by Inspectors	516
8. Average amount of grant award	£567.80

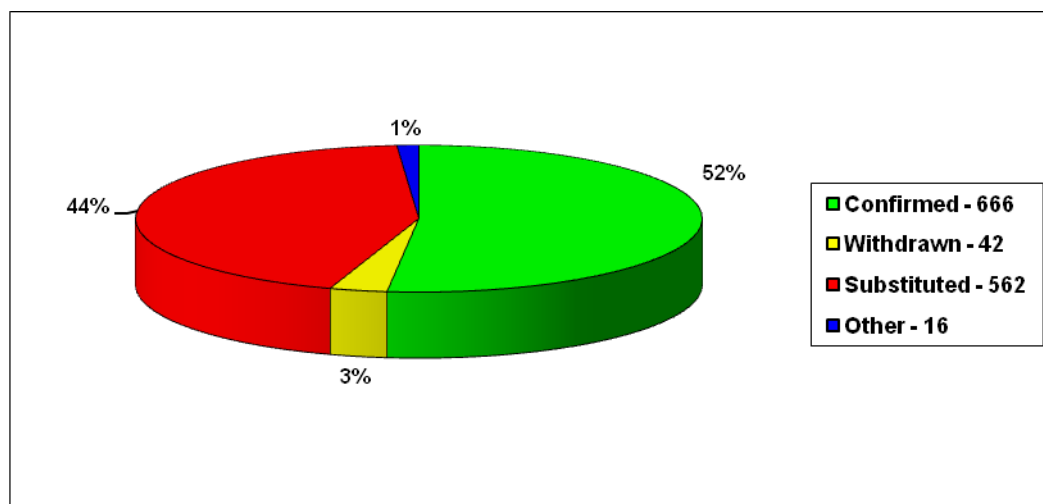
There were 1,296 applications for independent reviews of grant cases reviewed in the Agency which were received in OSFC. This represents only 13.4% of the 9,638 cases which could potentially have been independently reviewed, that is those which were either unchanged or not wholly changed in the applicant's 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 43.7% 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 35.1% of our workload this year. Table 3 below shows the number of requests for review of Crisis Loan decisions made by the Agency during 2014/15.

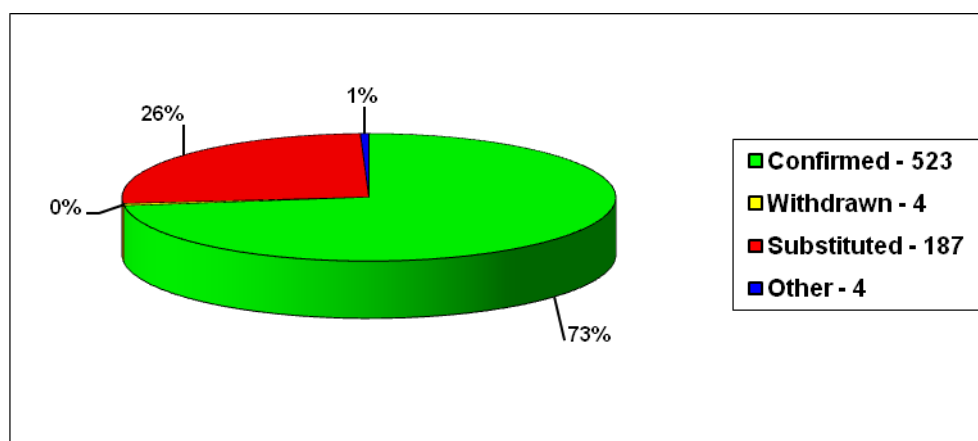
Table 3: Analysis of Crisis Loan activity 2014/15

1. Initial Applications to the Agency	121,411
2. Initial Refusals by the Agency	23,020
3. Applications for Reviewing Officer review	2,577
4. Applications unchanged on review	1,730
5. Applications changed on review but not wholly in the applicant's favour	617
6. Applications for independent review received in OSFC	137
7. Number of crisis loan awards made by Inspectors	147
8. Average amount of crisis loan award	£255.27

There were 137 applications for independent reviews of Crisis Loan cases reviewed in the Agency were received in OSFC. This represents only 5.8% of the 2,347 cases which potentially could have been considered further at the independent review stage, 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 2.0% of our workload this year. Inspectors delivered 40 decisions of this type. Table 4 below shows the number of requests for review of Budgeting Loan decisions made by the Agency during 2014/15.

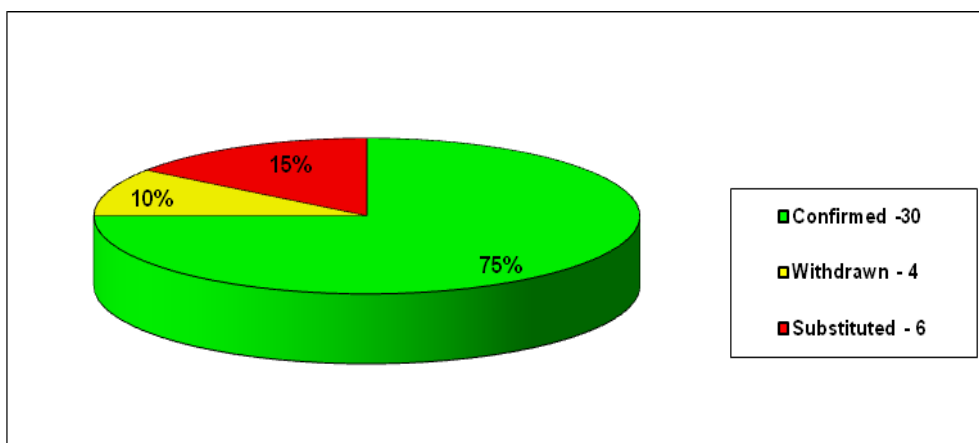
Table 4: Analysis of Budgeting Loan activity 2014/15

1. Initial Applications to the Agency	155,966
2. Initial Refusals by the Agency	26,160
3. Applications for Reviewing Officer review	1,797
4. Applications unchanged on review	797
5. Applications changed on review but not wholly in the applicant's favour	916
6. Applications for independent review received in OSFC	39
7. Number of budgeting loan awards made by Inspectors	5
8. Average amount of budgeting loan award	£611.67

There were 39 applications for independent reviews by the OSFC of Budgeting Loan cases that had previously been reviewed in the Agency. This represents only 2.3% of the 1,713 cases in theory 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.

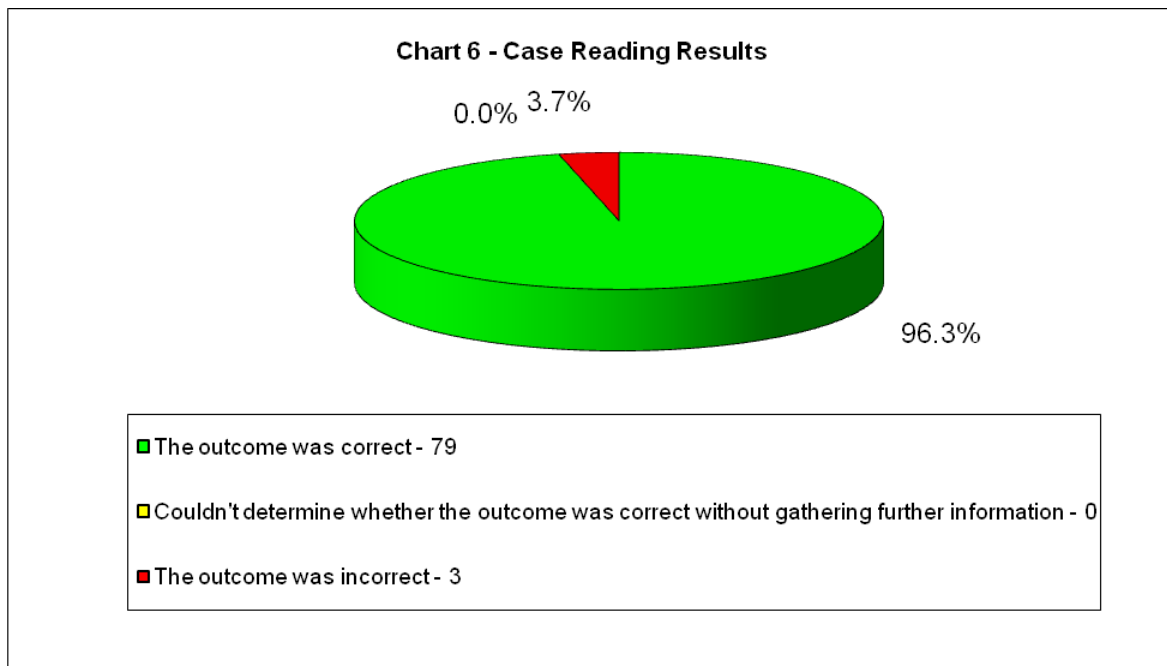
Case Reading

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

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 our monitoring processes are robust. The overall quality standards required are set out in detail in Appendix 5.

In addition to 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 in order to ensure it respects the applicant's level of understanding and avoids jargon.

Our aim for 2014/15 was to read 5% of total caseload of grants, Crisis Loans and Budgeting Loans, selected at random. Our total case reading for the year was 82 cases (5.6% of cases registered in 2014/15). Chart 6 shows the results. In 96.3% of cases the outcome was correct, in 0% the case reader could not tell from the papers whether the outcome was right or wrong and in 3.7% the decision made was 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 2014/15 we received 46 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 we considered that the Inspector's decision was legally sound. A further 2 cases were identified through our own internal checking processes. In total 10 decisions were changed out of the 48 that were considered.

Table 5 –Reviews of Inspectors' decisions 2014/15

Source	Reviews of Inspectors' Decision	Number reopened	Number changed
Customer	43	16	8
Customer's Representative	3	0	0
Internal Checks	2	1	2
Total	48	17	10

In 2014/15 Inspectors aimed to clear reviews of Inspectors' decisions within 12 working days, and within 21 working days in more complex cases. Of these 48 cases, 45 (93.8%) were cleared in 12 days and 3 (6.2%) in 13 to 21 days. No cases exceeded the 21 day target.

Completion Times

We recognise the importance of completing reviews as quickly as possible since the people who use our service generally have urgent needs and already have two decisions about their application which have previously been made 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, sets out the facts and issues to be decided, invites the applicant to comment on these, and asks any relevant questions.

We issued letters and made telephone inquiries seeking further information on 1,126 occasions before making a decision, to which there were 941 responses (83.6 %). This part of the process is included in the overall clearance times.

61 % of those who responded did so by telephone. 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 on a monthly basis.

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)	1,148	56.2%	95%	99.9%
Community Care Grants: Further investigation /complex enquiries (to be completed within 21 days of receipt)	138	6.8%	100%	99.3%
Budgeting Loans: No enquiries/straightforward enquiries (to be completed within 5 days of receipt)	39	1.9%	95%	100%
Budgeting Loans: Further investigation /complex enquiries (to be completed within 21 days of receipt)	1	0.0%	100%	100%
Crisis Loans for items only (to be completed within 12 days of receipt, or 21 days if further investigation/complex enquiries are needed)	606	29.6%	100%	100%
Crisis Loans incorporating a request for living expenses (to be completed within 24 hours)	112	5.5%	100%	100%

The Agency have a target for providing case papers within 4 working days of a request from OSFC and 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 2014/15
Antrim	87
Armagh	96
Falls Road	93
Foyle	98
Knockbreda & Downpatrick	95
Lisburn	92
Total	94

Building Relationships

Feeding Back on Standards and Policy

The OSFC works with 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 2014/15 the most common problems 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 on the available evidence.
- Inquisitorial role – in other words 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 his case or to know the case against him.

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 regular meetings with Social Fund staff in the Agency to discuss their standard of decision making and raise awareness of common errors 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.

Investing in Staff and Training

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.

Training

OSFC staff attended various training courses to assist them with a variety of roles in the office.

OSFC had a total of 8 staff in post on 31 March 2015, in addition to the Social Fund Commissioner. Approximately £3,250.80 was spent in 2014/15 on the training and development of staff. This includes the cost of providing the training and the cost of staff time.

The training included the following:

- Training and Development of 2 new Inspectors who replaced 2 Inspectors who have left.
- Fire Safety Awareness training.

Resources

Business Operating Costs	£5,212
Salaries	£299,293
Total¹	£304,505
Cost per decision	£148.98

¹The total excludes a separate budget of £29,000 for the Social Fund Commissioner's travel, subsistence costs and remuneration. During the year covered by this Annual Report the sum of c. £ 29,106 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 2,044 decisions, giving a unit cost of £148.98 per decision. The cost per decision figure also includes other non-review or decision making activity carried out by OSFC staff, such as providing information relevant to the reform of the discretionary Social Fund in Northern Ireland and attending various meetings with the Social Fund Commissioner.

Sick Absence

The sick absence rate in OSFC during the 12 month period 2014/15 was c. 4.5%.

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 hard of hearing 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.

We are currently reviewing the need to revise our Disability Action Plan following recent consultations with the Equality Commission. Any revised plan will be issued for consultation following this review before being put into place and published on our website.

My Reflections About The Past Five Years

The past five years that I have been Social Fund Commissioner has seen a period of considerable change. The Social Fund was established as a United Kingdom wide scheme in 1988 with its direction being shaped in London with little recognition of any differences that might exist in the constituent parts or nations. I took up my post in December 2009 as the fourth Social Fund Commissioner holding two different statutory positions that were responsible for the independent review process within both Great Britain and Northern Ireland. Since the inception of the Social Fund the two systems had been similar in terms of policy and practice such as qualifying criteria.

The previous Labour Government had issued a consultation paper in March 2010 inviting suggestions for modernising and simplifying the Social Fund scheme in Great Britain. This process was overtaken by the election of the Coalition Government in May 2010 and the emergence of a different set of policy assumptions later that year emphasising the abolition of the Social Fund in Great Britain with funding being devolved to local authorities in England and to the Scottish and Welsh Governments. This proposal was given statutory approval with the passage of the Welfare Reform Act by the Westminster Parliament in 2012. The Social Fund in Great Britain and my role there as Social Fund Commissioner came to an end in July 2013. Here in Northern Ireland the Social Fund has continued although it is expected to be abolished with the passage (at whatever point that occurs) of the welfare reform legislation being considered by the Assembly.

In my foreword to the Annual Report for the twelve months ended 31st March 2011, I highlighted these wider developments and pointed out that it also provided the Assembly and the Minister with the opportunity to develop a replacement programme which was more aligned to the needs of the poorest and most vulnerable citizens in Northern Ireland. I also continued with my programme of meetings with voluntary organisations who provided casework assistance to many of our customers as well as other stakeholders within the third sector. This activity has for obvious reasons declined within the past twelve months because my assumption was that the welfare reform legislation (and with it the abolition of the Social Fund) would be enacted by this time.

In subsequent Annual Reports I have also expressed the view that the insights and experience gained from our casework, which spanned over two decades, represented a valuable legacy from which key principles could be drawn to underpin any successor arrangements. I have always taken the view that 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 have also commented that an effective, independent grievance mechanism should be a necessary component of any new system. I am pleased to note that the proposals for change to a new process appear to have taken these points on board.

During the past five years the Office of the Social Fund Commissioner has continued to focus on making decisions as efficiently as we can, whilst seeking to maintain our reputation for quality and impartiality. We have continued to scrutinise our use of resources and our case processes with a critical eye in order

to ensure that our productivity and objectivity are not compromised. One example of this can be seen from a simple comparison of our cost per decision from 2009/10 onwards (listed below) and consideration of the survey returns for the same period (which are set out in Appendix 7 together with the detailed findings for 2014/15). One interesting statistic is that the percentage of those respondents who said they would use the Office of the Social Fund Commissioner again has ranged from 81% to 95% during the period from 2009/10 onwards.

2009/10	cost per decision	£204.79
2010/11	cost per decision	£263.46
2011/12	cost per decision	£173.51
2012/13	cost per decision	£157.81
2013/14	cost per decision	£157.48
2014/15	cost per decision	£148.98

These achievements in efficiency and customer satisfaction have been realised against a backdrop of gradually reducing the staff resource within the office and producing gains in productivity as well as timeliness and accuracy in our decision making by well motivated staff.

In conclusion the issues at the forefront of my mind, as Social Fund Commissioner, have always been:

- the extent to which we added value to the simplicity, quality and purpose of the customer's journey through the Social Fund decision making process
- the extent to which the customer was at the centre of our concerns
- how we could make the best use of our unique insights in order to benefit Social Fund customers and the Social Security Agency which is responsible for decision making at the first point of contact
- how we could ensure that performance standards in our casework were maintained and improved
- the extent to which our service provided value for money to the taxpayer.

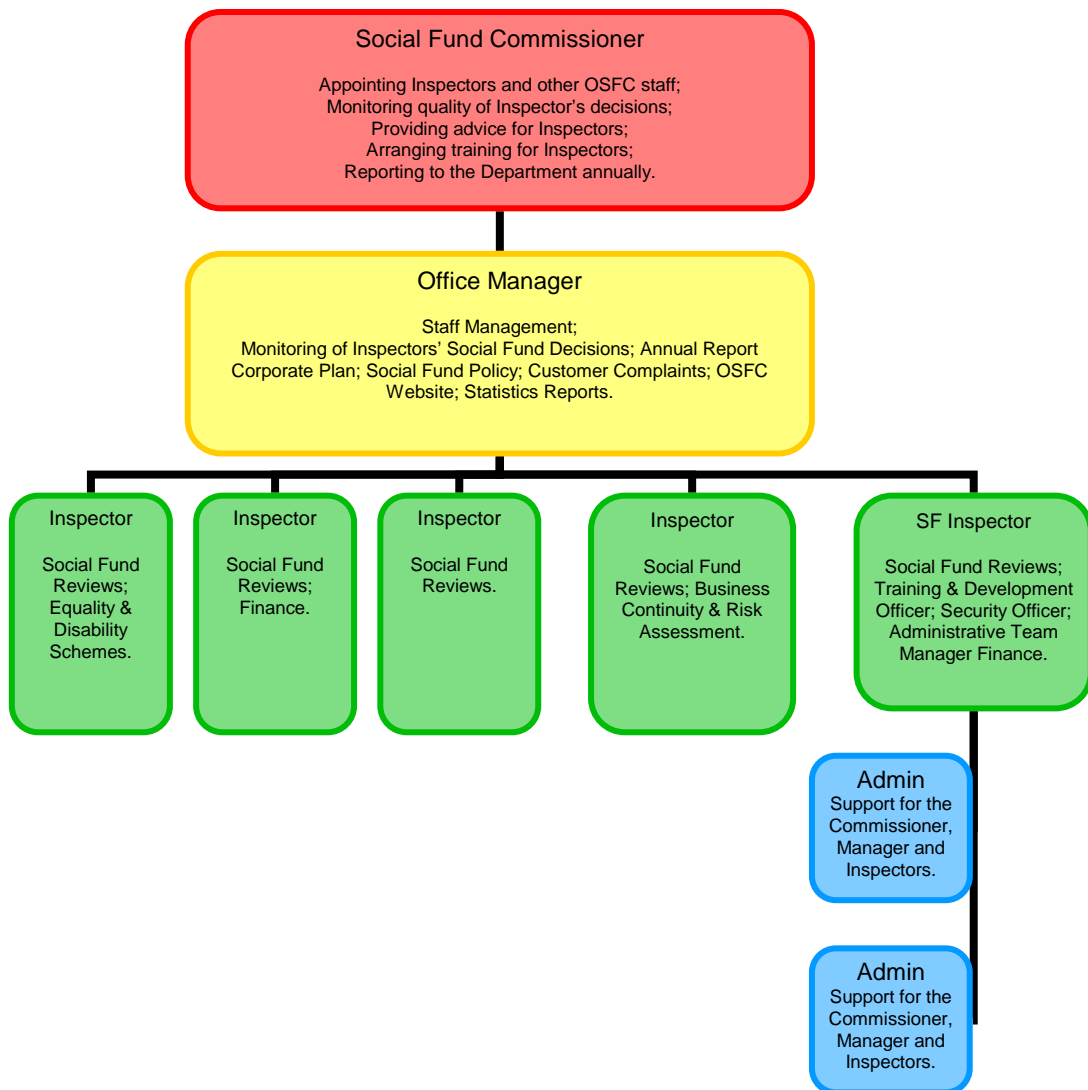
I believe that we have consistently delivered positive results in terms of these different dimensions.

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; 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	92	49	6	147
May	134	65	5	204
June	143	73	5	221
July	111	75	0	186
August	86	24	1	111
September	139	84	7	230
October	140	62	5	207
November	118	81	2	201
December	97	59	2	158
January	76	56	4	136
February	71	44	3	118
March	79	46	0	125
Total	1286	718	40	2044

Appendix 2(b) – OSFC Decisions by District Area

District Area	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
Antrim	148	72	6	226
Armagh	304	171	6	481
Falls Road	236	100	0	336
Foyle	158	81	9	248
Knockbreda & Downpatrick	257	170	8	435
Lisburn	183	124	11	318
Total	1286	718	40	2044

¹ 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 Area

Location	Community Care Grants - %			Crisis Loans - %			Budgeting Loans - %		
	Confirmed	Substituted	Other ²	Confirmed	Substituted	Other ²	Confirmed	Substituted	Other ²
Antrim	86	57	5	54	17	1	3	2	1
Armagh	168	123	13	116	57	0	6	0	0
Falls Road	120	103	13	75	25	0	0	0	0
Foyle	78	74	6	55	24	2	7	2	0
Knockbreda & Downpatrick	127	120	10	133	34	3	6	0	2
Lisburn	87	85	11	90	30	2	8	2	1
Total	666	562	58	523	187	8	30	6	4

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 Decision Completion Times by Month

Month	Community Care Grants		Crisis Loans		Budgeting Loans	
	% completed within		% completed within		% completed within	
	12 days ²⁰	21 days ²¹	24 hour ²² living expenses	12 days ²⁰ Items	5 days ²⁰	21 days ²¹
April	100%	100%	100%	100%	100%	100%
May	100%	100%	100%	100%	100%	100%
June	100%	100%	100%	100%	100%	100%
July	99.0%	100%	100%	100%	100%	100%
August	100%	100%	100%	100%	100%	100%
September	100%	88.9%	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%
Average	99.9%	99.3%	100%	100%	100%	100%

²⁰ Of those cases, which required no enquiries or straightforward enquiries, we aimed to complete 95% in 12 days (or 5 days for BLs).

²¹ For those cases requiring further investigation or complex enquiries, we aimed to complete 100% within 21 days.

²² We aim to complete 95% of routine express cases within 24 hours.

Appendix 4 - OSFC Customer Targets 2014/15

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:

- 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 5 - 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 6 - 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.

Appendix 7 - Customer Survey 2014/15

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

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

JBO – 23 (71.9%)
Advice Worker – 8 (25.0%)
MLA – 1 (3.1%)

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

Yes – 27 (84.4%)
No – 5 (15.6%)

Comments

- I think the process is great.
- Took too long to just start with Commissioner.

Q3. – Did you have a representative?

Yes – 9 (28.1%) (Strabane and District, CAB; Tenant Support; Social Worker; Homecare Independent Living; MLA; Resource centre)
No – 23 (71.9%)

Comments

- I didn't know I was allowed a representative
- Just asked in office and told to apply again

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

Yes – 12 (37.5%)
No – 20 (62.5%)

Q5. - Was your call answered promptly and politely?

Yes – 19 (59.4%)
No – 2 (6.3%)
N/A – 7 (21.9%)
Unanswered – 4 (12.5%)

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

Yes – 26 (81.3%)
No – 3 (9.4%)
N/A – 1 (3.1%)

Unanswered – 2 (6.3%)

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

Yes – 22 (68.8%)

No – 5 (15.6%)

N/A – 2 (6.3%)

Unanswered – 3 (9.4%)

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

Yes – 13 (40.6%)

No – 8 (25.0%)

N/A – 5 (15.6%)

Unanswered – 6 (18.8%)

Comments

- Yes Chris did phone and was very helpful.
- The Inspector also phoned me
- They did telephone me
- The inspector also telephoned several times.
- Phoning is better for me rather than writing the questions.
- A phone call would have been easier to make my case.
- I don't like having to fill in forms.
- Everything since I applied was just straight 'no'. Nothing to help, just no, which I understand is based solely on the date of my first receiving credit 'y'. Everyone keep telling me apply again when it's 'no'.

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

Yes – 26 (81.3%)

No – 4 (12.5%)

Unanswered – 2 (6.3%)

If No, how could we improve?

- Although they did not listen properly to my points and did not reverse the decision.
- The Inspector failed to disclose how they measured the validity of my case. It seems to me they just re-stated what I had already been told. I remain unaware as to how it was decided that my claim was not a high enough priority.
- But was not very helpful, waste of space
- £390 for curtains, tumble drier and fridge freezer? I'd no choice to accept but I will be putting an application for paint, Hoover and carpet.

Q10 - Do you feel the Inspectors review was independent?

Yes – 25 (78.1%)

No – 6 (18.8%)

Unanswered – 1 (3.1%)

Comments

- They basically agreed with the original decision.
- I have no criteria upon which I can judge whether or not I have been treated fairly. It seemed to me that the inspector merely repeated what I had been told by the DSS.

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

Yes – 27 (84.4%)

No – 3 (9.4%)

Unanswered – 2 (6.3%)

Comments

- Although I hope I never need to again.
- Probably but not confident with them.
- My recent experience was my only one. Even though I was dissatisfied, I would try once more (if only to confirm their lack of impartiality).
- Probably not.
- What would be the point, there must be another route. Your (sic) just backing your colleague on the original appeal. Obviously I thought you would look at all circumstances.

Additional Comments made:

- Very helpful
- You helped me well and I want to thank you
- Was very prompt and helpful
- They are more understanding than the people I spoke to first. Shouldn't have not took 6 months to get what I need.
- I found the office of the Social Fund very helpful and polite.
- After sending in form I received call from you and answered all the questions put to me. The officer was friendly and professional and even though he told me how busy the office was my case was dealt with swiftly and satisfactorily. I was very pleased with the results.
- I have to say it was great the service as I have lots of medical issues the commissioner that phoned me was lovely very understanding and understood my disabilities. I forget her name but she was lovely to speak to on the phone.
- I am glad that someone was able to understand and help me. It can be very hard to get people to really know what it is like to have a mental illness, how it affects you and why I needed the things I did. Thank you again.
- I really did need this money for the items in my house but they said I did not qualify or meet the conditions for this.

- I tried to get a loan from you and you turned me down (because I was not on income based ESA) I have not worked for 8 years so my stamps are well out of date, but you keep saying, I am on contribution based ESA. The dole agrees with me so you are just being stupid.
- I have put in for grants before and I'm always turned down if I didn't need the things I wouldn't be asking for help.
- Get rid of it. Do not think it is independent.
- It seems the Department can reject my claim on the basis that I am not a high priority. They do not divulge what criteria or scale of priority they use to make their judgement. The Ombudsman also refuses to give the claimant the reasons why they reject the claim. In my case, I believe the requests for help that I made were certainly a high priority for me on the basis of both need and my low income. Apparently this view was not accepted when measured against their secret scale!! I thought that the Ombudsman would have been transparent. I was wrong.
- I explained that I was flooded out twice in a week and needed it immediately. Is there no circumstances where this is possible? I seem to remember on TV that people were flooded out of Ormeau Road and Creggan area and received £1000 right away even if they were working, never mind benefit. They didn't have to wait 28 weeks. Family had to do our laundry over xmas and help to fix damp and paint to get rid of smell. Now I'm qualified by time you get this letter and I'm willing to pay it back. What difference me getting flooded and all the other people???
- I realise there's people worse off than me, some people a lot worse than me.
- I was very happy with how the Commissioner dealt with my case. The SSA office didn't bother to look at the dates in my case and it was there along to see easily and I had my claim refused twice! But when the Commissioner got involved that was the end as they dealt with it straight away. I am very grateful for that. Thank you.
- In this day of trying to budget for most things, is very hard, each crisis is on a daily/weekly basis should go on its merit, that period of time on occurrence. I had put in for 2 crisis loans Nov 14 / March 15 and on both turned down, wasn't happy with the decisions of the DHSS member of staff – she didn't want to know my circumstances (mental/physical social health problems) No consideration at all.
- I was very grateful for the help I got from you, but was very disappointed that I was forced to use some of my money I was saving for my funeral. I was awarded £1456.50 but only got £456. I thought that very unfair to use the money I had put aside. PS The service was excellent, thank you.
- The Office of the Social Fund Commissioner is OK. It's the people who make the original decision and review. It says on the application form that I may apply for ESA. I am on ESA and had to go to the social fund commissioner on both occasions. I have been told I'm entitled to a decoration grant which I intend to apply for and if I am turned down on the first occasion I won't ask for a review, I'll just seek legal advice.

Summary of customer Surveys From 2009/10 to 2014/15

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

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.

