



Osfc

OFFICE OF THE SOCIAL FUND
COMMISSIONER
FOR NORTHERN IRELAND

ANNUAL REPORT
2013-2014





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COMMISSIONER
FOR NORTHERN IRELAND

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Contents

	Page
Foreword	1
Executive Summary	2
About the OSFC	4
Customer Experience	6
Delivering the Review	7
Standard of Administration and Social Fund Inspectors' Decisions	12
Building Relationships	15
Investing in Staff and Training	16
Resources	17
Appendix 1 – Organisational Structure	19
Appendix 2(a) – OSFC Decisions by Month	20
Appendix 2(b) – OSFC Decisions by District Area	20
Appendix 2(c) – OSFC Spread of Decision Types by District Area	21
Appendix 3 – OSFC Decision Completion Times by Month	22
Appendix 4 – OSFC Customer Targets 2013/14	23
Appendix 5 – OSFC Quality Standards for the Review	25
Appendix 6 – The Statutory Framework	26

Charts

Chart 1 - Decisions by Application Type	7
Chart 2 - Outcome of Inspectors' Decisions - all application types	8
Chart 3 - Community Care Grant Decision Outcomes	9
Chart 4 - Crisis Loan Decision Outcomes	10
Chart 5 - Budgeting Loan Decision Outcomes	11
Chart 6 - Case Reading Results	12

Tables

Table 1 – Analysis of Awards 2013/14	7
Table 2 – Analysis of Community Care Grant activity 2013/14	8
Table 3 – Analysis of Crisis Loan activity 2013/14	9
Table 4 – Analysis of Budgeting Loan activity 2013/14	10
Table 5 – Requests for Reviews of Inspectors' decisions 2013/14	13
Table 6 – Inspectors' Decisions - % of decision types and targets	14
Table 7 – Provision of CCG and BL case papers	14
Table 8 – OSFC Expenditure in 2013/14	17

Foreword



Dear Minister,

The past twelve months have been a period of considerable change for the Social Fund within a broader United Kingdom context. Following legislative changes approved by the Westminster Parliament, the Social Fund for Great Britain was abolished in April 2013 including as part of this my own office in July 2013 after dealing with outstanding reviews.

My own role as an independent statutory office holder in Northern Ireland continues as does the Office with Social Fund Inspectors and supporting staff in providing an independent and external element to the review process. This Annual Report sets out our activity during the past twelve months and I am pleased to state that in terms of timeliness, efficiency of resource use, quality of decision making and customer satisfaction we can demonstrate tangible achievements.

I am conscious that it is not yet clear what the timetable for welfare reforms in Northern Ireland will be and when the Social Fund will be abolished. I am personally committed to ensuring that the reputation of and public confidence in the independent review process for the Social Fund continues at its present levels up until its abolition. We know that our customers, whether or not they are successful in their applications to the Social Fund, tend to be amongst the poorest, most disadvantaged and vulnerable people within the community.

In conclusion I would wish to express my personal appreciation to the Office Manager, Social Fund Inspectors and supporting staff for their commitment and output during the past year; as well as the support and cooperation afforded to my office by the Permanent Secretary and his officials at the Department for Social Development.

Yours sincerely,

Karamjit Singh CBE
Social Fund Commissioner for Northern Ireland

Executive Summary

Work Activity 2013/14

- Social Fund Inspectors (“Inspectors” or “SFIs”) delivered 2,257 decisions.
- Inspectors changed 36.1% of Community Care Grant (“Grant” or “CCG”) decisions and made 438 awards resulting in a spend of £210,770.64 from the CCG budget.
- Inspectors changed 24.5% of Crisis Loan (“CL”) decisions and made 192 awards resulting in a spend of £45,216.76 from the loans budget.
- Inspectors changed 3.5% of Budgeting Loan (“BL”) decisions and made 2 awards resulting in a spend of £923.51 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 2013/14, 31.3% of the decisions reviewed by Inspectors were substituted, resulting in:

- 438 Community Care Grant awards at an average of £481.21 per award;
- 192 Crisis Loan awards at an average of £235.50 per award; and
- 2 Budgeting Loan awards at an average of £461.76 per award.

The Standard of Social Fund Inspectors’ Decisions

- Case readers examined 96 cases (equivalent to 5.9% of the cases registered in 2013/14). In 91.7% of cases the outcome was correct, in 4.2 % the case reader could not tell from the papers whether the outcome was right or wrong and in 4.2% the decision made was incorrect.
- 81 cases were examined following the Inspector’s review due to requests for a further review or as a result of internal checks. Of these, 39 were reopened and 26 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.
- 100% of complex cases were cleared within the 21 day target and 100% of express crisis loan cases within the 24 hour target.

A definition of standard and complex cases is set out in the OSFC Customer Targets for 2013/14 at Appendix 4.

Resources

Excluding the Social Fund Commissioner's salary, travel and subsistence costs, OSFC spent £355,439 in total during the year giving a cost per decision of £157.48.

In 2013/14, 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
- 6.7 working days for a Community Care Grant.

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 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 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 I.

Customer Experience

Complaints

During 2013/14 OSFC received five 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 13.

Timeliness

In 2014/15 Inspectors continued to make decisions on urgent crisis loans within the 1 working day target on average. The average time taken by Inspectors to complete budgeting loan and community care grant independent reviews has continued to fall in the year by 0.1 and 0.4 working days respectively. An increase in the use of the Freephone telephone service by customers (from 65.6% to 70.4% this year) is thought to have contributed to this improvement. These improvements were made despite an increase in the number of decisions made of 4.8% compared to the previous year.

As a result of working with the Agency, the percentage of case papers received by OSFC within the 4 working day target has increased from 88% to 94% this year. Because a customer's independent review application cannot commence until the case papers are received within OSFC, this improvement has further reduced the time taken for a customer to receive their decision following the independent review process.

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.

Delivering the Review

Inspectors made 2,257 decisions during 2013/14. The overall number of decisions made by OSFC this year fell by 4.6%, compared to 2012/13. Chart 1 illustrates the demand for independent Social Fund reviews over the past 3 years, which shows a continuing increase in grant activity, but greater variations in Crisis Loan activity.

Chart 1 – Decisions by Application Type

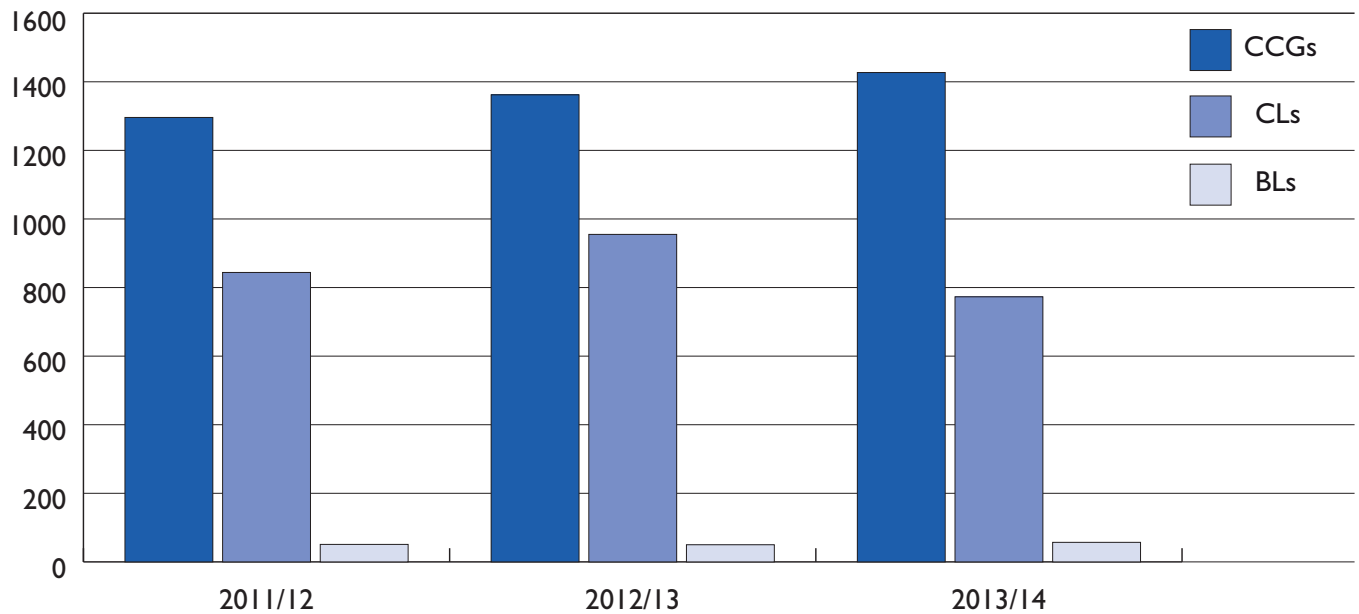
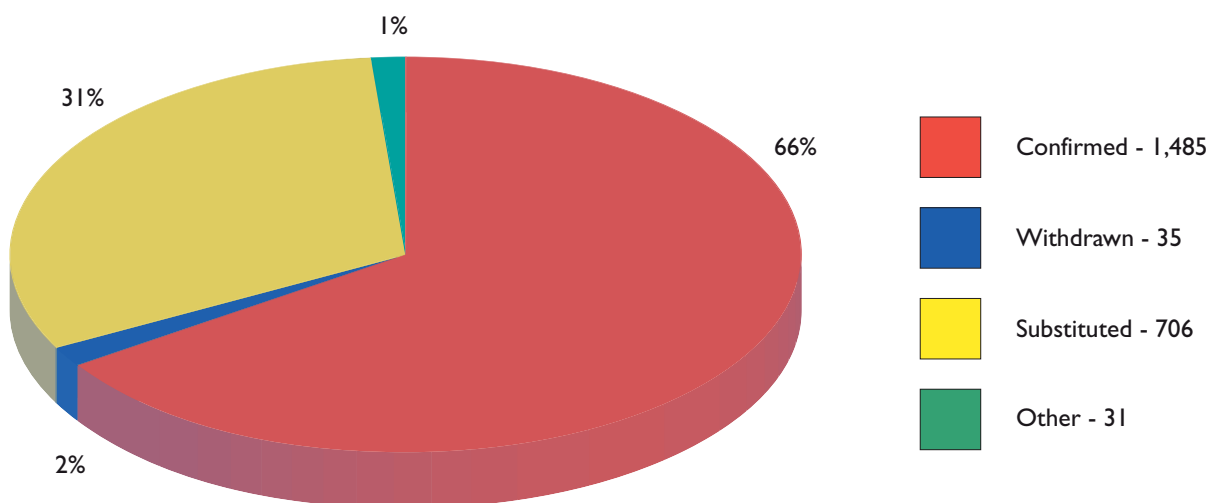


Table 1 shows the number of awards made by Inspectors this year and the average amount of awards.

Table 1 – Analysis of Awards 2013/14

Application Type	Total Scheme Expenditure	Number of awards by Inspectors	Total amount awarded by Inspectors	Average amount awarded by Inspectors
CCG	13,714,023	438	£210,770.64	£481.21
CL	14,434,221	192	£45,216.76	£235.50
BL	53,692,472	2	£923.51	£461.76

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 25.4% of the Agency decisions they reviewed. The error rate for substituted decisions was 51.4% and the error rate for confirmed decisions was 14.2%. 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 (63.2%). Inspectors delivered 1,427 decisions of this type. Table 2 below shows the number of requests for review of grant decisions made by the Agency during 2013/14.

Table 2: Analysis of Community Care Grant activity 2013/14

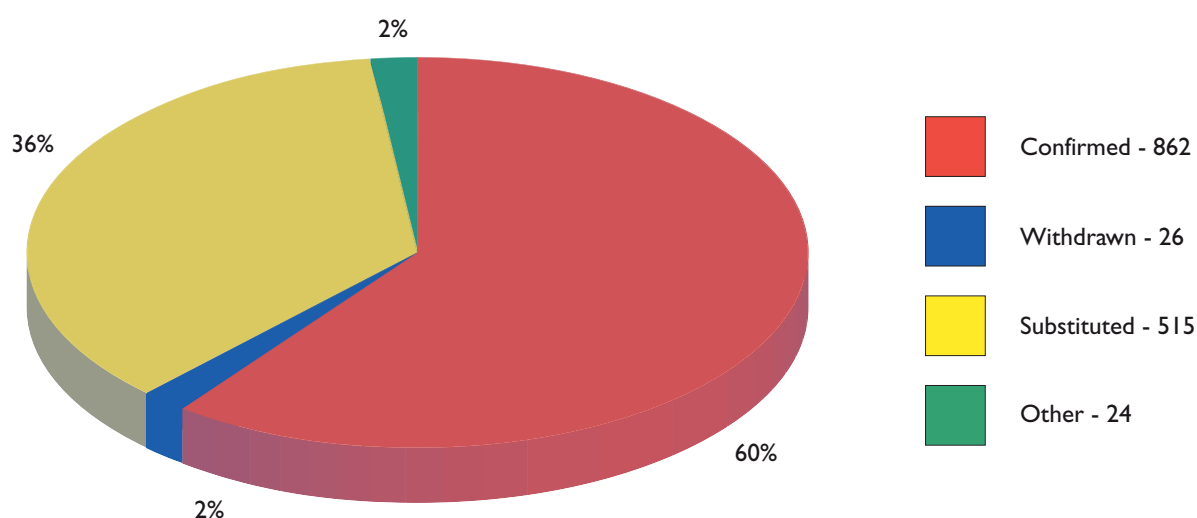
1. Initial Applications to the Agency	41,616
2. Initial Refusals by the Agency	21,452
3. Applications for Reviewing Officer review	10,499
4. Applications unchanged on review	5,889
5. Applications changed on review but not wholly in the applicant's favour	4,393
6. Applications for independent review received in OSFC	1,406
7. Number of grant awards made by Inspectors	438
8. Average amount of grant award	£481.21

There were 1,406 applications for independent reviews of grant cases reviewed in the Agency which were received in OSFC. This represents only 13.7% of the 10,282 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 of making our service accessible. This is underlined by the fact that 36.1% 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 34.2% of our workload this year. Table 3 below shows the number of requests for review of Crisis Loan decisions made by the Agency during 2013/14.

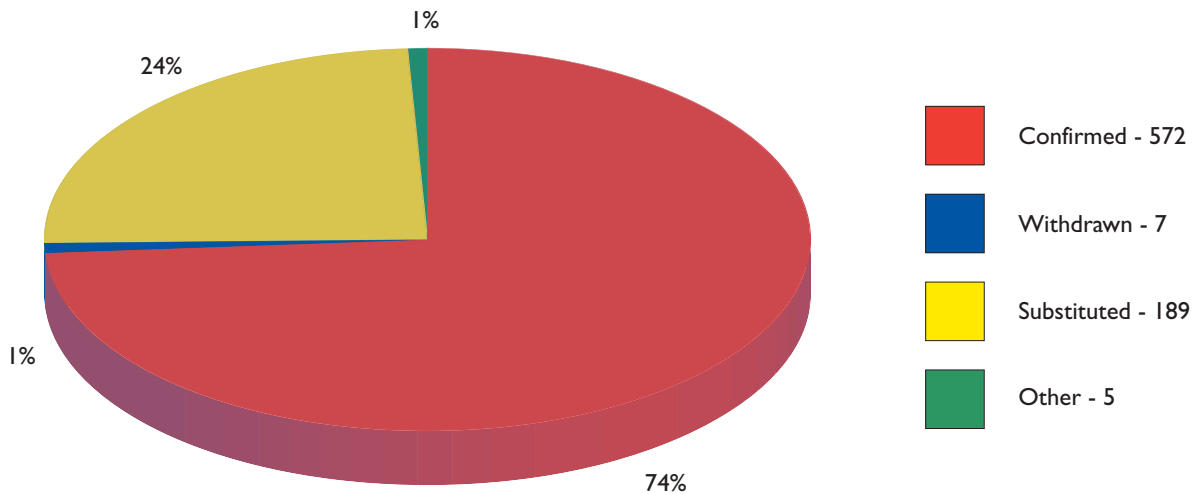
Table 3: Analysis of Crisis Loan activity 2013/14

1. Initial Applications to the Agency	131,852
2. Initial Refusals by the Agency	26,627
3. Applications for Reviewing Officer review	3,084
4. Applications unchanged on review	2,117
5. Applications changed on review but not wholly in the applicant's favour	737
6. Applications for independent review received in OSFC	177
7. Number of crisis loan awards made by Inspectors	192
8. Average amount of crisis loan award	£235.50

There were 177 applications for independent reviews of Crisis Loan cases reviewed in the Agency were received in OSFC. This represents 6.2% of the 2,854 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 2.5% of our workload this year. Inspectors delivered 57 decisions of this type. Table 4 below shows the number of requests for review of Budgeting Loan decisions made by the Agency during 2013/14.

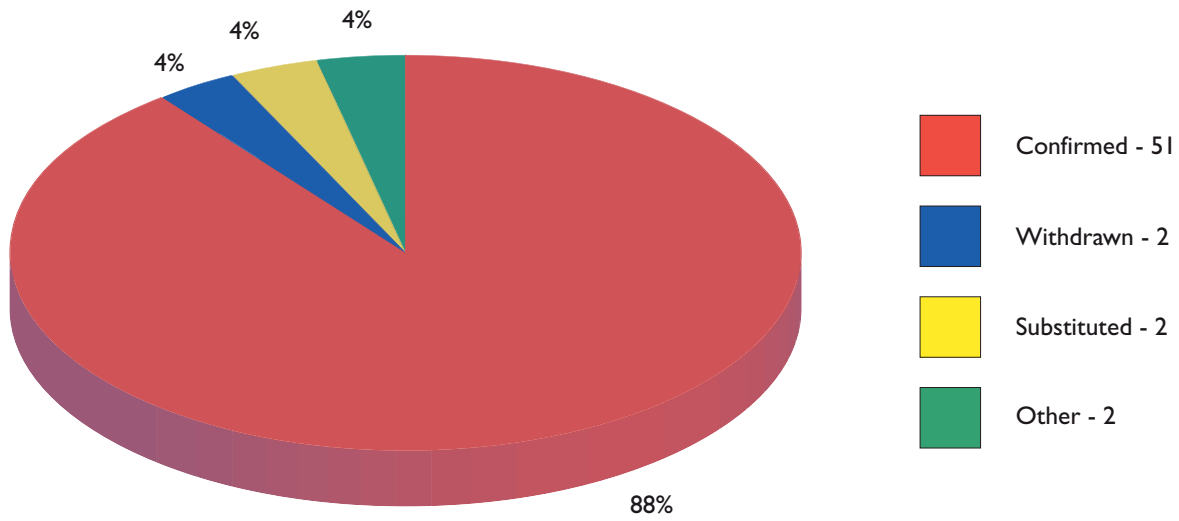
Table 4: Analysis of Budgeting Loan activity 2013/14

1. Initial Applications to the Agency	161,197
2. Initial Refusals by the Agency	29,134
3. Applications for Reviewing Officer review	2,073
4. Applications unchanged on review	1,008
5. Applications changed on review but not wholly in the applicant's favour	976
6. Applications for independent review received in OSFC	58
7. Number of budgeting loan awards made by Inspectors	2
8. Average amount of budgeting loan award	£461.76

There were 58 applications for independent reviews by the OSFC of Budgeting Loan cases that had previously been reviewed in the Agency. This represents only 2.9% of the 1,984 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

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.

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

Case Reading

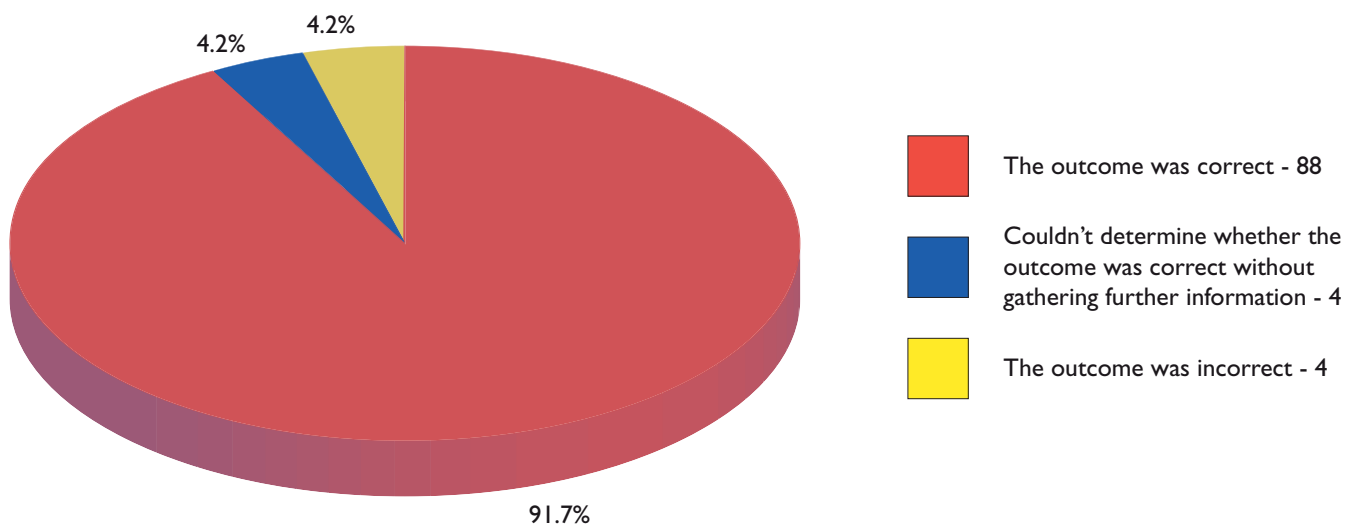
Case reading is the primary means by which I assess the standards of Inspectors' decisions and using a template to ensure consistency, my findings are fed back to individual Inspectors by the Office Manager.

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 2013/14 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 96 cases (5.9% of cases registered in 2013/14). Chart 6 shows the results. In 91.7% of cases the outcome was correct, in 4.2 % the case reader could not tell from the papers whether the outcome was right or wrong and in 4.2% the decision made was incorrect.

Chart 6 - Case Reading Results



Reviews of Inspectors' Decisions

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 2013/14 we received 78 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 3 cases were identified through our own internal checking processes. In total 26 decisions were changed out of the 81 that were considered.

"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.

Table 5 – Reviews of Inspectors' decisions 2013/14

Source	Reviews of Inspectors' Decision	Number reopened	Number changed
Customer	71	34	22
Customer's Representative	7	3	2
Internal Checks	3	2	2
Total	81	39	26

In 2013/14 Inspectors aimed to clear reviews of Inspectors' decisions within 12 working days, and within 21 working days in more complex cases. Of these 81 cases, 73 (90.1 %) were cleared in 12 days and 8 (9.9%) 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 1,093 occasions before making a decision, to which there were 973 responses (89.0%). This part of the process is included in the overall clearance times.

70.4% 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)	1,323	58.6%	95%	99.9%
Community Care Grants: Further investigation / complex enquiries (to be completed within 21 days of receipt)	104	4.6%	100%	100%
Budgeting Loans: No enquiries/ straightforward enquiries (to be completed within 5 days of receipt)	57	2.5%	95%	100%
Budgeting Loans: Further investigation /complex enquiries (to be completed within 21 days of receipt)	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)	656	29.0%	95%	100%
Crisis Loans incorporating a request for living expenses (to be completed within 24 hours)	117	5.2%	95%	100%

The Agency have a target for providing case papers within 4 working days of a request from OSFC and their performance over the last 3 years is set out in Table 7 below. On average, this year showed a marked improvement in reducing the time taken for case papers to be received in OSFC from the Agency.

Table 7 – Provision of CCG and BL case papers

District Area	% of CCG and BL case papers received within 4 working days		
	2011/12	2012/13	2013/14
South	96	99	97
West	88	93	95
Belfast North and East Antrim	69	67	94
East Down	85	80	94
Belfast West and Lisburn	96	96	92
North	90	92	89
Total	87%	88%	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 2013/14 the most common problems identified in these reports included:

- Inquisitorial Role – where the Reviewing Officer failed to ask questions to try and address crucial gaps in the case evidence; and
- Qualification – for example the law surrounding the qualifying conditions was misinterpreted, the wrong qualification test was applied, or the decision reached on qualification was not a reasonable one on the available evidence.

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.

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"

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 9 staff in post on 31 March 2013, in addition to the Social Fund Commissioner. Approximately £1,720 was spent in 2013/14 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:

- Protecting Sensitive Information training;
- Fire Safety awareness training;
- Human Rights training;
- Policy Seminar - Innovation and Public Policy;
- Policy Seminar - GIS for Civil Servants;
- Policy Seminar – Master class on Policy Evaluation;
- Equality Seminar;
- Social Welfare Summer School; and
- Recruitment and Selection – Interview Panel Skills.

Resources

Table 8 – OSFC Expenditure in 2013/14

Business Operating Costs	£47,853
Salaries	£307,586
Total ¹	£355,439
Cost per decision	£157.48

Inspectors completed 2,257 decisions, giving a unit cost of £157.48 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 2013/14 was c. 2.5%.

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. Further, all staff within OSFC successfully completed a training package on protecting sensitive information during the year.

¹ The total excludes a separate budget of £30,000 for the Social Fund Commissioner's travel, subsistence costs and remuneration. During the year covered by this Annual Report the sum of c. £27,902 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.

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.

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 provide some information in other languages, including:

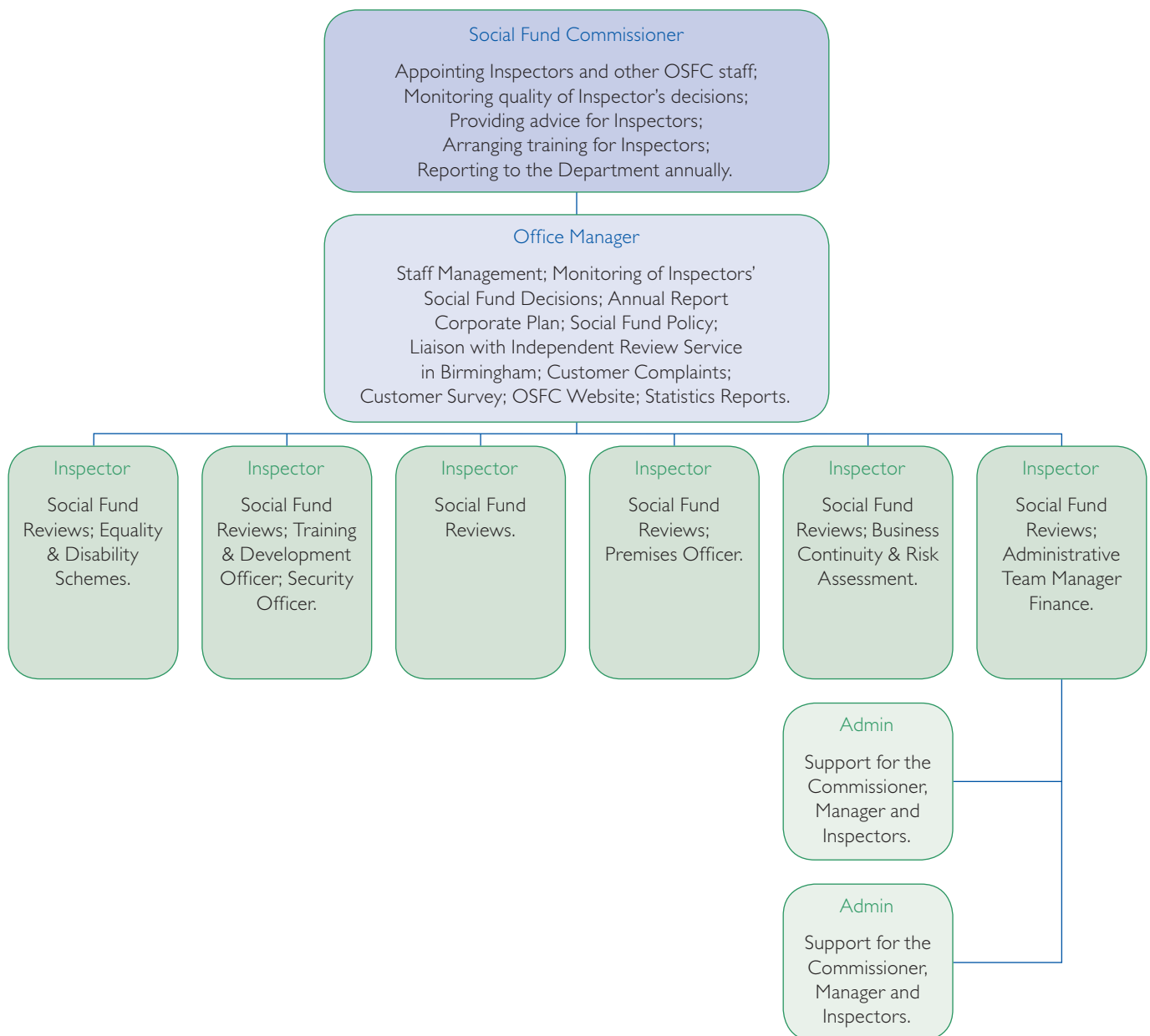
- Arabic
- Chinese
- Latvian
- Lithuanian
- Polish
- Spanish
- Portuguese

Appendix I - 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	101	56	4	161
May	136	74	1	211
June	127	75	2	204
July	130	69	2	201
August	113	55	5	173
September	135	72	5	212
October	159	82	5	246
November	157	83	5	245
December	95	50	11	156
January	88	52	3	143
February	94	54	8	156
March	92	51	6	149
Total	1,427	773	57	2,257

Appendix 2(b) – OSFC Decisions by District Area

District Area	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
Belfast North and East Antrim	215	107	3	325
Belfast West and Lisburn	197	144	11	352
East Down	315	175	13	503
North	209	100	14	323
South	280	151	6	437
West	211	96	10	317
Total	1,427	773	57	2,257

I 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

District Area	Community Care Grants %			Crisis Loans %			Budgeting Loans %		
	Con- firmed	Substit- uted	Other ²	Con- firmed	Substit- uted	Other ²	Con- firmed	Substit- uted	Other ²
Belfast North and East Antrim	126	85	4	83	23	5	3	0	0
Belfast West and Lisburn	135	53	10	108	32	7	9	0	2
East Down	181	122	12	131	41	7	12	1	0
North	135	64	10	76	22	2	13	0	1
South	179	94	7	103	47	3	5	1	0
West	106	97	8	71	24	5	9	0	1
Total	862	515	51	572	189	29	51	2	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 % completed within		Crisis Loans % completed within		Budgeting Loans % completed within	
	12 days ²⁰	21 days ²¹	24 Hours ²² Living expenses	12 days ²⁰ Items	5 days ²⁰	21 days ²¹
April	100	100	100	100	100	100
May	99.3	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
Average	99.9	100	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 express cases within 24 hours.

Appendix 4 - OSFC Customer Targets 2013/14

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:

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

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

Social Fund Inspectors

Social Fund Inspectors provide the independent grievance process, by means of a review, for applicants who are dissatisfied with the 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

Nature of the Review

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

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

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

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

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

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



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