



OFFICE OF THE SOCIAL FUND
COMMISSIONER
FOR NORTHERN IRELAND

Screening of Policies

Final Report

April 2007

Translations and other formats

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Purpose of the Screening Report

1. Section 75 of the Northern Ireland Act 1998 requires the Office of the Social Fund Commissioner for Northern Ireland (OSFC) in carrying out all its functions and duties, powers and duties to have due regard to the need to promote equality of opportunity between:
 - persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - men and women generally;
 - persons with a disability and persons without; and
 - persons with dependants and persons without.
- 1.2. Section 75 also requires the OSFC, without prejudice to this obligation, to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- 1.3. The OSFC's Equality Scheme was approved in September 2005. In line with the Equality Scheme the OSFC has now screened all of its policies. This report completes the screening process by providing information to consultees about the conclusions reached following the OSFC's initial consultation on screening and the final equality impact assessment timetable.

About the OSFC

2. The Office of the Social Fund Commissioner (OSFC) is an independent statutory body, established in 1988. The duties and powers of the OSFC are defined by the Social Security (Northern Ireland) Order 1998.

- 2.2. The OSFC is headed by the Social Fund Commissioner who is appointed by the Department for Social Development (DSD). The Commissioner is also the Social Fund Commissioner for Great Britain (GB), heading the Independent Review Service (IRS), based in Birmingham.
- 2.3. The OSFC staff comprises of the Office Manager, seven Inspectors and two support staff. Staff are recruited by open competition from the Northern Ireland Civil Service NICS and appointed by the Commissioner. Appointed staff are seconded from the NICS for a minimum of three years.
- 2.4. The OSFC's commitment to equality is shown in the business values that underpin the work of the organisation. These values state that the OSFC will be:
- accessible
 - respectful
 - prompt
 - responsive
 - confidential; and
 - impartial
- 2.5. The main role of the OSFC is to carry out independent reviews for applicants who are dissatisfied with the decision made by the Social Security Agency (SSA) on their applications to the discretionary part of the Social Fund.
- 2.6. The OSFC also:
- provides information to the public, their advisers and staff of the Social Security Agency (SSA) about the social fund, the role of the OSFC and the right of applicants to seek an independent review
 - provides advice and guidance to the Social Security Agency (SSA) about operational performance.
 - when appropriate contributes to research to help improve the operation of the social fund.
- 2.7. The OSFC is not responsible for:
- the development of benefit policy in respect of the Social Fund. This is a matter for the Social Security Policy and Legislation Division of the Department for Social Development (DSD).
 - human resource issues relating to OSFC staff such as recruitment, promotion, managing attendance, conduct/discipline, performance management pay and equal opportunities, procurement of goods and services and accommodation/health and safety. These are

matters for the Department of Finance and Personnel (DFP) who determine these policies for the whole of the Northern Ireland Civil Service (NICS) and DSD who is the OSFC's sponsoring department.

Policy

3. There is no comprehensive definition of the term policy under Section 75 requirements. The Equality Commission Guide to Statutory Duties states that; "In the present context, the term policies covers all the ways in which an authority carries out or proposes to carry out its functions relating to Northern Ireland."
- 3.2. The OSFC accepts the wide remit of the term policy in the context of its Section 75 duties. To ensure that OSFC identified all of its policies within this context it has internally screened all the actions it takes to meet its business objectives. The OSFC business objectives are listed in Appendix 1.

Screening

4. In conducting the screening process the OSFC followed the steps outlined in its Equality Scheme¹. These steps are highlighted in bold below.
 - **Identify all policies, written and unwritten.**
- 4.2. This was undertaken at a management team meeting attended by all staff. Appendix 1 of this report lists all the policies identified by the OSFC and provides a short summary of each.
- 4.3. Following this meeting a report was drawn up listing the policies identified and giving a short summary of each. This report along with a consultation questionnaire was issued to all organisations listed at Appendix 2 of the OSFC's Equality Scheme. The documents were also placed on the OSFC website and were distributed by staff when undertaking external focus work.
- 4.4. Potential Consultees were advised that information would be provided in alternative formats on request. The OSFC highlighted the fact that it was happy to receive comments in any appropriate format and meetings would be arranged at a convenient time and place.
- 4.5. A period of consultation on the preliminary screening exercise of 8 weeks was provided with a closing date of 12 January 2007.
- 4.6. The OSFC received three replies to this consultation. The points raised by consultees were taken into account when undertaking the screening

¹ Ref OSFC's approved Equality Scheme, page 13 & 14, paragraph 5.3 & 5.4

process. A summary of the points made and the decisions made in by the OSFC in response are detailed at Appendix 2.

➤ **Appraise the significance of equality of opportunity and good relations for each policy, taking account of the screening criteria prioritisation factors as detailed below.**

- a) **Is there any indication or evidence of higher or lower participation or uptake by different groups?**
- b) **Is there any indication or evidence that different groups have different needs, experiences, issues or priorities in relation to the particular policy?**
- c) **Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems that are specific to them?**
- d) **Is there an opportunity to better promote equality of opportunity or good relations by altering the policy or working with others in government or in the larger community?**

4.7. One member of staff was assigned the task of screening the OSFC’s policies. In order to assist the screening procedure and ensure a consistent approach towards all policies a screening template was drawn up. On completion of this screening exercise all of the OSFC’s staff were asked for comments.

➤ **Detail policies to be subject to equality impact assessment, together with a draft timetable for conducting the assessments. This should take account of the need to join up equality impact assessments of related policies.**

4.8. The results of the screening exercise are summarised in Appendix 3 of this report. This identifies the policies that will be subject to an Equality Impact Assessment and those that will not and the reasons for arriving at these decisions.

4.9. The screening exercise resulted in two policies being identified as requiring a full EQIA. The OSFC prioritised the proposed EQIA’s as follows:

	Social need	Daily lives	Economic, social & human rights	Expenditure	Strategic importance
Customer led review	High	High	Medium	Low	High
External Focus	High	Medium	Medium	High	High

➤ **consult with Section 75 groups to seek their views on whether all policies have been identified, whether all equality impacts have**

been identified, and whether they agree with the list of policies to be subject to equality impact assessment and the proposed timetable;

4.10. A screening consultation document detailing the results of the screening exercise and the draft timetable for EQIA's was issued to consultees along with a questionnaire. This consultation was carried out by the OSFC in the same way as the preliminary screening consultation².

4.11. Subject to the views of consultees, the OSFC proposed that it would conduct EQIA's in accordance with the following programme:

- 2007/2008 – External Focus Policies
- 2008/2009 – Customer Led Review Policies

4.12. A period of 8 weeks was provided for the screening consultation with a closing date of 06 April 2007.

➤ **consider and take account of feedback from the consultation exercise;**

4.13. The OSFC received two replies to this consultation. The points raised by these consultees and the OSFC's responses are detailed in Appendix 4. Having taken account of the comments received it was decided that the OSFC's programme of Equality Impact Assessments as outlined in the screening consultation document should remain unchanged.

Contact Details

4.14. The OSFC can be contacted in relation to the content of this report or about any other issues in relation to its Equality Scheme using the contact details given on page two.

² See paragraphs 4.3 & 4.4

The OSFC Objectives and a Summary of Policies

Objective: Deliver impartial and accurate review decisions and provide a high quality and accessible service to all.

Customer led review process (including decisions) - sets out the procedure to be followed when conducting an Inspectors review.

Visiting Policy – sets out procedure to be followed by Inspectors when visiting customers in their homes or when receiving visitors in the office.

Post Decision Correspondence (Complaints Policy) – sets out complaints procedures.

Customer Service Standards – this is a statement of the OSFC's commitment to provide a high quality service and includes targets for completing cases, responding to complaints and telephone answering.

Monitoring Policy – explains the purpose of monitoring case work and how this will be conducted.

Objective: Provide information, acquired from our operational experience, to the Social Security Agency to help them achieve improvements in decision-making and service to applicants.

Quarterly reports – the policy to provide quarterly reports to the Social Security Agency is part of the OSFC's longstanding agreement with the Department for Social Development (DSD) to provide feedback on its findings and observations.

District Meetings – the policy to visit each social fund administrative district annually was formulated to provide Social Security Agency managers and staff with the opportunity to discuss OSFC reports and any other relevant issues.

Focus Group – the aim of the OSFC's policy to participate in a focus group with Social Security (SSA) is to facilitate discussion about higher-level issues surrounding the operation of Social Fund Scheme.

Objective: Provide information to the public, their advisers and the staff of the Social Security Agency about the Social Fund, the role of the OSFC and the right of applicants to seek an independent social fund review.

Self Instruction Packs – the aim of the policy to produce self instruction packs is to provide interested parties with easily accessible guides on topics central to the social fund scheme.

Workshops - the aim of the policy to undertake workshops is to provide interested parties with a deeper understanding of the social fund scheme and the work of the OSFC.

Leaflets/Posters – the aim of policy to produce and distribute leaflets and posters is to provide information about the OSFC and to encourage applicants and representatives to fully pursue their right to an independent review.

Commissioner/Office Manager Meetings – the aim of this policy is to raise awareness of the Social Fund with the voluntary and community sector while also taking on board the experiences of people using the fund.

Freedom of Information – scheme setting out the requirements of the Freedom of Information Act 2000.

Providing Information in Accessible Formats – sets out the OSFC’s policy in relation to the translation of material into different languages and formats.

Objective: Develop staff and improve the standard of our work through high quality training

Training of Inspectors – policy setting out the manner in which new Inspectors are trained.

Participation in IRS Training – this policy is designed to enhance the quality of Inspectors decisions and ensure a consistency of approach.

Awareness Sessions – this policy is designed to provide Inspectors with an increased awareness of difficulties that may be faced by social fund applicants.

DSD – it is the policy of the OSFC to utilise the training resources of the Department for Social Development (DSD).

Objective: Work with the Independent Review Service (IRS) to improve the standard of decision making.

Journal – the OSFC contributes to the production and distribution of the IRS Journal (Digest of Decisions). This policy provides Inspectors in the OSFC with the opportunity to participate and influence debate about topical and contemporary issues surrounding the social fund scheme.

Standards Conference/Quality Forum - the OSFC participates in the Commissioners steering groups. This policy ensures consistency of approach to casework by Inspectors in the OSFC and IRS. It also provides the OSFC

with the opportunity to debate legal issues and issues relating to the standard of decision making.

Staff related policies not wholly defined by the Department of Finance and Personnel (DFP) or the Department for Social Development (DSD).

Deputising – sets out the procedure to be followed when deputising a member of staff into a higher grade to cover absence.

Working at Home (WAH) – explains when working from home is possible and the health and safety implications for staff that avail of this option.

Induction - sets out the procedure to be followed when receiving new members of staff to the OSFC

A full description of the policies listed above can be obtained on request from the OSFC by using the contact details included on page 2 of this document.

Policy Consultation Responses

A summary of comments received as a result of preliminary consultation on the screening of policies and the responses of the OSFC.

Disability Action (DA)

DA presented a themed generic response highlighting policy areas of importance for disabled people.

Macro Policy Areas

DA stated that it is important that strategic or macro level policies are not lost in the minutia of micro level procedural policies at this stage of the process.

The OSFC's first action in the screening of policies was to closely examine all of its business objectives and corporate aims. By doing this the OSFC is confident that all macro level policies have been identified.

Human Resources

DA ask that Public Authorities identify and remove any barriers that may restrict or inhibit members of designated groups from being employed, advanced or developed with the particular agency.

The OSFC do not have any responsibility for recruitment or promotion of staff or general employment issues. These matters are the remit of the Department of Finance and Personnel (DFP) and the Department for Social Development (DSD). In respect of training and development the OSFC follow all Northern Ireland Civil Service (NICS) guidelines in relation to equal opportunities. Taking this into account the OSFC does not consider that it necessary to EQIA its policies relating to staff development through training.

Access to Information

DA stated that the availability, accessibility, accuracy and quality of information are especially important factors in removing information barriers. They ask that Public Authorities examine all policies that contain information giving or directional concept to ensure that the needs of disabled people are fully catered for.

The OSFC recognises that policies relating to information giving may have significant inequality implications. Due to this fact that OSFC will be subjecting how it provides information and interacts with customers in the decision making process and its educational and promotional activities to EQIA's.

Access to services

DA state that too often barriers preclude independent participation in accessing services. They highlight that physical environment, attitude and a lack of staff training can all hinder access to services. They add that Public Authorities should also disability proof services provided by contracted out service providers.

The work of the OSFC does not normally require face to face contact with customers. However, when face to face contact is necessary the OSFC will arrange a meeting at its offices, conduct home visits or meet in a mutually agreeable venue. This ensures that physical environment does not hinder any of the Section 75 groups from accessing the OSFC's services.

The OSFC recognises that a lack of training and attitudinal barriers can hinder access to services by disabled people. DSD and the IRS have provided equality training for the staff of the OSFC. At present the OSFC is also in the process of arranging diversity training for staff which will specifically address the difficulties faced by disabled people.

The OSFC cannot disability proof services provided by contracted out service providers as responsibility for the tendering of contracts for the Northern Ireland Civil Service (NICS) falls under the remit of the Department for Finance and Personnel. The OSFC will contribute such information as may be required by DFP in examining the contracting out of services for equality purposes

Finance

DA state that the allocation of funds is an essential element in eradicating significant inequalities, which persist in the social and economic life aspects of disabled people.

The allocation of funds to the OSFC is a matter for the Department for Social Development (DSD). The OSFC will ensure that DSD are made aware of the resources that the OSFC need to effectively discharge its duties under Section 75.

Belfast Unemployed Resource Centre (BURC)

BURC state that the OSFC has always dealt with cases in which they have had involvement quickly, efficiently, thoroughly and fairly.

In response the OSFC's request to identify policies that have significant inequality implications BURC have highlighted home visits. BURC state that the OSFC could perhaps provide more home visits or highlight their availability as quite often applicants who are disabled, elderly or lone parents are unable to leave their homes to seek advice/representation.

Due to the comments from BURC the OSFC will include the fact that home visits are available in its literature to customers. However, due to the resource implications home visits will continue to be carried out only when necessary e.g. when the customer has difficulty putting his/her case across using other methods of communication, when there are difficulties resolving conflicts in evidence or when the customer requests a visit and failure to take this action would be detrimental to his/her case.

St Vincent de Paul Society (SVP) Armagh

SVP state there should be greater promotion of information and advice on the operation of the social fund to voluntary groups that deal with the vulnerable and marginalised.

The OSFC recognises that it needs to take a more structured approach to the provision of information and advice to ensure that there are no significant inequality implications in relation to this policy. The OSFC will specifically address these issues when subjecting its policies relating to external focus work to an EQIA.

SVP state that people of different and diverse backgrounds must be adequately and fairly accounted for in terms of providing information in accessible formats. They add that Social Fund Inspectors should be made aware of the problems of European Citizens and migrant workers now residing in Northern Ireland.

The OSFC have measures in place to provide alternative formats, such as minority languages, on request. The most commonly used OSFC leaflets and fact sheets have now been translated into the most widely used minority languages within Northern Ireland. The OSFC will monitor requests and will amend the range of documents and alternative formats available according to demand. The OSFC is also in the process of arranging training for Inspectors that will specifically address the difficulties faced by ethnic minority groups.

Appendix 3

Policy	Is there any evidence of higher or lower participation or uptake by different groups within any of the nine categories?	Is there any evidence that different groups have different needs experiences, issues and priorities in relation to the particular policy?	Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in government or in the community at large?	Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems that are specific to them?	Screening outcomes	EQIA Y/N?
<i>Deliver impartial and accurate review decisions and provide a high quality service and accessible service to all</i>						
Customer led review including decisions	No	Yes Those with a disability or ethnic minorities may require Interpreter/translation services.	No	No	The OSFC has decided to subject the CLR process to an EQIA as a result of comments received from Disability Action and the fact that this policy dictates the way in which the OSFC communicates with customers. The OSFC envisages that the results of this EQIA will have an effect on all related policies.	Yes
Visiting	No	Yes Those with a disability or ethnic minorities may find it easier to communicate face to face. These groups may also require interpretation services*.	No	No	No significant equality implications identified *The OSFC have procedures in place to meet the need for alternative formats/interpreter services	No
Post Decision Correspondence (Complaints)	No	Yes *Those with a disability or ethnic minorities may require	No	No	No significant equality implications identified *The OSFC have procedures in place to met the need for alternative	No

		Interpreter/translation services.			formats/interpreter services	
Customer Service Standards	No	Yes *Those with a disability or those from ethnic minorities may need to use an appointee or representative. Deadlines may have to be extended to properly facilitate this need.*	No	No	No significant equality implications identified *Case deadlines and targets are flexible enough to accommodate these needs.	No
Monitoring	No	No	No	No	No significant equality implications identified	No
<i>Provide information, acquired from our operational experience, to the Social Security Agency to help them achieve improvements in decision making and service to customers</i>						
Quarterly reports (Statistics)	No	No	No	No	No significant equality implications identified.	No
District Meetings	No	No	No	No		No
Focus Group	No	No	No	No		No
<i>Provide information to the public, their advisers and the staff of the Social Security Agency about the Social Fund, the role of the OSFC and the right of applicants to seek an independent social fund review.</i>						
Workshops	No	Yes Those with a disability or ethnic minorities may require documents in alternative formats or interpretation services	Yes	No	The OSFC primarily promotes its services and provides advice through the use of workshops, self instruction packs and leaflets and posters. These policies may therefore have a great impact on the uptake of the OSFC's	Yes
Self Instruction Packs	No	Yes See above	No	No		Yes

Leaflets/posters	No	Yes See above	Yes	No	services. Due to this fact the OSFC has decided to subject these policies to an EQIA to ensure that there are no equality implications. The OSFC will examine these policies together under the heading of external focus policies.	Yes
Commissioners meetings with voluntary groups	No	No	No	No	No significant equality implications identified	No
Freedom of Information/publications scheme	No	Yes Those with a disability or ethnic minorities may require documents in alternative formats*	No	No	No significant equality implications identified. *The OSFC have procedures in place to meet the need for alternative formats/interpreter services. Scheme meets statutory requirements.	No
Accessible formats	Yes	Yes	Yes	No	This policy will be examined as part of the OSFC's EQIA's on the way it communicates with its customers during the review process and how it promotes its services and provides advice. Due to this fact the OSFC does not feel that a separate EQIA is necessary at present.	No
<i>Develop staff and improve the standard of our work through high quality training</i>						
Training of Inspectors	No	Yes Certain groups, such as those with dependents, may find	No	No	No significant equality implications identified Training can be given in by the OSFC at its offices in	No

		it difficult to be away from home for the duration of the training.*			Belfast when necessary.*	
Participation in IRS training	No	No	No	No	No significant equality implications identified	No
Awareness sessions	No	No	No	No	No significant equality implications identified	No
DSD training	No	No	No	No	No significant equality implications identified	No
<i>Work with the Independent Review Service (IRS) to improve the standard of decision making</i>						
Journal	No	No	No	No	No significant equality implications identified	No
Standards Conference	No	No	No	No	No significant equality implications identified	No
Quality Forum	No	No	No	No	No significant equality implications identified	No
<i>Staff related policies not wholly defined by the Department of Finance and Personnel (DFP) or the Department for Social Development (DSD)</i>						
Deputising	No	No	No	No	No significant equality implications identified	No
Working at Home	No	No	No	No	No significant equality implications identified	No
Induction	No	No	No	No	No significant equality implications identified	No

Screening Consultation Responses

Comments received as a result of further consultation on the screening of policies/EQIA and the responses of the OSFC.

POBAL

POBAL state that the OSFC does not make provision for the Irish language and Irish speaking community of Northern Ireland under Section 75. They highlight the fact that according to census figures Irish is the most widespread minority language used in Northern Ireland but that OSFC does not have documents in this language format available to download from its website.

The main reason behind the decision to translate leaflets/factsheets for downloading from the OSFC's website was to make our service more accessible for those ethnic groups who are unable to speak English. In deciding which languages to translate documents into, the OSFC not only took account of the sizes of particular minority language speakers within Northern Ireland but also of requests the Social Security Agency had received to provide similar material in languages other than English. The OSFC would highlight the fact that it is made clear on its website that leaflets/factsheets can be provided, if necessary, in languages other than those listed. The OSFC would also highlight the fact that it will monitor such requests and amend the range of translated documents available to download from its website according to demand. Due to these factors the OSFC considers that it meets its statutory obligations under Section 75.

POBAL state that it is incumbent upon the OSFC to consider The European Charter for Regional or Minority Languages, to which the United Kingdom is a signatory in relation to Irish within Northern Ireland.

The OSFC follows the Code of Courtesy for Irish and Ulster Scots of its sponsoring Department, the Department for Social Development. This ensures that the OSFC fully meets its duties in respect of the Irish language as defined by the Charter. The OSFC will arrange for this guidance to be published on its website.

POBAL suggest that the OSFC's EQIA investigates the impact of its policies upon this language (Irish) and its community separately, and that the OSFC consider specific clauses and/ or a policy to address the needs and services required and due to the Irish speaking community under current legislation.

Due to the aforementioned factors the OSFC does not consider that it is necessary to conduct a separate EQIA in relation to the Irish language. The OSFC will therefore carry out its EQIA's in accordance with its draft timetable.

Disability Action

Disability Action requested that a textphone number and/or mobile number to which deaf people can text should be added to the contact details (Page 1:Translations and other formats).

OSFC explained that due to technical difficulties at the time of the consultation exercise, the textphone service that was normally available to applicants was not available. The problem has now been rectified and a textphone number has been included in the contact details.

Disability Action sought assurances from the OSFC that its website is fully accessible.

OSFC is fully committed to ensuring its website is fully accessible. The website has both 'Bobby' and 'WC3' approval symbols. An audit of OSFC's website was carried out in April 2007 by the Plain English Campaign and their recommendations are currently being considered.

As it was not clear what assurances Disability Action required regarding the website OSFC has written seeking clarification of the assurances being sought.

Disability Action commended the screening process undertaken by the OSFC.