



*Osfc*

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

# **ANNUAL REPORT**

## **2010-2011**







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**COMMISSIONER**  
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## Foreword



I am pleased to present this Annual Report for the 12 months ended 31st March 2011, which reports on my first complete year as Social Fund Commissioner.

The introduction of the Welfare Reform Bill in the Westminster Parliament and the proposed abolition of the Social Fund with responsibility for future programmes passing to local government in England and the devolved administrations of Scotland and Wales also has implications for Northern Ireland. This provides the Assembly and the Minister with the opportunity to develop a replacement programme which is more closely attuned to the needs of our poorest and most vulnerable citizens. I look forward to engaging with Nelson McCausland MLA as Minister for Social Development and his

officials as they seek to develop further initiatives to replace the Social Fund in its present form from 2013 onwards.

I have continued my programme of meetings with voluntary organisations who provide casework assistance to many of our customers and other stakeholders within the third sector.

Given the need to ensure public resources are used as proportionately and efficiently as possible we have continued to scrutinise our casework and decision making processes with a critical eye in order to ensure that productivity, efficiency, objectivity and quality are not compromised.

We continue to engage with the Social Security Agency at all levels in order to share our insights so that an appropriate focus on the customer and quality of decision making is maintained.

I conclude with my thanks to staff at all levels within the Office of the Social Fund Commissioner for their commitment and achievements during this past year.

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

# Executive Summary

## Work Activity 2010/11

- Social Fund Inspectors (“Inspectors” or “SFIs”) delivered 1,821 decisions.
- Overall Inspectors changed 38% of the decisions made by Reviewing Officers in the Social Security Agency (“the Agency” or “SSA”).
- Inspectors changed 43% of Community Care Grant (“Grant” or “CCG”) decisions and made 411 awards resulting in a spend of £190,437.49 from the CCG budget.
- Inspectors changed 33% of Crisis Loan (“CL”) decisions and made 209 awards resulting in a spend of £40,865.89 from the loans budget.
- Inspectors changed 6% of Budgeting Loan (“BL”) decisions and made 3 awards resulting in a spend of £1,861.14 from the loans budget.
- The Office of the Social Fund Commissioner (“OSFC”) delivered 14 workshops to 136 people.
- OSFC provided feedback to the Agency about the findings in each case an Inspector reviewed.
- OSFC provided quarterly Statistics Reports on decision making in each of the Agency’s 6 Social Fund districts.
- I met with a range of stakeholder organisations with an interest in the Social Fund during the year, a list is provided at Appendix 7.

In 2010/11 38% of the decisions reviewed by Inspectors were substituted, resulting in:

- 411 Community Care Grant awards at an average of £463.35 per award;
- 209 Crisis Loan awards at an average of £195.53 per award; and
- 3 Budgeting Loan awards at an average of £620.38 per award.

## The Standard of Social Fund Inspectors’ Decisions

- Case readers examined 99 cases (equivalent to 7% of the cases registered in 10/11). 93% of the decisions were found to be correct.
- 68 requests for further reviews of Inspectors’ decisions were received. Of these 44 cases were reopened and 26 were changed.

## The Standard of Administration

- Inspectors cleared 99.8% of routine cases within the 12 day target, 100% of complex cases within the 21 day target and 99% of express crisis loan cases within the 24 hour target.

## Resources

- OSFC spent £479,754 giving a cost per decision of £263.46. The cost per decision figure does not reflect the important training and social fund policy work undertaken by the Commissioner and OSFC staff.

## About the OSFC

Our core business is to deliver independent reviews of discretionary Social Fund decisions made in the Agency. We also share information and expertise with those who have an interest in the discretionary Social Fund and the independent review. We participate in social policy research that contributes to the wider debate about the Social Fund and related issues.

### The Social Fund

The Social Fund was introduced in 1988 and comprises two distinct parts; one regulated and the other discretionary. The Social Fund Commissioner and Social Fund Inspectors are concerned solely with the discretionary part of the Social Fund. This is a scheme of payments, by grant or interest free loan.

### The Social Fund Commissioner

The Social Fund Commissioner is appointed by the Department for Social Development (“the Department”). The Commissioner has a duty to:

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

### Social Fund Inspectors

Inspectors can only review decisions that have already been reviewed in the Agency, providing that an appropriate application for review has been made. The Inspector has the authority to:-

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

Our organisational structure and functions are explained further in Appendix I.

### Our Vision

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

### Our Values

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

# Customer Experience

## Customer Survey

During the period 2010/11 OSFC surveyed 168 applicants and received 43 responses (26%). The survey enables us to monitor the satisfaction levels with our service and to identify areas where we could make improvements. Of those who responded:

- 97% indicated that their call to OSFC was answered promptly and effectively;
- 93% found it easy to apply for a review;
- 91% found the information sent in advance of the review helped them to understand the issues in their cases;
- 88% found the Inspector's decision easy to follow; and
- 95% said they would use the OSFC again.

This represents a continuing high level of satisfaction amongst our customers, which we will endeavour to maintain.

## Complaints

During 2010/11 OSFC received no complaints about our customer service, this does not include requests to have an Inspector's decision looked at again – statistics on such cases are shown on page 13. Appendix 5 contains details of OSFC customer service targets.

### Case example

Mr A applied for a Budgeting Loan ("BL") of £330 for various items. He received a computer generated letter advising him that the maximum amount of BL debt allowed as a single man was £570.86 and as he already had outstanding BL debt of £540.00 he had less than £100 available to him. The law states the minimum BL award is £100 so his application was refused.

On review, Mr A stated that he had access to his child who stayed with him 2 nights a week. However, he received a further computer generated letter which did not address the issues he raised in his review request.

At the independent review stage, an Inspector spoke to him by telephone and explained that as he was receiving benefit as a single man, his BL rate was set as a single person. The Inspector accepted that his daughter stayed over with him, but explained that all benefits in respect of her were paid to her mother. It was also explained that the law did not allow a BL to be paid for less than £100. The customer stated he now understood the decision. He had asked questions about his entitlement to an award twice before but had not received an answer.

Time taken for Inspector's review: 1 day.

## Delivering the Review

Inspectors made 1,821 decisions during 2010/11. The overall number of decisions made by OSFC this year decreased by 10.5%, compared to 2009/10. Chart 1 illustrates the demand for independent Social Fund reviews over the last 3 years.

**Chart 1 – Decisions by Application Type**

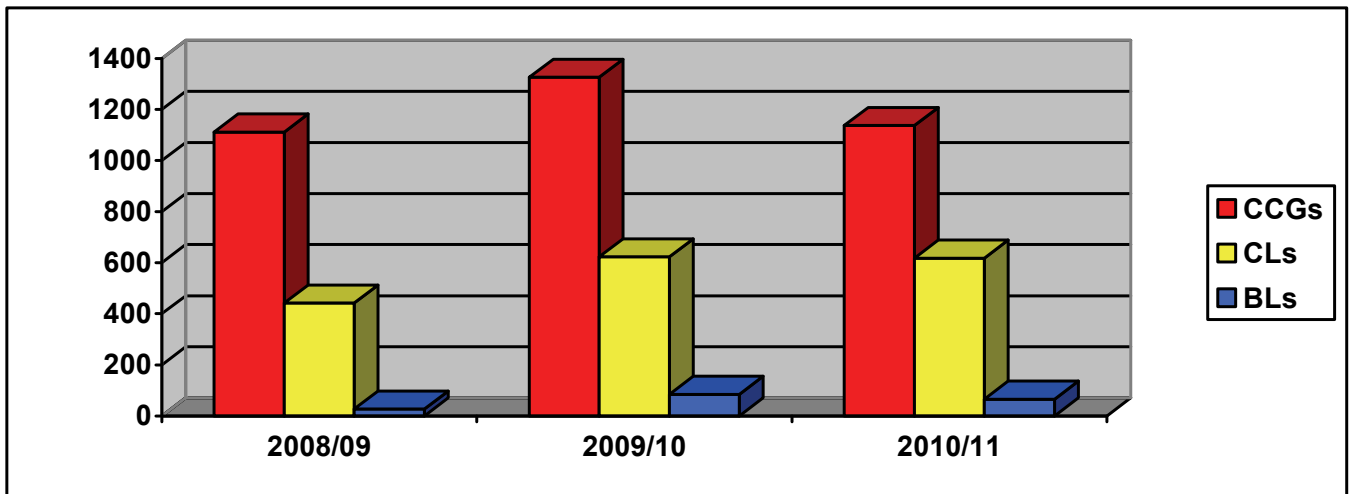
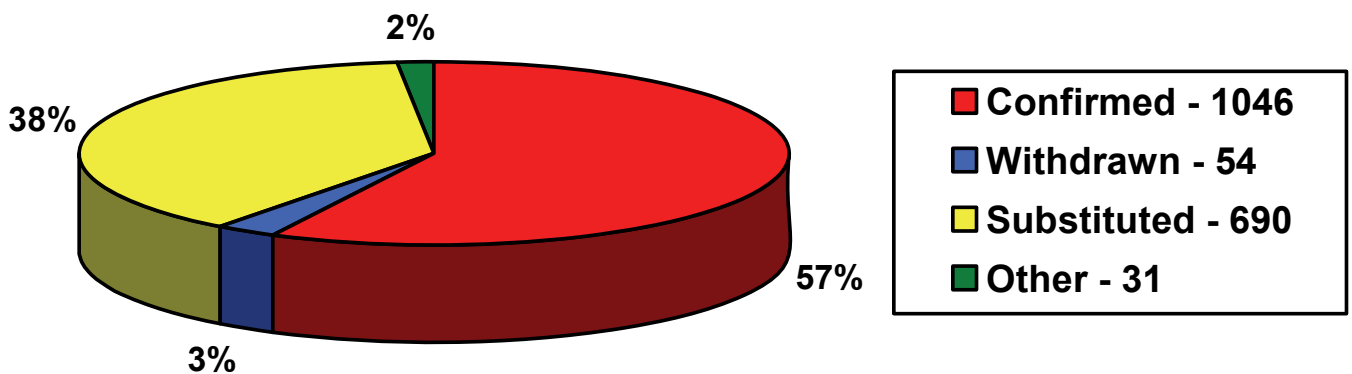


Table 1 shows the number of awards made by Inspectors this year and the average amount of awards.

Application Type	Budget	Number of awards	Total mount awarded by SFIs	Average amount of award
CCG	£13,816,060	411	£190,437.49	£463.35
CL	£66,110,000	209	£40,865.89	£195.53
BL		3	£1,861.14	£620.38

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



Overall, Inspectors found important errors in 26.6% of the Agency decisions they reviewed. The error rate for substituted decisions was 52.5% and the error rate for confirmed decisions was 11.7%. Appendix 2 shows a breakdown of the spread of decisions by month, District and type.

## Community Care Grants

Community care grants again accounted for the largest proportion of our work (62%). Inspectors delivered 1,137 decisions of this type. Table 2 below shows the number of requests for review of grant decisions made by the Agency during 2010/11.

**Table 2: Analysis of Community Care Grant activity 2010/11**

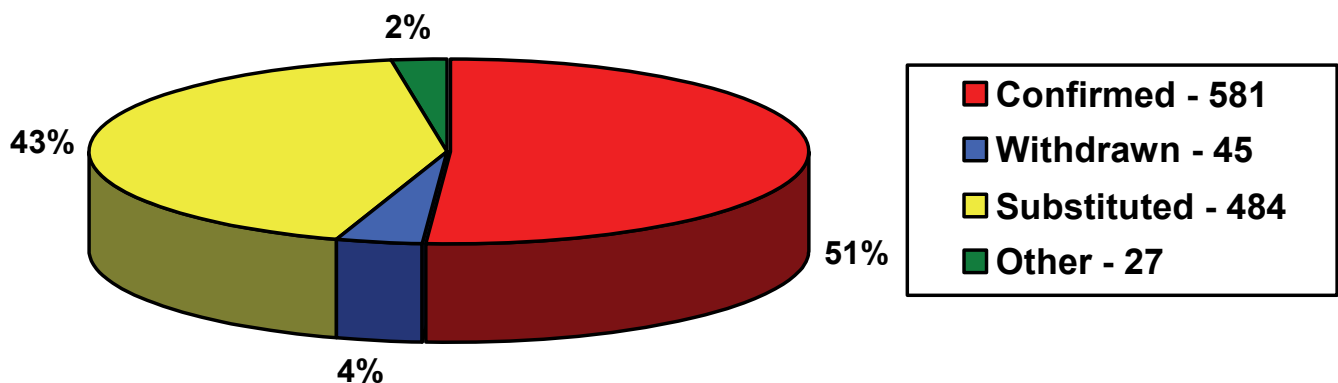
1. Initial Applications to the Agency	47,283
2. Initial Refusals by the Agency	23,081
3. Applications for Reviewing Officer review	9,688
4. Applications unchanged or not wholly changed on review in the applicant's favour	9,181
5. OSFC Reviews	1,137
6. Number of grant awards made by Inspectors	411
7. Average amount of grant award	£463.35

Only 1,137 reviews of grant decisions made in the Agency were made in OSFC. This represents only 12% of the 9,181 cases which could have been independently reviewed, that is those which were either unchanged or not wholly changed in the applicant's favour by the Reviewing Officer.

This emphasises the importance of making applicants aware of the role of the OSFC and also of making our service accessible. This is underlined by the fact that 43% 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% of our workload this year. Table 3 below shows the number of requests for review of Crisis Loan decisions made by the Agency during 2010/11.

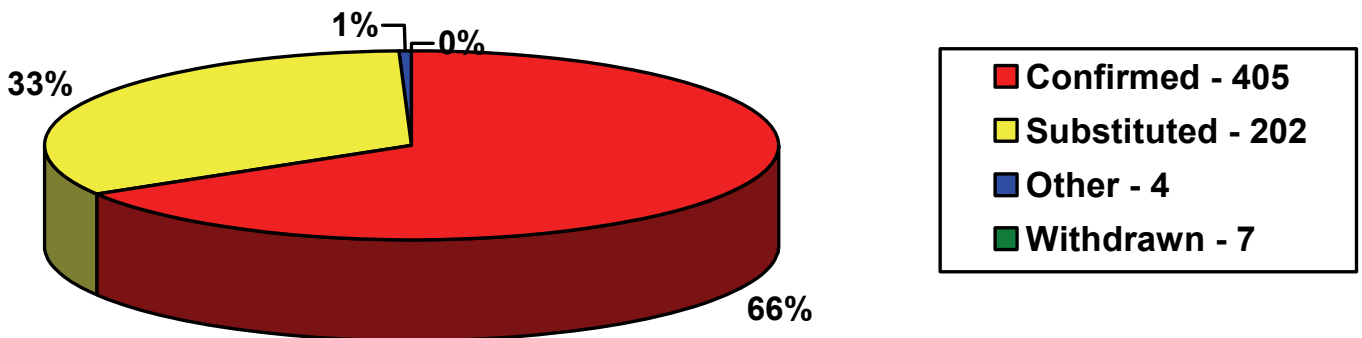
**Table 3: Analysis of Crisis Loan activity 2010/11**

1. Initial Applications to the Agency	159,210
2. Initial Refusals by the Agency	34,186
3. Applications for Reviewing Officer review	3,067
4. Applications unchanged or not wholly changed on review in the applicant's favour	2,874
5. OSFC Reviews	618
6. Number of crisis loan awards made by Inspectors	209
7. Average amount of crisis loan award	£195.53

Only 618 reviews of Crisis Loan decisions made in the Agency were made in OSFC. This represents only 22% of the 2,874 cases which could have been independently reviewed, that is those which were either unchanged or not wholly changed in the applicant's favour by the Reviewing Officer.

## Decision Outcomes

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



# Budgeting Loans

## Reviews

Budgeting loans accounted for 4% of our workload this year. Inspectors delivered 66 reviews of this type. Table 4 below shows the number of requests for review of Budgeting Loan decisions made by the Agency during 2010/11.

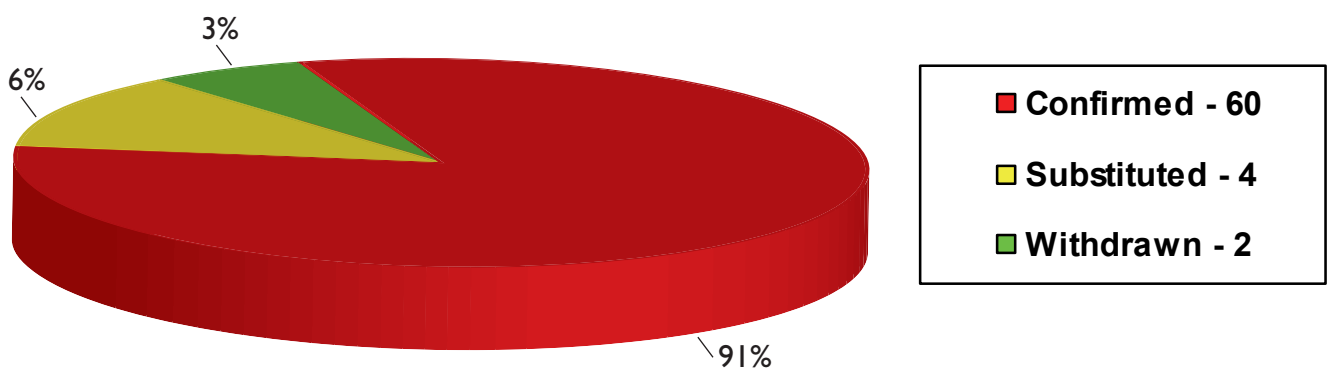
**Table 4: Analysis of Budgeting Loan activity 2010/11**

1. Initial Applications to the Agency	152,988
2. Initial Refusals by the Agency	29,439
3. Applications for Reviewing Officer review	1,882
4. Applications unchanged or not wholly changed on review in the applicant's favour	1,784
5. OSFC Reviews	66
6. Number of budgeting loan awards made by Inspectors	3
7. Average amount of budgeting loan award	£620.38

Only 66 reviews of BL decisions made in the Agency were made in OSFC. This represents only 3.7% of the 1,784 cases which could have been independently reviewed, that is those which were either unchanged or not wholly changed in the applicant's favour by the Reviewing Officer.

## Decision Outcomes

Chart 5 shows the outcome of Inspectors' budgeting loan decisions.



# Standard of Administration and Social Fund Inspectors' Decisions

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

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

## Case Reading

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

Although the provision to seek judicial review through the High Court exists, in practice, the Inspector's review provides the final resolution for applicants to the Social Fund. It is vital, therefore, that Inspectors deliver high standards and our monitoring processes are robust. The overall quality standards required are set out in detail in Appendix 6.

As well as Social Fund law, Inspectors' decisions must comply with general legal principles, such as burdens and standards of proof, and natural justice. The people who use our service have a right to know the reasons for the Inspector's decision and in order to ensure this, they must be presented in plain language. Our case readers, therefore, also assess the clarity of explanation to ensure it respects the applicant's level of understanding and avoids jargon.

Our aim for 2010/11 was to read 5% of our total workload, selected at random.

Our total case reading for the year was 99 cases (7% of cases registered in 2010/11). Chart 6 shows the results. 93% of cases were correct, in 3% the case reader could not tell from the papers whether the outcome was right or wrong and 4% were found to be incorrect.

## Case Example

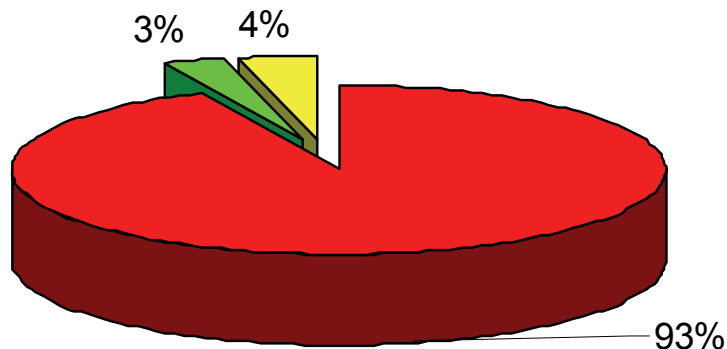
Mrs B is in receipt of a qualifying benefit and has significant health issues. Her home has a rodent infestation and she applied for a CCG to have the house treated.

The decision maker found the customer at risk of entering care due to her health and living conditions, but awarded low priority to the need for assistance as the local Council provide a pest control service for £60.

At the internal review stage the Reviewing Officer contacted the Council who advised they would charge £38 per visit. The Reviewing Officer upheld the first decision.

Upon receiving an application for independent review the Inspector contacted the Council who stated they had charged a reduced rate for their first visit and would carry out further visits, free of charge, until they resolved the problem. The Inspector decided the customer was at risk of entering care and so qualified for a grant. However, as there was assistance available free of charge from another source, a grant could not be paid.

**Chart 6 - Case Reading Results**



- Fully met the standards in the case reading template 93%
- Couldn't determine whether the outcome was correct without gathering further information 3%
- Did not fully meet the standards in the case reading template 4%

## Judicial Review

During the year a Judicial Review of an Inspector’s decision was heard at the High Court in Belfast. This was the first Judicial Review of a Social Fund Inspector’s case in Northern Ireland for several years. In his 5 May 2010 judgement, Mr Justice Treacy did not uphold the Inspector’s decision on the case and granted the application for Judicial Review.

## 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 2010/11 we received 56 requests for reviews of Inspector’s decisions from customers or their representatives. As in previous years, most requests were about the amount of, or refusal of, an award. In the majority of these cases the Inspector’s decision had been reached properly and was legally sound. 3 cases were identified by the SSA and a further 9 cases were identified through our internal case reading.

<b>Table 5 – Requests for Reviews of Inspectors’ decisions 2010/11</b>			
<b>Source</b>	<b>Number received</b>	<b>Number reopened</b>	<b>Number changed</b>
Customer	46	27	16
Representative	10	7	3
SSA	3	3	3
Internal Checks	9	7	4
<b>Total</b>	<b>68</b>	<b>44</b>	<b>26</b>

In 2010/11 Inspectors aimed to clear reviews of Inspectors' decisions within 12 working days, and within 21 days in more complex cases. Of these 68 cases, 61 (90%) were cleared in 12 days and 6 (9%) in 13 to 21 days. 1 case (1%) exceeded the 21 day target.

## Completion Times

We recognise the need to complete reviews as quickly as possible since the people who use our service are generally in urgent need and have already had two decisions on their application made by the Agency. Nevertheless the Inspector has a duty to ensure natural justice is served. In order to do this, before he makes a decision he sends the applicant 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 1,122 letters seeking further information before proceeding with a decision, to which there were 948 responses (84%). This part of the process is included in the overall clearance times.

39% of customers responded using our Freephone service. This reduces the time taken to reach a decision and enables the customer (or their representative) to provide greater detail when responding to the Inspector's questions. Table 6 illustrates the number of decisions of each type and the proportion of our workload this represents, together with our time targets and achievements for each decision type. Appendix 3 shows the breakdown of our decision completion times by month.

### Case Example:

Miss C lives with her partner and children. She has health issues which affect her daily. Her son was showing signs of ADHD and the other children were bed wetting. Her partner had to stay home to look after her and their children. The family also had support from a health visitor.

Miss C applied for a grant as some items had been broken by her son and the other children's beds were now beyond use due to bed wetting.

The customer mentioned that her health visitor had advised her to get a new bed for her daughter. The decision maker refused an awarded for beds as there had been recent awards for these items. This decision was upheld by the Reviewing Officer.

At independent review stage, the Inspector contacted the health visitor who had recently visited Miss C's home. She confirmed the extremely poor condition of the beds. The Inspector was subsequently able to pay a grant for these items.

Despite detailed investigation being required, the Inspector cleared the case in 6 working days.

<b>Decision type/Timescale</b>	<b>No. of decisions</b>	<b>% of decision workload</b>	<b>Target %</b>	<b>Achieved %</b>
Community Care Grants: No enquiries/straightforward enquiries (to be completed within 12 days of receipt)	1,039	57%	95	99.8
Community Care Grants: Further investigation/complex enquiries (to be completed within 21 days of receipt)	98	5%	100	100
Budgeting Loans: No enquiries/straightforward enquiries (to be completed within 12 days of receipt)	66	4%	95	100
Crisis Loan cases for items (to be completed within 12 days of receipt)	509	28%	95	100
Crisis Loan cases for living expenses (to be completed within 24 hours)	109	6%	95	99

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

<b>District</b>	<b>% of CCG and BL case papers received within 4 working days</b>		
	<b>2008/09</b>	<b>2009/10</b>	<b>2010/11</b>
Belfast North and East Antrim	70%	74%	79%
Belfast West and Lisburn	86%	81%	93%
East Down	62%	78%	75%
North	93%	89%	78%
South	94%	94%	95%
West	90%	93%	92%
<b>Total</b>	<b>83%</b>	<b>86%</b>	<b>87%</b>

# Building Relationships

## Feeding Back on Standards and Policy

The OSFC works with the Department to improve the standard of first line decision making, by providing feedback on each case we review. We also provide regular feedback via quarterly statistics reports which give detailed information for each of the Agency's 6 Social Fund districts and Northern Ireland as a whole about performance and operational issues drawn from all the cases that Inspectors reviewed.

During 2010/11 the most common problems identified in these reports included:

- misinterpreting the law, applying the wrong test or reaching a decision that was not a reasonable one based on the evidence available; and
- failure to apply the correct priority to an item or items, or irrelevant factors were taken into account, or relevant factors were not taken into account.

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

## Improving Knowledge

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

### Examples of leaflets and information packs include:

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

The OSFC has undertaken various activities to help improve the standards of decision making, improve the knowledge of advisers and raise awareness amongst those at whom the Social Fund is aimed. During 2010/11, we:

- Delivered 14 workshops to 136 people including welfare rights organisations and the Agency's staff;
- met a range of people with an interest in the Social Fund and wider social policy issues; and
- held 2 Best Practice Forums with Agency staff to discuss case issues and disseminate any learning points on cases to Social Fund staff in the Agency.

## External Focus

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

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

If you are interested in a particular Social Fund subject, we can normally tailor a presentation to meet your needs. We use practical examples and discussion to enable advisors to help their clients effectively. Feedback on workshops has been very positive and it underlines the importance of this area of work. OSFC delivered 14 training workshops to a total of c. 136 people in 2010/11. Feedback questionnaires indicated that all attendees found the training either useful or very useful in providing them with an understanding of

### The training is:

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

the Social Fund and the role of OSFC. Furthermore, all attendees found it useful or very useful in their role as advisors.

*“Helped to clarify entitlements, priority & means of calculating CCGs.”*

Member of Depaul Ireland, January 2011.

Organisations which have received training in 2010/11 include:

- Christians Against Poverty;
- Bangor and Newtownards CAB;
- NIACRO;
- Triangle Housing;
- Depaul Ireland;
- Gingerbread;
- c. 65 Social Fund Staff; and
- c. 5 Personal Advisors from the Department of Employment and Learning

*“As a new volunteer advisor I found this very informative. Information was presented in a format that made sense and was easy to absorb and understand, thank you.”*

Member of Newtownards CAB, October 2010.

# Investing in Staff and Training

## Advice to Inspectors

Social Fund Commissioner's Advice and Support Notes are made available to assist Inspectors with the interpretation and application of the law. These documents are reviewed and updated in response to changes made to the Social Fund scheme or to address issues which arise in casework. All the Commissioner's advice to Inspectors is accessible via the OSFC website.

### Training

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

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

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

- Belfast Trust Contenance Team;
- Fibromyalgia NI; and
- IB/IS Reassessment Project Team.

OSFC had 10 staff in post on 31 March 2011. In line with the OSFC commitment to deliver high standards to applicants £12,010 (2.6%) of our total spend in 2010/11 was on the training and development of staff. This includes the direct costs of providing the training and the cost of staff time. A total of 58 mandays were spent on training and development activities.

Inspectors also attended in-house training in relation to Direction 4(a)(iii) cases involving exceptional pressure on families.

### Investor in People

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

# Resources

<b>Business Operating Costs</b>	£57,212
<b>Judicial Review<sup>1</sup></b>	£88,847
<b>Salaries</b>	£333,695
<b>Total<sup>2</sup></b>	£479,754
<b>Cost per decision</b>	£263.46

<sup>1</sup> During 2010/11 a decision made by the SSA, which was confirmed by an Inspector in OSFC was the subject of a Judicial Review in the High Court, the first such case in Northern Ireland in several years. This row shows the costs associated with the legal proceedings paid by OSFC in the year; a further £10,500 of costs were accrued to OSFC's 2009/10 budget.

<sup>2</sup> The total excludes a separate budget of £30,000 for the Social Fund Commissioner's travel and subsistence costs and remuneration of £28,847 per annum for 4 days per month spent on Northern Ireland Social Fund issues.

Inspectors completed 1,821 decisions, giving a unit cost of £263.46 per decision. The cost per decision figure does not take account of the other important work carried out by OSFC staff, such as the provision of training workshops and various meetings with the Social Fund Commissioner.

## Sick Absence

The sick absence rate in OSFC for the period 2010/11 was c. 1.6%.

## Risk Assessment

OSFC is committed to improving its risk management. Risk is defined as the chance of something adverse happening that will have an effect on the achievement of OSFC's objectives. As part of this commitment, a detailed Risk Register and Business Continuity Plan have been developed. These are reviewed regularly and discussed at team meetings. During the year 2010/11 OSFC held three successful rehearsals which tested various elements of the Business Continuity Plan.

## Security

A number of measures have been introduced in 2010/11 to make OSFC's procedures more secure. We have developed and implemented a more detailed Document Retention Policy and Destruction Schedule which has been taken on board by all staff. We have also implemented a Certificate of Assurance process and formalised the checking procedures to ensure that management and senior management can be assured as to how the business is functioning and complying with its obligations. We requested and facilitated Managing Difficult Situations training for all staff carrying out home visits under the Department's Health and Safety guidance.

## 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.

- During the year OSFC carried out a Section 75 screening exercise on introducing a telephone option for contacting customers which included a consultation with key stakeholders. Following this work it was decided a full Equality Impact Assessment was not required.
- Our Language Line was used once during 2010/11. Following this, a desk aid was issued to all staff showing how to get the best use from this system.

We provide some information in other languages, including:-

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

## Disability Action Plan

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

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

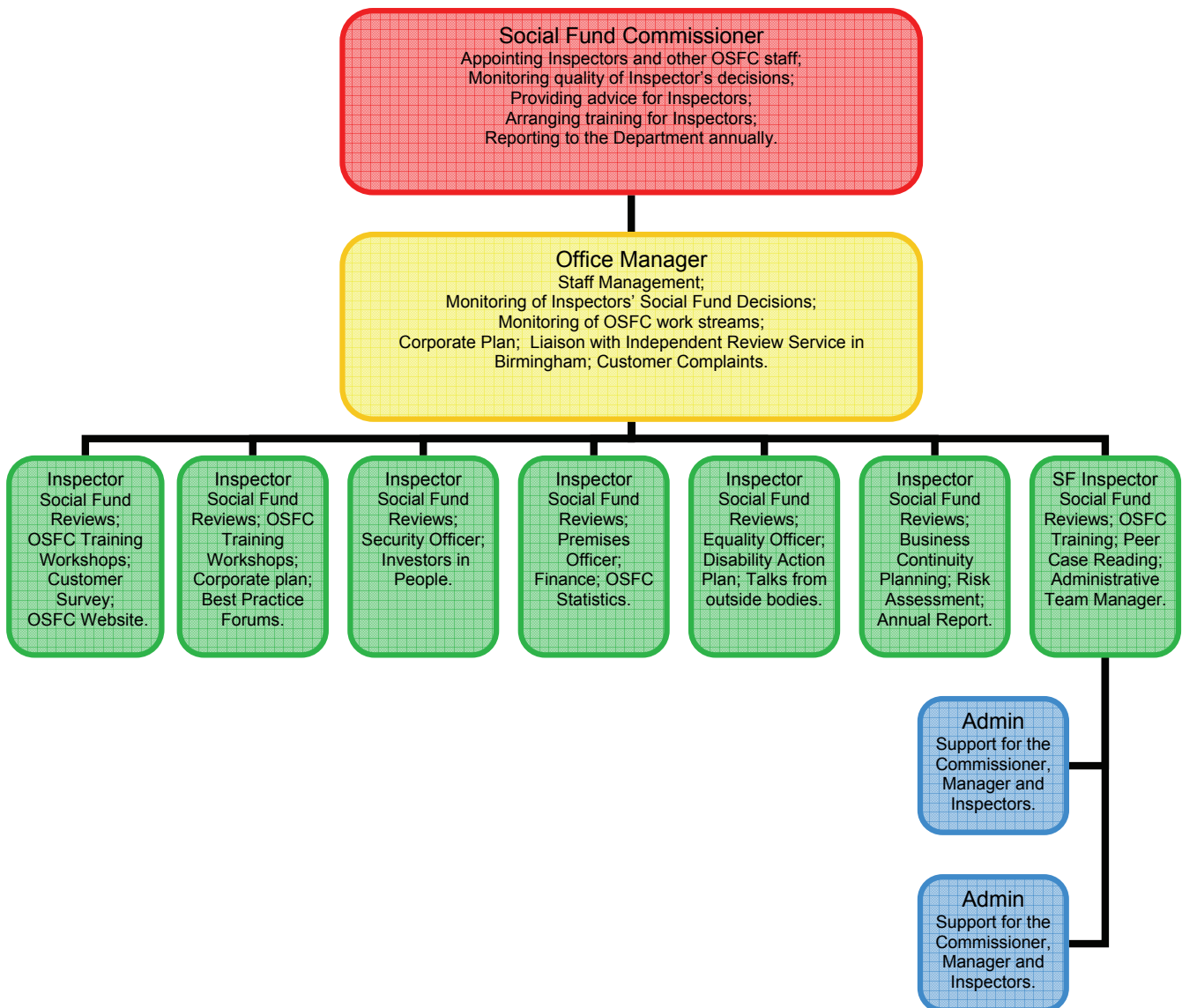
- The minicom system was successfully tested during the year.

# 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;
  - to provide training and advice to those actively involved in the Social Fund; and
  - to provide general information to the public.

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



## Appendix 2(a) – OSFC Decisions by Month

Month	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
April	111	50	10	171
May	77	46	5	128
June	112	64	5	181
July	104	60	7	171
August	75	41	5	121
September	80	48	5	133
October	101	38	2	141
November	93	55	6	154
December	90	43	8	141
January	72	43	4	119
February	99	65	6	170
March	123	65	3	191
<b>Total</b>	<b>1137</b>	<b>618</b>	<b>66</b>	<b>1821</b>

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

District	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
Belfast North and East Antrim	142	91	7	240
Belfast West and Lisburn	206	144	11	361
East Down	198	111	10	319
North	146	65	18	229
South	279	135	12	426
West	166	72	8	246
<b>Total</b>	<b>1137</b>	<b>618</b>	<b>66</b>	<b>1821</b>

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

District	Community Care Grants - %			Crisis Loans - %			Budgeting Loans - %		
	Confirmed	Substituted	Referred Back	Confirmed	Substituted	Referred Back	Confirmed	Substituted	Referred Back
<b>Belfast North and East Antrim</b>	47.2	44.4	2.1	67.0	28.6	0	100	0	0
<b>Belfast West and Lisburn</b>	46.1	46.6	1.5	68.8	29.2	0	90.9	9.1	0
<b>East Down</b>	51.5	40.4	1.5	62.2	36.9	0	90.0	10	0
<b>North</b>	52.7	42.5	0	56.9	39.1	0	88.9	11.1	0
<b>South</b>	54.5	41.6	1.1	64.4	35.6	0	91.7	8.3	0
<b>West</b>	53.0	40.4	0.6	72.2	27.8	0	87.5	12.5	0
<b>Total</b>	<b>50.8</b>	<b>42.6</b>	<b>1.1</b>	<b>65.5</b>	<b>32.7</b>	<b>0</b>	<b>90.9</b>	<b>9.1</b>	<b>0</b>

## Appendix 3 – OSFC Decision Completion Times by Month

Month	Community Care Grants		Crisis Loans		Budgeting Loans	
	% completed within		% completed within		% completed within	
	12 days <sup>1</sup>	21 days <sup>2</sup>	24 Hours <sup>3</sup> Living expenses	12 days <sup>1</sup> Items	12 days <sup>1</sup>	21 days <sup>2</sup>
April	100	100	87.5	100	100	—
May	100	100	100	100	100	—
June	100	100	100	100	100	—
July	100	100	100	100	100	—
August	98.9	100	100	100	100	—
September	100	100	100	100	100	—
October	99.0	100	100	100	100	—
November	100	100	100	100	100	—
December	100	100	100	100	100	—
January	100	100	100	100	100	—
February	100	100	100	100	100	—
March	100	100	100	100	100	—
<b>Average</b>	<b>99.8</b>	<b>100</b>	<b>99.0</b>	<b>100</b>	<b>100</b>	<b>—</b>

<sup>1</sup> Of those cases, which required no enquiries or straightforward enquiries, we aimed to complete 95% in 12 days.

<sup>2</sup> For those cases requiring further investigation or complex enquiries, we aimed to complete 90% within 21 days.

<sup>3</sup> We aim to complete 95% of express cases within 24 hours.

## Appendix 4 – Social Fund Self Instruction Packs

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

### **The Social Fund ‘A Basic Overview’**

A general guide to the Social Fund, covering the key features of the scheme.

### **Community Care Grants**

A technical pack providing a thorough working guide to community care grants. Specifically designed for staff with responsibility for the Social Fund and organisations that advise or assist applicants.

### **Budgeting Loans**

A brief summary of the changes to the budgeting loan scheme from 3 April 2006.

### **Evidence in the Social Fund Context**

This is intended to provide the user with a thorough, but not overly technical, guide to competent handling of evidence in the context of Social Fund applications.

### **The Social Fund for JBO/SSO staff**

This pack is designed for SSA staff in local offices who may be required to advise and assist customers, but who are not involved in Social Fund decision-making. It gives an overview of the conditions for payments and advice about the information customers should give to support their applications.

### **The Social Fund for Pension Service staff**

Designed for staff in The Pension Service who may be required to advise and assist customers. It gives an overview of the conditions for payments and advice about the information customers should give to support their applications.

### **Decision Making and Reviews**

This is a ‘how-to’ guide to making and reviewing decisions. It focuses on the processes by which decisions are made rather than the technical aspects of the various types of Social Fund payments. Primarily aimed at Decision Makers and Reviewing Officers, it may also be useful to advisers.

### **IRS Self Instruction Pack - Decision Making: The Inquisitorial Role**

This pack is designed to help decision makers understand their role in gathering evidence, with pointers about when additional information is necessary and how best to go about collecting it.

## Appendix 5 - OSFC Customer Targets 2010/11

We aim to deliver a high quality decision at the earliest opportunity. Our staff will deliver the following customer service standards:

### **Overall Customer Service Standards**

#### **Standard cases**

- We will make a decision on 95% of standard cases within 12 working days. Standard cases are all applications to the OSFC, excluding express and complex cases. They form the majority of the work of OSFC.

#### **Express cases**

- We will make a decision on 95% of express cases within 24 hours of receipt of the papers. Express cases are applications for living expenses or other needs where a very urgent decision is required.

#### **Complex cases**

- We will make a decision on 90% of complex cases within 21 days. Complex cases are those that warrant extensive enquiry or investigation or where the nature of the case is exceptionally complex.

### **Administration**

In order to deliver the overall standards the following internal targets will guide our work:

- Papers for direct applications will be requested on the day they are received.
- We will work towards obtaining 95% of direct application papers within 4 days.
- Applicants will be informed when their papers remain outstanding from the SSA for more than 10 days.
- Cases will be fully registered on the day they are received.
- Cases will be allocated and passed to the relevant Inspector by the morning of day 2.
- Written responses to papers or to requests for further information will be recorded and passed to a decision maker on the day they are received.

### **Decision Making**

- Any necessary enquiries of the applicant, whether in writing by issuing a full statement or a letter, or by telephone, will be made within 3 working days of receipt of the papers.
- Where no further enquiries are necessary in order to reach a sound decision, it will be issued within 3 working days of receipt of the papers.
- No more than 10% of cases will fall into the Complex Case category.

## **Enquiries and complaints**

- A full response or update as appropriate will be sent to the applicant within 12 working days of the receipt of an enquiry or complaint.
- Where a response has not been made by day 12, it should be sent on all cases within 21 working days.
- A response will be made on express cases within 24 hours. Express cases are applications for living expenses or other needs where a very urgent decision is required.

## **Telephone Service**

- A telephone service will be provided for customers, at a free phone call rate, between 9.00 am and 4.30 pm, Monday to Friday. An answering service will be available at all other times.

## Appendix 6 - OSFC Quality Standards for the Review

We will deliver Inspectors' reviews that are independent, impartial, fair and legally sound. In each case we will work to increase the applicant's ability to understand and participate fully and effectively in their review.

To achieve this, the review will meet the following quality standards.

Before the decision is made the Inspector will:

- Examine thoroughly all the evidence presented to decide the key issues, establish the relevant facts and identify all necessary enquiries.
- Ask the right questions, in the right way, to enable all the relevant facts to be established.
- Deliver the information to the applicant in such a way that clarifies the key issues the Inspector has to decide, the facts he already knows about those issues and the information he still needs.

In making the decision the Inspector will:

- Take full account of the relevant information provided in the case and reflect that in the decision.
- Correctly interpret and apply the law, including the Department's directions.
- Ensure the rules of natural justice are met: that the applicant knows the case he must answer and has been given a fair opportunity to put his own case; and that there has been no bias.
- Reach an outcome that is reasonable and is right in all the circumstances of the case.
- Tailor each letter and decision to the case ensuring, in particular, that the applicant's level of understanding is respected.
- Explain the law clearly, in a way the applicant can understand, avoiding legal terminology wherever possible.
- Apply the relevant Commissioner's Advice to Inspectors.

In doing this we will deliver the review:

- Promptly and within published Customer Service Standards.

## Appendix 7 – Social Fund Commissioner’s Meetings

Alex Attwood, Minister for Social Development

Will Haire, Permanent Secretary, DSD

Alex Attwood, Minister for Social Development and Mr Tommy O’Reilly, Chief Executive SSA

Social Fund Managers and Staff in North District

Social Fund Managers and Staff in South District

Social Fund Managers and Staff in Belfast West and Lisburn District

Social Fund Managers and Staff in Belfast North and East Antrim District

Social Fund Managers and Staff in East Down District

Carers NI, Belfast

Triangle Housing Organisation, Ballymoney

Gingerbread NI, Ballymena

Disability Action, Belfast

Windsor Women’s Centre, Belfast

Law Centre, Belfast

Patricia Lewsley, Northern Ireland Commissioner for Children and Young People

## Appendix 8 - The Statutory Framework

### The Social Fund

The Social Fund was introduced in 1988 and comprises two distinct parts; one regulated and the other discretionary. The Social Fund Commissioner and Social Fund Inspectors are concerned solely with the discretionary part of the Fund. This is a scheme of payments, by grant or interest free loan, to meet the needs, other than those covered by the regulated Fund, of the poorest and most vulnerable in society. The Commissioner and Inspectors have no involvement in the regulated part of the Fund, which allows for payments for funeral and maternity expenses, periods of cold weather and winter fuel.

The Social Security (Northern Ireland) Order 1998  
The Social Security Contributions and Benefits (Northern Ireland) Act 1992  
The Social Security Administration (Northern Ireland) Act 1992

### The Social Fund Commissioner

The Social Fund Commissioner is appointed by the Department. The Commissioner has a duty to:

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

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

### Social Fund Inspectors

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

### Jurisdiction

Inspectors can only review decisions that have already been reviewed by the Agency, providing that an application for review has been made in the time, form and manner prescribed in regulations. Applications for an Inspector's review must be made directly to the OSFC within 28 days of the date of issue of the Agency's review decision.

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

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.

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.





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