



OFFICE OF THE SOCIAL FUND
COMMISSIONER
FOR NORTHERN IRELAND

Dear Sir/Madam

The Office of the Social Fund Commissioner for Northern Ireland (OSFC) is a designated body for the purposes of Section 75 of the Northern Ireland Act 1998. Schedule 9 of the Act required the OSFC to set out an Equality Scheme on how it proposed to fulfil the duties imposed by Section 75. The OSFC's Equality Scheme was approved by the Equality Commission in September 2005.

In line with the Equality Scheme the OSFC is in the process of screening its policies to determine which, if any, have significant implications for equality of opportunity. The OSFC has now completed the first stage of this process which was to identify all the OSFC's policies, written and unwritten. The attached report (Appendix 1) details all policies identified by the OSFC and provides a short summary of each. Appendix 2 is a short questionnaire seeking your/your organisation's views on specific policy and consultation related issues. However, the OSFC would also welcome any additional comments you/your organisation have regarding the screening process.

I look forward to hearing from you/your organisation.

Yours sincerely

A handwritten signature in black ink that reads 'Richard Tilt'.

Sir Richard Tilt
Social Fund Commissioner



OFFICE OF THE SOCIAL FUND
COMMISSIONER
FOR NORTHERN IRELAND

Preliminary Consultation in the screening of policies.

Consultation Period 17 November 2006 – 12 January 2007

Translations and other formats

For information on obtaining this publication in another language or in large – print, disk, audio cassette or Braille format, or any other queries, please contact:

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This paper is also available to download from the OSFC's website –
www.osfcni.org.uk.

Background

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.
- 1.1. 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.

- 1.2. The OSFC's Equality Scheme was approved in September 2005. In line with the Equality Scheme the OSFC is now in the process of screening all of its policies to determine which, if any, have significant implications for equality of opportunity. The first stage in this process was to identify all policies, written and unwritten; this was undertaken at a management team meeting which included all staff.
- 1.3. Appendix 1 lists all the current policies identified by staff and provides a brief summary of each. Appendix 2 is a short questionnaire.

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.
 - 2.1. 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. The Commissioner has a duty to:
 - appoint Social Fund Inspectors and other staff;
 - monitor the quality of Inspectors' decisions and give advice, as he sees fit, to improve the quality of their decisions;
 - arrange appropriate training for Inspectors; and
 - report annually, in writing, to the Department for Social Development (DSD) on the standard of Inspectors' decisions.
 - 2.2. 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.
 - 2.3. 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.
3. 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 SSA about operational performance;
 - when appropriate contributes to research to help improve the operation of the social fund.

Policies not determined by the OSFC

4. The following policies are not determined by the OSFC and therefore will not be subject to screening by the organisation:

- 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.

4.1 The OSFC will contribute such information as may be required by DFP or DSD when carrying out screening or equality impact assessments on these policies.

Policies determined by the OSFC

5. The objectives and associated policies determined by the OSFC and therefore subject to screening by the organisation are detailed below.

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

CUSTOMER LED REVIEW (CLR)

- 5.1. An applicant who is unhappy with the decision made by the Social Security Agency (SSA) on their case requests an Inspectors review. When this is received, along with the relevant papers from the SSA, the Inspector considers the evidence before him/her and decides whether any additional information is needed. The Inspector then sends out papers to the applicant and, if one is appointed, his/her representative. These papers contain; facts the Inspector has identified about the case on blue paper, any questions the Inspector feels he/she needs to ask on green paper and a copy of all the papers that may have an impact on the decision outcome. The use of coloured paper is to assist the applicant in sorting the information held from that required.
- 5.2. The applicant/representative is asked to respond to the Inspector within seven days either in writing, using the prepaid envelope provided, or by telephone on a freephone number. If the applicant/representative does not respond within this time frame the Inspector will contact him/her by telephone, if a number is available, or write to them again.

- 5.3. The purpose of the Customer Led Review is to encourage the applicant to participate fully in the review process and allow them access to the facts of their case. This method also gives the Inspector the opportunity to gather any additional information he/she needs to make a correct decision.

HOME VISITS/OFFICE VISITS

- 5.4. An Inspector's review is normally a paper based exercise however there may be some occasions when it is deemed appropriate to carry out a home visit or to meet the customer face to face. Examples of when a visit/meeting may be appropriate are; where there are some difficulties in resolving conflicting evidence, it is evident that the customer has some difficulty in putting his/her case forward or when this is requested by the applicant. During the time of the visit/meeting two officers are normally present (preferable one of each gender) for security reasons. However, visits/meetings will not be conducted with applicants who have been identified either by the Social Security Agency or the OSFC as potentially violent. If a statement is taken during the visit/meeting a copy will be attached to the subsequent decision. A record of all visits/meetings and those offered but refused is kept on the OSFC's computer system.

DECISIONS

- 5.5. Under article 38 (4) of the Social Security (Northern Ireland) Order 1998 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 to make any decision the Reviewing Officer could have made (these are referred to as substituted decisions).
- 5.6. Whatever decision the Inspector makes is issued to the applicant, their representative (if one is appointed), and the Social Security Agency (SSA) in writing. The decision details, whether or not the SSA came to the right decision, reasons for the Inspectors decision including issues such as priority and the budget and, if appropriate, the amount to be awarded. A letter is included with the decision detailing what steps the applicant should take if he/she feels the decision is wrong or if he/she is unhappy with the service received.

POST DECISION CORRESPONDENCE (PDC)

- 5.7. Complaints received from customers whether they be the applicant, a representative or the Social Security Agency, are known collectively as Post Decision Correspondence. When a complaint is received it is forwarded to the Office Manager for monitoring and to consider the action to be taken. Most of the complaints received relate to the outcome of Inspectors' decisions. In these circumstances the cases are normally allocated to a different Inspector for reconsideration. Where the complaint is justified and the error impacts on the decision the Inspector will conduct

a further review under Article 38 (5) of the Social Security (Northern Ireland) Order 1998. Where the complaint is not justified or the error does not impact on the decision the customer will receive an appropriate response. When possible it is envisaged that the customer will receive a full response to his/her complaint within five days. However, when extra information is needed a full response may take 2-3 weeks. A record of complaints and subsequent action taken is kept to enable the OSFC to monitor complaints and to take appropriate remedial action if required.

CUSTOMER SERVICE STANDARDS

- 5.8. The OSFC aims to give a decision on 95% of standard cases within 12 days, 90% complex cases within 23 days and 90% of express cases (crisis loan applications for living expenses) within 24 hours. To enable the OSFC to achieve these aims both the Inspectors and administration staff have targets relating to case allocation, initial contact with customers and issuing of decisions.
- 5.9. Included as part of the published customer standards the OSFC states that a telephone service will be provided for customers between 9.00 am and 4.30 pm, Monday to Friday and an answering service will be available at all other times. To encourage customers to contact the OSFC when necessary the organisation provides a freephone number. In addition the OSFC has a textphone for customers who experience hearing difficulties and the use of Language Line for customers who are not fluent speakers of English.

MONITORING

- 5.10. It is part of the Social Fund Commissioner's statutory function to monitor Inspectors' decisions and to give advice and guidance to improve the quality of their decisions. The Commissioner discharges these duties by reading decisions, examining complaints and other correspondence about decisions. Case reading however is the primary means by which the Commissioner assesses the standards of Inspectors decisions.
- 5.11. To assist the Commissioner in this role some of the responsibility for the quality of review work has been delegated to the Office Manager. This includes case reading and ensuring the Commissioner's advice is taken account of in decision making.
- 5.12. Peer Case Readers also support the Commissioner in the discharge of this duty. The Peer Case Reading team consists of three Inspectors and sessions are carried on a rotational basis approximately once a month. Three cases are normally examined at each session.
- 5.13. To ensure that Inspectors are monitored on an equal basis a rota is in place for each type of case reading. Once an Inspector is selected for monitoring a case is chosen at random from his/her workload for that week.

5.14. To ensure that all case readers measure decisions against the same tests, a standard form is used to record findings. This sets out specific questions that the case reader must address in order to assess whether the decision meets the required standards. The starting point for Inspectors is that their decisions must comply fully with the law. However, as well as examining the legal aspects of the decision, case readers assess the clarity of explanation to ensure it respects the applicant's level of understanding and avoids jargon. After completion the templates are issued to the relevant Inspectors to note learning points and make comments. If the case readers disagree with the decision or there are important errors the case will be referred to the Manager for a decision on the action to be taken.

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

QUARTERLY REPORTS

5.15. The OSFC has a long-standing agreement with DSD to feed back its findings and observations to the Social Security Agency. It is hoped that this will lead to an improvement in the standard of first line decision making and in the administration of the fund. To fulfil this agreement the OSFC provide feedback via quarterly reports to each district. These reports give detailed information about performance issues drawn from computer records held relating to all the cases that Inspectors reviewed.

MEETINGS

5.16. The Commissioner and the Office Manager meet with the District Managers, Social Fund Managers and staff in each district once a year to discuss the OSFC reports and any other issues that have arisen during the previous year. Important issues raised by these meetings are then discussed with OSFC staff and any necessary action is taken.

FOCUS GROUP

5.17. A focus group meets approximately every six months to discuss higher level issues surrounding the operation of the Social Fund scheme. The focus group consists of the OSFC's Office Manager, a nominated Inspector and two managers from Network Support Branch (the Agency's central operations branch). Topics discussed at these meetings are raised either by the OSFC or the Social Security Agency and the content of discussions are disseminated to Inspectors and Agency staff.

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.

WORKSHOPS

5.18. The OSFC offers three different types of workshops at present however these can be tailored to meet individual requirements. These workshops are free of charge and delivered at the venue of the hosts choice. The availability of the workshops is advertised on leaflets and on the organisation's website. The Commissioner and the Office Manager also publicise the workshops during their meetings with both the Social Security Agency and voluntary bodies.

SELF INSTRUCTION PACKS

5.19. The OSFC produces self instruction packs on the social fund scheme. At present seven self instruction packs are available - ranging from those specifically designed for Social Security Agency and representatives to those designed to provide a general guide to the fund. These self instruction packs can be downloaded from the OSFC's website or can be obtained from the OSFC on request.

LEAFLETS/POSTERS

5.20. The OSFC also produces a wide variety of leaflets and booklets which cover a broad range of topics about the review process and services provided by the organisation. These leaflets can be downloaded from the OSFC's website or hardcopies can be requested by telephone, fax or e-mail. The organisation is also currently in the process of compiling a distribution list for a mailshot programme. The OSFC will compile this list using sources such as, the office database and telephone directories.

COMMISSIONER/OFFICE MANAGER MEETINGS.

5.21. The Commissioner and the Office Manager meet with a variety of representatives from the voluntary and community sector throughout the year. During these meetings the Commissioner and Office Manager raise awareness of the Social Fund while also taking on board the experiences of people using the fund. These visits are usually arranged on an ad hoc basis to coincide with meetings at district level in the Social Security Agency.

FREEDOM OF INFORMATION

5.22. The Office of the Social Fund Commissioner produced a publication scheme in accordance with section 19 of the Freedom of Information Act 2000. This Scheme has been approved by the Information Commissioner

who is responsible for ensuring public authorities comply with their duties to adopt and maintain a publication scheme in accordance with the Act. The aim of the scheme is to make as much information as possible about the OSFC and its work easily available to the public. In deciding what to include in the scheme the OSFC considered the public interest, and took account of requests for information received in the past. The Publication Scheme and guidance about how to request information can be downloaded from the OSFC website or provided on request from the OSFC.

PROVIDING INFORMATION IN ACCESSIBLE FORMATS

5.23. The OSFC will provide information in Braille, large print, audio cassette and minority languages and provide interpretation services on request. The OSFC is also in the process of arranging the translation of some leaflets and posters into the most widely used minority languages in Northern Ireland such as, Chinese, Polish and Portuguese. These leaflets and posters once translated will also be available to download from the OSFC's website.

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

TRAINING OF INSPECTORS

5.24. Training of new Inspectors normally takes place at the OSFC's sister organisation the Independent Review Service (IRS), which is based in Birmingham. However, if this is not feasible due to personal or professional commitments Inspectors can be trained at the OSFC's offices in Belfast. Typically the training lasts for approximately five to six weeks and if in Birmingham Inspectors travel home each weekend. The content of the training is agreed with the OSFC's Office Manager. On completing this training the Inspectors are given a consolidation period of approximately six weeks when they are mentored by an experienced Inspector.

TRAINING IN BIRMINGHAM

5.25. The staff of OSFC actively participate in training events held in the Independent Review Service (IRS) in Birmingham. These training events are held throughout the year to assist Inspectors with a wide range of technical and legal issues. The attendance of staff from the OSFC at these events ensures that the quality of Inspectors decisions and the activities of the office are consistent with that delivered in Great Britain. In the past year staff have attended six such training events.

AWARENESS SESSIONS

5.26. Social Fund applicants often have complex needs and cases can contain numerous issues. To improve understanding of these needs and

issues the OSFC invites experts from a wide range of organisations to host awareness sessions for staff. In the past year the OSFC has benefited from training delivered by Asthma UK, Parents, Professionals and Autism and the Samaritans. The OSFC selects organisations through case reading and issues identified by Inspectors.

DSD

5.27. The staff of the OSFC are also included in the training plans of the Department for Social Development (DSD). The training provided by DSD is wide ranging including equality, health and safety and HR related topics. This training is brokered through the Department's Training and Development Unit.

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

JOURNAL

5.28. The IRS publishes a journal three times a year. This journal includes topical and contemporary issues, Commissioner's advice and case studies. To decide the content of the journal a pre publication meeting is held three times a year by the IRS. The attendees at this meeting include staff from the IRS research and development team, representatives from the Department of Work and Pensions (DWP) and a nominated Inspector from the OSFC. The OSFC distribute approximately 70 copies of each journal to branches throughout the Department for Social Development and Social Security Agency and to advisor organisations. The OSFC welcomes enquiries from organisations who wish to be added to the distribution list. The journal can also be downloaded via the OSFC website.

STANDARDS CONFERENCE AND QUALITY FORUM

5.29. The Commissioner chairs two steering groups at the offices of the IRS – the Standards Conference and the Quality Forum. The OSFC Office Manager attends both of these steering groups.

5.30. The Standards Conference examines Inspectors decisions against the published quality standards. A case from the OSFC is included at every conference. Any cases that do not meet the quality standards are referred back to the OSFC for a further review.

5.31. The Quality Forum considers legal issues raised in the decision making process and upon which Inspectors need advice and guidance. The Forum considers the subject matter and agrees the form and content of the Commissioners advice to Inspectors.

Staff related policies not wholly defined by DFP or DSD

DEPUTISING

5.32. It is the policy of the Office of the Social Fund Commissioner to deputise Inspectors in the absence of the Office Manager. To be eligible the Inspector must be considered able to undertake the duties of the next grade in his/her performance appraisal. If there is more than one Inspector considered eligible deputising takes place on a rotational basis. Members of the administration team cannot be deputised in place of an Inspector as Inspectors posts are statutory appointments. Deputising may however take place amongst the staff within the administration team.

WORKING AT HOME (WAH)

5.33. The option to work from home is made available to all Social Fund Inspectors once initial training is satisfactorily completed and consolidation of training has taken place. WAH may be made available to other staff depending on the particular task and the needs of the office and with the agreement of the Manager. Officers engaged in WAH must be in the office at least two days a week and five days a fortnight. The physical staff complement in the office must not fall below the manager and two Inspectors or, if the manager is not present, three Inspectors. Staff also must attend the office as required as scheduled events will not be moved to allow WAH and all leave including annual leave, sick leave and special leave takes priority over working from home. While engaged in WAH individual officers are responsible for the security of documents and the safe keeping of any office equipment. The Departmental Health and Safety regulations regarding home working must be followed.

5.34. Even though WAH has become custom and practice in OSFC it is a privilege, not an entitlement. This privilege can be withdrawn any time at the discretion of the Social Fund Commissioner or manager.

INDUCTION

5.35. All new entrants to the Office of the Social Fund Commissioner receive an induction pack on their first day. This pack is issued to ensure that new staff are equipped with all the essential information about the office. The pack contains:

- Health and safety information
- Domestic arrangements
- Background information about OSFC
- Copy of organisation chart, annual report and corporate strategy
- Equality information
- Circulars regarding intranet/internet and e-mail usage and protective markings

- Job description/work objectives
- Personal Development information

5.36. This pack is supplementary to the induction material supplied by the Department for Social Development for staff. The pack is up dated as necessary by a nominated Inspector who is also available to answer any questions new entrants may have.

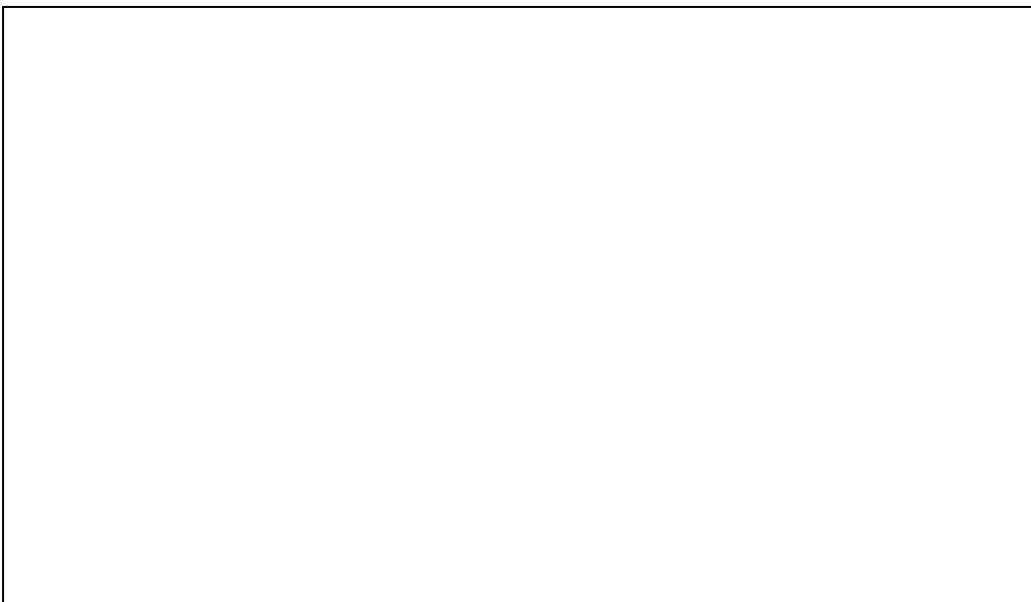
OSFC Preliminary Screening Questionnaire

Please reply by Friday 12th January 2007

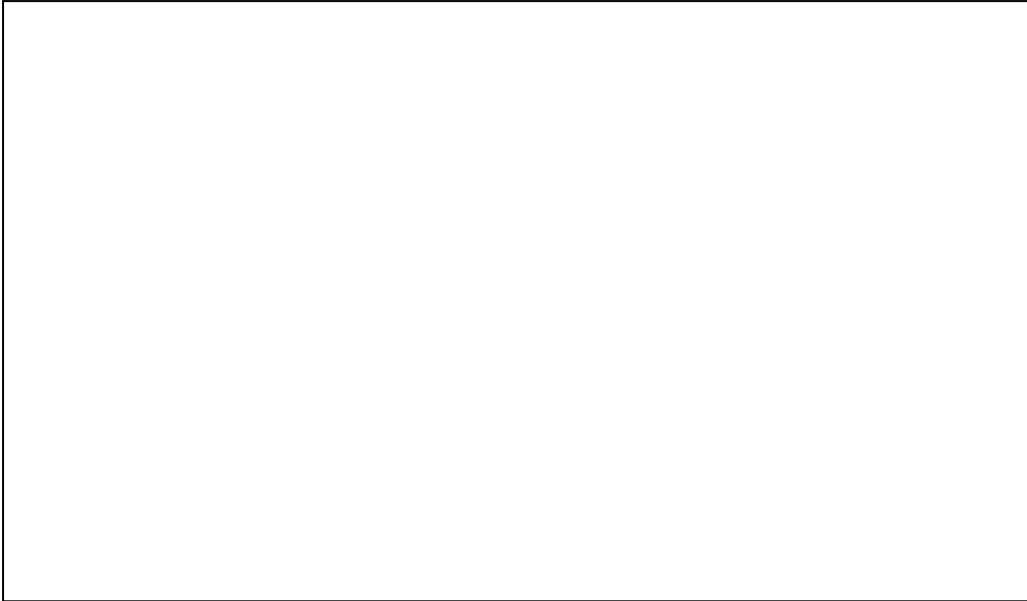
1. Do you think the OSFC has missed out any policies which have an impact on you/your organisation? If so, please give details.



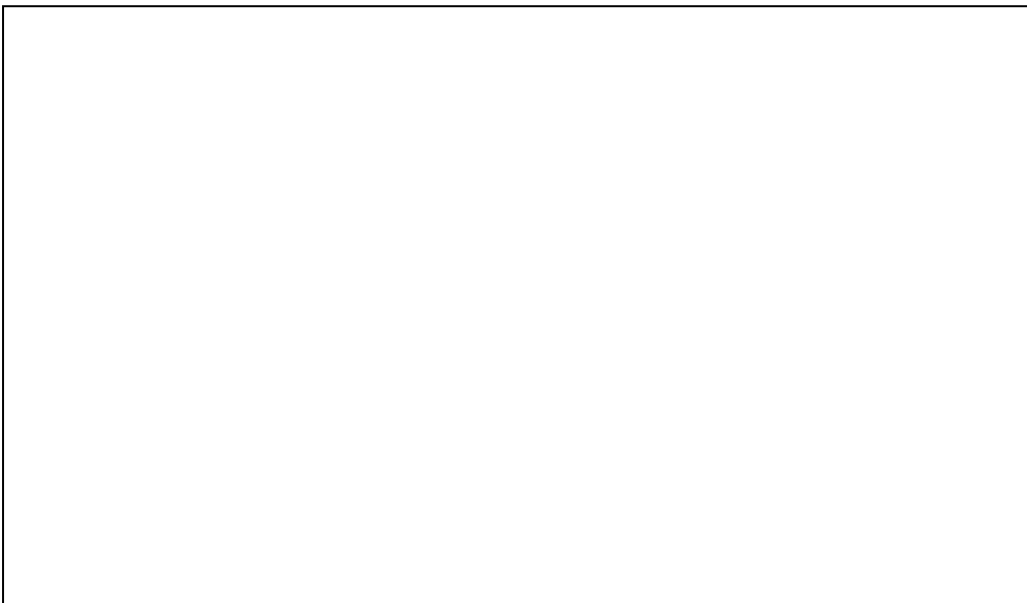
2. Of the policies listed, please identify any which are of particular relevance or interest to you/your organisation.



3. Do you know of any information/research that may be relevant in screening the policies listed? If so, please give details.



4. Please identify those policies which you/your organisation feel have significant equality implications. Please also detail why you/your organisation feel this is the case.



5. Are you interested in being consulted by the OSFC on future equality issues?

Yes No

6. How would you prefer to be contacted?

By letter By e-mail

By Phone Other (please specify):

7. Is there anything we the OSFC can do to make it easier for you to be consulted?

8. Are there any other comments you would like to make or is there anything else we should be aware of?

The OSFC is happy to receive comments in any format – for example, letter, fax, e-mail or telephone. Alternatively, if you would like to speak to someone in person, we will make arrangements to meet you at a convenient time and place. If you wish to provide comments or contact the OSFC about any issues regarding the screening of the OSFC’s policies please do so using the details below.

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Please return this questionnaire or make any comments by **Friday 12th January 2007.**