# The Social Fund Commissioner's Annual Report 2007/2008

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# **Foreword**



In this, my eighth annual report, I report on the work of my Inspectors, the standard of their decisions and matters which bear on the standard as well as our work in support of the Jobcentre Plus and others.

This year's workload was lower than expected and its pattern more erratic. While a number of factors may have influenced this, our analysis suggests that the difficulties Jobcentre Plus faced in meeting the demand for decisions and reviews was a significant factor. In order to cope with a substantial increase in crisis loan demand, Jobcentre Plus diverted staff from community care grant and review work. Consequently, arrears built up which delayed decisions and reviews, very significantly in some areas of the country, causing problems for applicants and impacting directly on our work.

Inspectors achieved a high standard of decision making, with 89% reaching our demanding standards. Completion time targets for standard and complex cases were more than met, while express cases fell slightly short of their 24 hour deadline. We further developed the way we deliver decisions to make them more straightforward and focused for applicants, without sacrificing their meaning or reasoning. This

year we wrestled with complex legal issues including jurisdictional and interpretational questions and the increasing volume of requests for specialist equipment. In due course I expect to issue advice to Inspectors to help in their decision-making.

This year has seen renewed interest in the Social Fund: the Work and Pensions Committee held a one-off session and reported in May 2007; the House of Lords held a debate in January 2008; and there has been a series of parliamentary questions. They were critical of the operation of the Social Fund in Jobcentre Plus, including the quality of decision-making, processing delays and the difficulties getting through on the crisis loan telephone lines. I share these concerns and believe the time has come to consider streamlining the process to make the fund easier to access, simpler to administer and better able to produce the right decision promptly first time. Our position at the end of the process provides a unique overview of its operation and from this perspective we can contribute ideas for change.

Throughout the year Inspectors and other staff participated in a range of training and development activities, designed to maintain and enhance their expertise. In addition, I am pleased that we have developed, with DeMontfort University, a Certificate of Professional Development in Administrative Justice. This will begin in September 2008, and eight of our people will participate.

Alongside routine provision of training and support for Jobcentre Plus and adviser organisations, we responded quickly to Jobcentre Plus' need to train large numbers of Contact Centre staff, to help with the increased crisis loan demand. I am encouraged by the work we have done with Jobcentre Plus to develop a Quality Assurance Framework to improve the standard of decision-making and with The Pension Service to consider ways of improving pensioner awareness of the Social Fund and its review.

I would like to thank Pauline Adey, the IRS Manager, and all my staff for another year's hard work, commitment and commendable achievements.

Sir Richard Tilt

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Social Fund Commissioner

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# Summary

### **During 2007/2008**

#### **Work Activity**

- · Inspectors delivered 19,221 decisions;
- overall Inspectors changed 50.9% of the decisions they reviewed;
- Inspectors changed 52.4% of community care grant decisions and made 5,814 awards resulting in a spend of £2,384,751 from the grants budget;
- Inspectors changed 57.1% of crisis loan decisions and made 1,996 awards resulting in a spend of £348,701 from the loans budget;
- Inspectors changed 18.1% of budgeting loan decisions and made 242 awards resulting in a spend of £59,295 from the loans budget;
- we provided regular reports to Jobcentre Plus Benefit Delivery Centres about the findings from the cases they sent to the IRS;
- we delivered 410 workshops covering a range of Social Fund topics to more than 5,000 people;
- we hosted six conferences attended by more than 500 people;
- we published two issues of our Journal and Digest of Decisions and distributed around 7,000 copies of each edition;
- in order to increase awareness of the citizen's right to independent review, we issued almost 7,200 packs of leaflets and posters to places and organisations that applicants may visit; and
- we met people from a range of organisations with an interest in the Social Fund.

#### The Standard of Social Fund Inspectors' Decisions

- case readers examined 1,078 decisions (5.6% of our total workload) and found 88.7% met the high standards required;
- I reviewed and revised my existing advice to Inspectors on amounts to award for community care grants and on several aspects of budgeting loans; and
- we received 1,182 complaints about decisions, of which 191 (16.2%) were upheld. This equates to 1% of our total workload.

#### The Standard of Administration

- Inspectors completed 99.7% of their reviews where no enquiries, or only straightforward enquiries, were needed within 12 days; and
- we received 75 complaints about our service, of which we upheld 35. This equates to 0.2% of our workload.

### **Important Issues Arising**

This year, the important issues I have highlighted include:

- access to the fund;
- delays in processing applications and reviews in Jobcentre Plus;
- problems in obtaining Social Fund papers from Jobcentre Plus.

#### Resources

• our total expenditure was £3.852 million, giving a cost per decision of £200.

# Summary of Issues for Consideration

I have summarised below the issues I have raised in this report for the Department for Work and Pensions. These focus on the key issues the Department needs to address in order to achieve the improvements it seeks in the standards of decision making and the quality of service. I suggest the Department:

- sets out a timescale for the necessary work to introduce the facility to apply for a crisis loan review by telephone;
- takes positive steps to process grant applications and reviews promptly in order to avoid a repetition of a build-up of arrears in the future, and as a consequence to manage the budget consistently across the year; and
- takes urgent action to ensure the relevant papers are sent to the IRS promptly.

# The Statutory Framework

#### The Social Fund

Social Security Act 1998

Social Security Contributions and Benefits Act 1992

Social Security
Administration Act 1992

The Social Fund was introduced in 1988 and comprises two distinct parts; one regulated, 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 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 Fund Commissioner

Section 37, Social Security Act 1998 The Secretary of State for Work and Pensions appoints the Social Fund Commissioner, whose statutory duties are 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 training as he considers appropriate for Inspectors; and
- report annually, in writing, to the Secretary of State 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 Jobcentre Plus' decisions on their applications to the discretionary Social Fund.

#### Jurisdiction

Inspectors can conduct an independent review of decisions that have already been reviewed internally at Jobcentre Plus, providing an application has been made in the time, form and manner prescribed by regulations.

Applications for an Inspector's review must be made directly to the IRS within 28 days of the date of issue of Jobcentre Plus' review decision.

Section 38(3), Social Security Act 1998

Social Fund (Application for Review) Regulations 1988

Social Fund (Application for Review) (Amendment) Regulations 2006



#### Nature of the Review

The review is conducted in two stages in accordance with directions issued by the Secretary of State. At the first stage, the Inspector considers whether the decision maker has:

- interpreted and applied the law correctly, including whether he has had regard to all the relevant considerations and excluded irrelevant considerations;
- · acted fairly and exercised his discretion reasonably; and
- observed the principles of natural justice.

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 Inspector exercises the appropriate power on review.

#### **Powers on Review**

On review, the Inspector has the power to:

- · confirm Jobcentre Plus' decision;
- · refer the case back to Jobcentre Plus to make a fresh decision; or
- make any decision Jobcentre Plus could have made (these are referred to as substituted decisions).

**Reviews of Inspectors' Decisions** 

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

Secretary of State's Directions 1, 2, 3, 4, 5 and 6 to Inspectors

Section 38(4), Social Security Act 1998

Section 38(5), Social Security Act 1998

# The Purpose and Structure of the Independent Review Service

The Social Fund Commissioner is the head of the IRS, which comprises the Inspectors who conduct the reviews and support staff who administer the service. The organisation is based in Birmingham and serves England, Scotland and Wales. The Commissioner is separately appointed as the Social Fund Commissioner for Northern Ireland, and has an office in Belfast.

The IRS' corporate plan sets out the organisation's strategic aims and objectives. It defines our business purpose, objectives and values as follows:

### **Purpose**

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

# **Objectives**

- · deliver impartial decisions to published standards;
- make continuous improvements in the standard of our work, and in doing so, seek and take into account the views of our users;
- provide advice and information to the public, their advisers and staff of the
  Department for Work and Pensions about the Social Fund, the role and work of
  the IRS and the right of applicants to seek an independent Social Fund review;
  - help Jobcentre Plus to improve the standard of decision making and customer service through regular feedback, training and advice. Assist, as appropriate, their centralisation programme and the introduction of a standard operating model for the Social Fund;
  - provide advice and information to the Secretary of State for Work and Pensions and his officials on Social Fund policy and potential changes or reform;
  - contribute to research to help improve the operation and development of the Social Fund and its role in wider government objectives; and
  - employ our business resources in a way that maximises economy, efficiency and effectiveness and delivers savings where achievable.



Centre City Podium, Office of the Independent Review Service

#### **Values**

Our business values, which we set out below, are the foundation of our approach to work. These values will guide staff in the delivery of their work and will help to recognise the contribution they make. We will:

- provide an open and accessible service to all customers;
- treat all customers, users and colleagues with respect and courtesy;
- respect and accept the differences of others and work together as an organisation to build a diverse workforce;
- · work to improve standards for all customers of the Social Fund;
- promote easy access for customers and potential customers of the fund;
- be open to learning in our work and use this to make improvements to the service we give;
- provide a value for money service seeking improvements in the efficiency of our work; and
- deliver the best service for the customer and balance fairly the needs of our staff.

# **Organisational Structure**

There are two distinct strands to our work and our business objectives underpin these. The first strand relates to our core business which is the delivery of the independent review. The second draws on IRS expertise and data to feed back to the Department for Work and Pensions on operational and policy matters, and to provide training and advice to those actively involved in the Social Fund as well as providing general information to the public. Our organisational structure is designed around these strands.

#### Reviews

- · Social Fund Inspectors conduct reviews;
- a case management team provides administrative support for the review;
- a research and development team assists the Commissioner to discharge his statutory duties to monitor the quality of Inspectors' decisions and give advice to improve the standard of the review. This team also monitors external developments that may impact on the review; and
- a customer service team deals with complaints about Inspectors' decisions or the service we provide and all other enquiries relating to Inspectors' reviews.

#### **Feeding Back**

A business team is responsible for our public information strategy, including raising awareness of the independent review. It also delivers workshops to applicants' advisers and Jobcentre Plus staff and feeds back information to Jobcentre Plus to improve standards.

#### **Management and Administration**

Both strands of the work are supported by teams which provide human resources, finance, training and information technology services; and a small senior management team.

A small team provides advice and secretarial support for the Commissioner and the IRS Manager.

# Work Activity

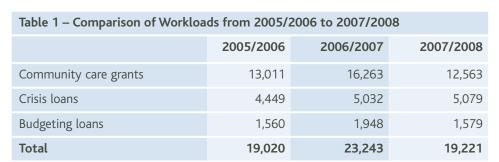
#### **Review Workload**

Our workload comprises:

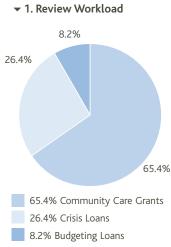
- · decisions on applications for Inspectors' reviews;
- applications for community care grants also considered for crisis loans, and vice versa; and
- reviews of Inspectors' decisions under section 38(5) of the Social Security Act 1998.

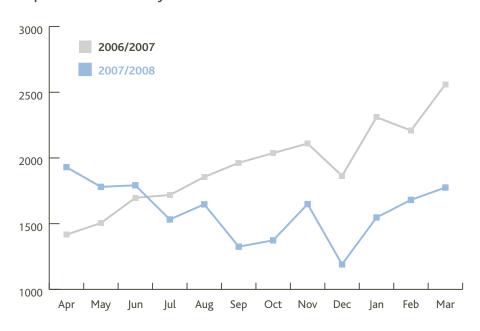
Our workload for 2007/2008 was 19,221. Chart 1 shows how it breaks down into community care grants, crisis loans and budgeting loans. Appendices 1a and 1b show the breakdown of our workload by month and by Jobcentre Plus Benefit Delivery Centre.

Table 1 below shows a comparison of our workload by type over the last three years.



During 2007/2008, our workload reduced by 17.3% compared to 2006/2007. The most significant reduction was in community care grants which reduced by 22.8%. Graph 1 shows the pattern of our workload by month.





Graph 1 - IRS Workload by Month 2006/2007 and 2007/2008

Our workload is directly affected by the throughput of reviews in Jobcentre Plus. There have been significant arrears of work in some Jobcentre Plus sites which have contributed to our lower intake. I comment on this in the Important Issues Arising section later in this report.

Our workload of 19,221 was made up of 18,797 applications for review of decisions made at Jobcentre Plus and 424 reviews of Inspectors' decisions under section 38(5) of the Act. Of the 18,797 applications, 876 were outside the Inspector's jurisdiction and 41 were withdrawn before the Inspector's review. This means that 17,880 (95.1%) progressed to a full review.

#### **Inspectors' Decisions and Findings**

On review, the Inspector has the power to:

- confirm Jobcentre Plus' decision;
- make any decision Jobcentre Plus could have made (these are referred to as substituted decisions);
- refer the case back to Jobcentre Plus to make a fresh decision.

The Inspector will generally confirm a decision if the outcome was right irrespective of whether there was an important error in the decision making process at Jobcentre Plus. The Commissioner's Advice to Inspectors describes an important error as:

"... one on which the decision, at any stage in the process, turns and that leads to a different decision at that stage. In other words an error at one of the key stages of the decision-making process, which knocks the decision "off-course" and makes the rationale for the decision incorrect."

The Inspector will substitute his own decision where:

- there is an important error in the Jobcentre Plus decision which makes the outcome wrong; or
- there is an important error in the Jobcentre Plus decision and new evidence or a relevant change in circumstances; or
- there is no important error in the Jobcentre Plus decision but a
  different outcome is appropriate because of a relevant change in
  circumstances or new evidence or, exceptionally, he adjudges the
  outcome is not a right one in all the circumstances.



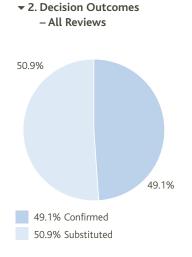
The Inspector rarely refers cases back to Jobcentre Plus to make a fresh decision.

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

In the course of their work, Inspectors identified important errors in 55.7% of all decisions they reviewed. The error rate for substituted decisions was 72.4% and the error rate for confirmed decisions was 40.2%.

The following paragraphs set out details of the work activity and outcomes of Inspectors' decisions for the three application types.

Appendix 2 shows a breakdown of the spread of decision types for each part of the fund and for each Jobcentre Plus Benefit Delivery Centre.



# **Community Care Grants**

#### **Reviews**

Community care grants again accounted for the largest proportion of our work at 65.4%. Excluding section 38(5) reviews, Inspectors delivered 11,641 reviews of this type. Table 2 below sets out IRS reviews in the context of community care grant activity at Jobcentre Plus.

Table 2 – Comparison of Community Care Grant Activity from 2005/2006 to 2007/2008 *			
	2005/2006	2006/2007	2007/2008
1. Initial applications **	578,000	598,000	543,000
2. Initial refusals **	299,000	324,000	288,000
3. Applications for Reviewing Officer's review	91,559	96,777	87,400
4. Applications changed wholly in the applicant's favour on review	3,386	3,387	4,910
5. Applications unchanged on review	34,579	42,275	35,190
6. Applications changed on review but not wholly in the applicant's favour	49,271	46,649	41,110
7. IRS reviews	12,432	15,372	11,641

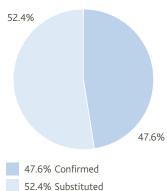
<sup>\*</sup> Jobcentre Plus figures from PBMIS provided by the Social Fund Analysis Team, BRD, WWEG

The IRS' potential workload consists of applications which, following the internal review at Jobcentre Plus, have either not been changed or have been changed but not wholly in the applicant's favour (the sum of rows 5 and 6-76,300 applications). Inspectors reviewed 15.3% of this potential workload. During 2006/2007, Inspectors reviewed 17.3% of the applications which could potentially have come to the IRS and during 2005/2006, they reviewed 14.8%.

#### Decision Outcomes

Chart 3 shows the outcomes of Inspectors' reviews. Appendix 3a shows, by Jobcentre Plus Benefit Delivery Centre, a breakdown of confirmed decisions and the percentage of those not reached correctly. Appendix 3b shows, by Jobcentre Plus Benefit Delivery Centre, a breakdown of substituted decisions, the percentage of those not reached correctly and the percentage changed on the basis of new information.

▼ 3. Decision Outcomes – Community Care Grant Reviews



<sup>\*\*</sup> These figures have been rounded to the nearest 1,000

Overall, Inspectors identified important errors in 58.7% of grant decisions. They found important errors in 73.3% of cases in which they substituted the decisions and 42.7% in the cases they confirmed.

#### **Awards**

Inspectors made 5,814 awards for community care grants which resulted in a spend of £2,384,751 from the community care grants budget of £141 million. This represented about 1.7% of the total annual grants allocation. In 3,257 decisions, Inspectors made an award where previously no award had been made. The average amount of these awards was £504.26. In 2,557 decisions, the Inspector increased an award already made by Jobcentre Plus. The average increase in these awards was £290.33.

#### **Crisis Loans**

#### **Reviews**

Crisis loans accounted for 26.4% of our work. Excluding section 38(5) reviews, Inspectors delivered 4,790 reviews of this type. Table 3 below sets IRS reviews in the context of crisis loan activity at Jobcentre Plus.

Table 3 – Comparison of Crisis Loan Activity from 2005/2006 to 2007/2008 *			
	2005/2006	2006/2007	2007/2008
1. Initial applications **	1,366,000	1,448,000	2,105,000
2. Initial refusals **	316,000	334,000	596,000
3. Applications for Reviewing Officer's review	31,949	33,733	41,370
4. Applications changed wholly in the applicant's favour on review	2,886	2,925	3,710
5. Applications unchanged on review	13,485	14,732	19,770
6. Applications changed on review but not wholly in the applicant's favour	13,488	13,519	14,440
7. IRS reviews	4,360	4,799	4,790

<sup>\*</sup> Jobcentre Plus figures from PBMIS provided by the Social Fund Analysis Team, BRD, WWEG

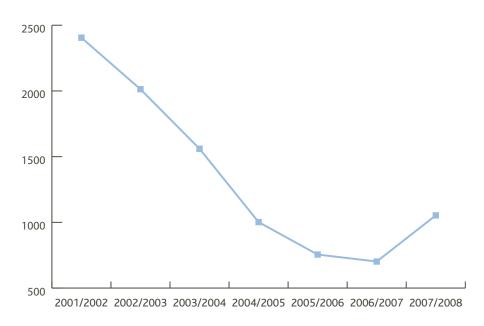
<sup>\*\*</sup> These figures have been rounded to the nearest 1,000

Inspectors reviewed 14% of the 34,210 applications which could potentially have come to the IRS (the sum of rows 5 and 6). This is a lower proportion than during 2005/2006 and 2006/2007 when Inspectors reviewed 16.2% and 17% of their potential workload respectively.

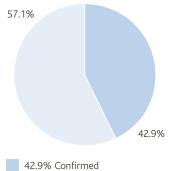
Crisis loans can be awarded to meet living expenses or to help with the cost of items or services required urgently.

During 2007/2008 our intake for living expenses increased by 50% compared to 2006/2007. However, during 2006/2007, our intake reached an all time low since the introduction of telephone applications for living expenses in 2002. Although there has been an increase, the proportion of crisis loans progressing to independent review is still very low. Our intake in 2007/2008 represents a 56.2% reduction on the intake in 2001/2002. One of the factors I believe contributes to this is the requirement to pursue the review process in writing.

Graph 2 - IRS Intake of Crisis Loans for Living Expenses from 2001/2002 to 2007/2008



▼ 4. Decision Outcomes –
 Crisis Loan Reviews



57.1% Substituted

#### **Decision Outcomes**

Chart 4 shows the outcomes of Inspectors' decisions. Appendices 3c and 3e show, by Jobcentre Plus Benefit Delivery Centre, a breakdown of confirmed decisions and the percentage of those not reached correctly. Appendices 3d and 3f show, by Jobcentre Plus Benefit Delivery Centre, a breakdown of substituted decisions, the percentage of those not reached correctly and the percentage changed on the basis of new information.

Inspectors identified important errors in 52.1% of crisis loan decisions. They found important errors in 66.7% of the decisions they substituted and 38% of the decisions they confirmed.

#### **Awards**

Inspectors made 1,996 awards for crisis loans which resulted in a spend of £348,701 (0.1%) from the loans allocation of £642 million. Table 4 below shows a breakdown of awards for crisis loans by application type.

Table 4 – Analysis of Crisis Loan Awards					
Application Type	Total awards	Number of new awards	Average amount of award	Number of increased awards	Average increase in award amount
Living expenses	526	510	£59.17	16	£45.44
Items	1,440	1,201	£225.68	239	£181.23
Both items and living expenses	30	25	£118.80	5	£94.40



# **Budgeting Loans**

#### **Reviews**

Budgeting loans accounted for 8.2% of our workload. Excluding section 38(5) reviews, Inspectors delivered 1,449 reviews of this type. Table 5 below sets IRS reviews in the context of budgeting loan activity at Jobcentre Plus.

Table 5 – Comparison of Budgeting Loan Activity from 2005/2006 to 2007/2008 \*

	2005/2006	2006/2007	2007/2008
1. Initial applications **	1,640,000	1,750,000	1,552,000
2. Initial refusals **	371,000	411,000	352,000
3. Applications for Reviewing Officer's review	21,388	22,062	17,060
4. Applications changed wholly in the applicant's favour on review	538	752	580
5. Applications unchanged on review	16,559	17,409	13,040
6. Applications changed on review but not wholly in the applicant's favour	2,804	2,398	2,030
7. IRS reviews	1,525	1,821	1,449

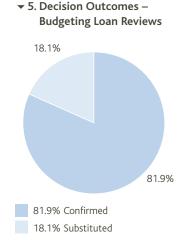
<sup>\*</sup> Jobcentre Plus figures from PBMIS provided by the Social Fund Analysis Team, BRD, WWEG

Inspectors reviewed 9.6% of the 15,070 applications which could potentially have come to the IRS (the sum of rows 5 and 6) which is consistent with 2006/2007 when they reviewed 9.2% of their potential workload and an increase on 2005/2006 when they reviewed 7.9%.

#### **Decision Outcomes**

Chart 5 shows the outcome of Inspectors' decisions. Appendix 3g shows, by Jobcentre Plus Benefit Delivery Centre, a breakdown of confirmed decisions and the percentage of those not reached correctly. Appendix 3h shows, by Jobcentre Plus Benefit Delivery Centre, a breakdown of substituted decisions, the percentage of those not reached correctly and the percentage changed on the basis of new information.

Inspectors substituted 18.1% of budgeting loan decisions. They identified important errors in 41.8% of budgeting loan decisions. They found important errors in 93.9% of the decisions they substituted and 30.3% of the decisions they confirmed.



<sup>\*\*</sup> These figures have been rounded to the nearest 1,000

#### **Awards**

Inspectors made 242 awards resulting in a spend of £59,295 (0.01%) from the loans budget of £642 million. In 152 cases the Inspector made an award where none had been made previously. The average amount of these awards was £278.45. In 90 cases, the Inspector increased an award that had already been made by Jobcentre Plus. The average increase of these awards was £188.57.

#### **Other Work**

#### Feeding Back on Standards and Policy

The IRS has a longstanding agreement with the Department for Work and Pensions to feed back its findings and observations to Jobcentre Plus to improve the standard of first line and first review decision making and administration of the fund.

As in previous years we have provided regular reports for Jobcentre Plus about the Inspectors' findings on the cases they reviewed and our observations about the operation of the fund.

During 2007/2008 the most common errors Inspectors identified were once again:

- the failure to gather all relevant information necessary to reach a sound decision; and
- the failure to determine correctly whether the qualifying conditions for an award were met or the priority of the needs.

In a significant number of cases, Jobcentre Plus was unable to retrieve the papers relating to the application under review from their storage facilities. In these cases, Inspectors could not be satisfied that the Reviewing Officer's decision had been reached correctly. The difficulties obtaining papers is becoming an increasing problem and I provide more details about this in the Important Issues Arising section of this report.

The reports also included information about the time taken to process reviews in Jobcentre Plus and to send those papers to the IRS, and issues arising about access to the fund.

Appendix 4 provides details of clearance times for Jobcentre Plus initial decisions in community care grant applications by Benefit Delivery Centre and Appendix 5 provides the same information about reviews. All figures are based on the cases the IRS received for Inspector's review.

Appendix 6 provides, by Benefit Delivery Centre, details of the time taken from receipt of application for an Inspector's review to the receipt of papers at the IRS.

#### Working with the Department for Work and Pensions

The IRS' position, at the end of the grievance process, gives us a unique insight into the operation of the Social Fund and its policies. Based on our experiences and Inspectors' case work, we contribute ideas and provide assistance to help improve both Social Fund delivery and policy for the service user.

During 2007/2008 we had meetings with Ministers, the Chief Executives of Jobcentre Plus and The Pension Service and their officials to discuss issues and agree how they should be taken forward. The IRS has assisted the Department with the following issues:

- we worked with Jobcentre Plus to develop a new quality assurance framework to help improve the standard of decision making in Jobcentre Plus. This included developing and delivering training to quality checkers;
- we responded quickly to a request from Jobcentre Plus to train substantial numbers of new staff in crisis loan decision making to enable it to implement contingency arrangements to deal with increased crisis loan demand; and
- we helped The Pension Service in the implementation and evaluation of a pilot to establish the best way of raising awareness of the Social Fund and its review process. amongst pensioners, from whom take-up of the Social Fund has traditionally been low.

#### Improving Knowledge

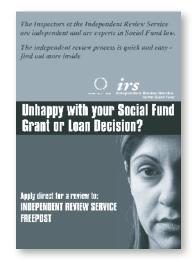
One of our key objectives is to use our expertise and experience to provide advice to applicants, advisers and Department for Work and Pensions staff about the Social Fund and the role of the IRS. We do this in a number of ways, for example, by delivering training and providing materials about the Social Fund. We have worked closely with Jobcentre Plus to help improve the standard of decision making. In particular we have helped managers to identify specific training needs and developed and delivered training sessions tailored to meet those needs. We delivered 310 workshops to more than 3,800 Jobcentre Plus staff across the country.

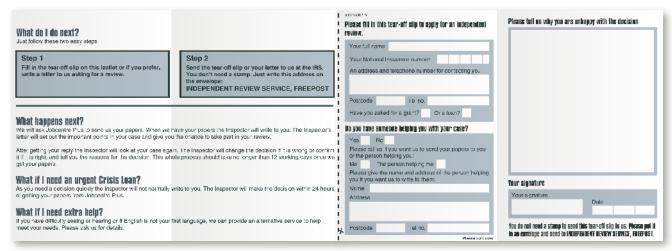
Knowledge of the Social Fund and its review process remains patchy across the country and so we continue to work to raise awareness. During 2007/2008, we:

 issued almost 7,200 packs of leaflets and posters to places and organisations that applicants may visit, and responded to over 9,000 requests for further copies of specific products;

- hosted six mini conferences in Glasgow, Leeds, Liverpool, Cambridge, Birmingham and Southampton which more than 500 people attended. These conferences are aimed at people who have very little or no Social Fund knowledge and include a basic awareness session on the fund and its review process;
- delivered 100 workshops to 1,339 people in a wide range of organisations which support different client groups;
- published two issues of the IRS Journal and Digest of Decisions and issued around 7,000 copies of each edition;
- attended conferences organised by Shelter in Swansea, Citizens Advice in York, Citizens Advice Scotland in Edinburgh, Tenant Participation Advisory Service (Scotland) in Edinburgh and Help the Aged in mid-Wales; and
- met people with an interest in the Social Fund and wider social policy issues.
   Appendix 7 provides details of the people and organisations I have met this year.

Our leaflet IRS 1 is the primary means by which people apply for a review by an Inspector. During 2007/2008 we reviewed and revised the design and content of the leaflet which the Plain Language Commission awarded a Clear English Standard.





Over the years, the IRS has produced a comprehensive range of self-instruction packages about the Social Fund to assist decision makers in Jobcentre Plus and those who advocate for applicants. Feedback indicates that these are a valuable resource. During 2007/2008 we issued 760 packages — 157 to Jobcentre Plus staff and 603 to adviser organisations. In addition around 6,500 were downloaded from our website. Appendix 8 provides details of the range of self-instruction packages that are available.

All the IRS publications are available on our website www.irs-review.org.uk.

# The Standard of Social Fund Inspectors' Decisions

Section 37(5)(a), Social Security Act 1998 I have a statutory duty to monitor the quality of Inspectors' decisions and to give them such advice and assistance, as I think fit, to improve the standard of their reviews.

I monitor the quality of Inspectors' decisions by reading cases, by examining complaints and other correspondence about decisions, and by looking at other sources of feedback, including customer surveys.

The findings are used to achieve continuous improvement in the standard of reviews, by means of formal written advice, and on-going support, training and development.

### **Case Reading**

Case reading is the primary means by which I assess the standard of Inspectors' decisions. I read a selection of cases each year, as do managers and members of the Research and Development Team.

Inspectors provide the final stage of the statutory review process for Social Fund applicants. They are therefore expected to deliver high standards. The overall quality standards are set out in detail in Appendix 9.

Inspectors must interpret and apply relevant legislation and case law correctly, and deliver a right outcome. In recognition of the vulnerability of many applicants, they must use plain language and deliver the review in a way that allows the applicant to understand and engage with the process.

Case readers apply these standards rigorously, and report their findings using an agreed template that looks at every aspect of the required quality standards.

Our aim for 2007/2008 was to read 5% of our workload, selected at random. Our total case reading for the year was 1,078 decisions (5.6% of our workload), of which I read 131. Chart 6 shows the results.

The results show a high proportion of decisions (88.7%) reached the overall quality standard required and case readers found the outcome to be wrong in 4.6% of decisions. The results also represent an improvement on performance in 2006/2007, when case readers found that 86.8% of decisions met the overall quality standard, and 6% of decision outcomes were wrong.

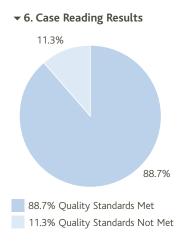
Improvements in the identification and explanation of the crucial issues in a case, in the interpretation and application of the law, and in the rationale for decisions have helped to increase the proportion of cases meeting the overall quality standard.

Where decisions failed to meet the overall quality standard the most common reasons for this were as follows:

- the Inspector failed to identify all the crucial issues in the case correctly and/or failed to explain these clearly to the applicant; and
- the Inspector did not use his inquisitorial role correctly. Inspectors have a duty
  to establish the relevant facts of the cases they review. In some cases
  Inspectors failed to ask appropriate questions and/or asked questions that
  were unnecessary.

During 2007/2008 we prepared training to assist Inspectors in these two areas, and this training will be delivered in the coming year.

Case readers referred 80 cases to an Inspector on the Customer Service Team for a fresh decision under section 38(5) of the Act or for further investigation. In 49 cases the decision outcome was changed, representing about 0.3% of our total workload.





Go to www.irs-review.org.uk

Click on "Publications & Leaflets"

Click on "Commissioner's Advice to Inspectors"

Click on the topic required from the list provided.

# **Training and Assisting Inspectors**

#### **Advice to Inspectors**

This year I reviewed and revised my existing advice to Inspectors on:

- · Amounts to Award (Community Care Grants);
- Priority (Budgeting Loans);
- · What to Award (Budgeting Loans); and
- Capital Resources (Budgeting Loans).

All the Commissioner's advice to Inspectors is published on the IRS website.

#### **Training**

I appointed a number of new Inspectors in March 2007. They received comprehensive training on the Social Fund, the review, the role of the Inspector and general legal principles. This training extended into April 2007, and was followed by a period of mentoring and consolidation until they became fully effective.

For all Inspectors we held a number of training events throughout the year. These were designed to assist Inspectors with technical and legal aspects of decision making, and to provide them with awareness of wider issues facing the people they serve. Key topics included:

- the principles of determination for grants and crisis loans, including the assessment of priority;
- · drafting clear, focused decisions;
- · evaluating the grants budgets;
- · cystic fibrosis awareness, delivered by the Butterfly Trust; and
- domestic violence awareness, delivered by Birmingham and Solihull Women's Aid.

We are grateful to the experts who delivered awareness sessions for us.

For some time I have wanted to provide staff with the opportunity to study for an accredited qualification based on grievance handling in the administrative justice field. This year we invited tenders from a number of universities, and I am pleased that we will begin the first course in September 2008. This will be provided by De Montfort University's School of Law. The 15-month course will

lead to a Certificate of Professional Development in Administrative Justice. I am confident that the course will give staff a deeper knowledge and understanding of law and practice across the administrative justice landscape, and that it will develop their legal skills. This will in turn enhance the expertise and professionalism of the IRS.

#### **Case Issues Team**

The purpose of our Case Issues Team is twofold:

- it considers and offers a short term solution on an individual case where the issue is a particularly difficult or complex legal or technical one; and
- it assesses whether the issue under consideration is likely to have wider implications for Inspectors' casework, and if so, arranges consideration of the longer term solution.

During 2007/2008, the team met on eight occasions, and considered cases involving travel expenses incurred prior to the date of application; travel expenses incurred on a very frequent basis; crisis loans for living expenses where the applicants repeatedly spent benefit on gambling or supporting relatives abroad; improvements to a home; and accommodation charges.

The team also met to consider a request for a specially adapted bed and chair from a disabled applicant. In recent years Inspectors have seen a lot of applications for disability aids and adaptations, where help from another public body may have been more appropriate. These cases often involve large amounts of money. In some cases, there has been no expert assessment by an Occupational Therapist of the need for the items in question. In others, there has been such an assessment but despite the conclusion that the need is critical, the Occupational Therapist has assisted the applicant to apply to the Social Fund rather than meet the need from local authority funds. There are many issues arising from these cases and we continue to pursue them with the relevant authorities.



### "A social fund inspector may review a determination under subsection (3) above made by himself or some other social fund inspector" Section 38(5), Social Security Act 1998

# **Complaints about Inspectors' Decisions**

Our Customer Service Team is responsible for dealing with all dissatisfaction about decisions. The team comprises experienced Inspectors who operate independently of the Inspectors who undertake reviews of Jobcentre Plus decisions. The Inspectors examine complaints thoroughly and provide the appropriate remedy. Where the complaint is justified, the Inspector considers whether the error affected the substance of the decision or its outcome. Where it has not, he acknowledges the error and apologises for it. In the remaining cases he conducts a review of the Inspector's decision under the power conferred by section 38(5) of the Social Security Act 1998.



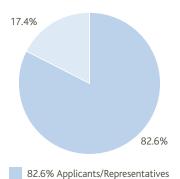


During 2007/2008, we received 1,182 complaints about decisions. As in previous years, most complaints were about the amount or refusal of an award.

Chart 7 shows the activity on the complaints we received and Chart 8 shows the sources of them.

We upheld 191 (16.2%) of the complaints we received, which equates to 1% of our total workload. Of these, 61 did not affect either the substance or the outcome of the decision, so a formal review was not appropriate. The remaining 130 cases were reviewed and the outcome was changed in 109 of these.

#### ▼ 8. Sources of Complaints about Decisions



17.4% Jobcentre Plus

We analyse all the complaints we receive to identify learning points and areas for improvement. Where cases were changed following a complaint, by far the most common reason was because of an oversight in relation to the amount awarded. This was followed by errors in relation to the Inspector's inquisitorial role, the qualifying conditions for a grant or a crisis loan, and the priority of grant applications.

# The Standard of Administration

The standard of our administration is an integral part of our overall quality standard and we aim to deliver a service that is easily accessible, straightforward and prompt. This section of the report deals with some of these issues.

### **Data Security**

We take very seriously the security and confidentiality of the personal data we hold about people. We designed and developed our policies and procedures to ensure data is kept securely.

Following the high profile losses of data in some government departments during 2007, we appointed Grant Thornton, an independent firm of auditors, to help us carry out a thorough review of our work processes and IT security.

The report highlighted many good practices which gave us a good level of assurance in relation to many of our systems. It also identified some steps we might take to enhance our security arrangements, which we will implement in the coming year. These include carrying out an independent vulnerability assessment of our IT network and reviewing our postal arrangements.

# **Completion Times**

#### **Inspectors' Decisions**

Our aim is to complete reviews as quickly as possible commensurate with the need to ensure the applicant has a proper opportunity to understand the issues in his case and engage with the process. As there can be a time lapse between the application for review being made and receipt of the papers from Jobcentre Plus, we acknowledge all applications on the day they are received. On receipt of the papers and before the Inspector 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 and asks any relevant questions. This part of the process is included in our overall completion times which are measured from the date we receive the papers from Jobcentre Plus. Table 6 below sets out our targets and our achievements. Appendix 10 shows the breakdown of our achievements by month.

Table 6 – Completion Times – Inspectors' Decisions			
Action/Timescale	Target %	Achieved %	
Straightforward enquiries/no enquiries  completed within 12 working days of receipt of the papers	95	99.7	
Further investigation/complex enquiries	90	94.7	
<ul><li>Urgent cases</li><li>completed within 24 hours</li><li>of receipt of the papers</li></ul>	90	87.9	

In relation to the two classes of non-urgent cases, which should be completed within 12 or 23 days respectively, we exceeded our targets. Of the applications that progressed to full review, 2,243 (12.5%) fell into the 23-day timescale. We generally allocate a 23 day timescale to cases which require extensive enquiries or involve exceptionally complex legal or evidential issues. A small number, 118, took longer than 23 days to complete and 99% of these were completed within 35 days.

It is disappointing that once again, we did not meet the 90% target in relation to urgent cases. The cases which fall into this category are primarily applications for living expenses. The main reason Inspectors did not meet the target was that they had to contact the applicant before making a decision to remedy errors made by Jobcentre Plus. They had to do this in over half of the 1,053 cases they reviewed. Wherever possible, Inspectors contacted the applicant by telephone but this did not resolve the matter in all cases either because the applicant was unavailable or needed time to obtain further information. In cases where applicants were not contactable by telephone, Inspectors wrote to them asking for the necessary information. Against this background, an achievement of 87.9% is better than one might expect. Our target timescale for dealing with urgent cases is appropriate given the purpose of crisis loans and will remain in place. We are aware that Jobcentre Plus has revised the crisis loan application form for living expenses in order to improve the standard of information gathered at the outset.

#### Complaints

Where an applicant makes a complaint, we aim to deal with it as quickly as possible, commensurate with the need to investigate the matter thoroughly. Table 7 below sets out our aims and achievements for complaints.

Table 7 – Completion Times – Complaints	
Action/Timescale	Achieved %
Straightforward enquiries/no enquiries  • completed within 15 working days of receipt	99.2
Further investigation/complex enquiries  • completed within 30 working days of receipt	94.5
Urgent cases • completed within 24 hours	96.8

We acknowledge receipt of the complaint as soon as it is received, and if a full response is not sent by day 8, we advise the applicant of progress.

Appendix 11 provides details of our customer service standards.

# **Customer Surveys**

During 2007/2008 we surveyed 4,981 applicants and received 621 (12.5%) responses. We would like to increase the response rate, and so we have improved the survey form, and we also hope to increase the number of our telephone surveys in the coming year.

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:

- 92.4% found the information sent in advance of the review helped them to understand the issues in their cases;
- 90.1% found the Inspector's decision easy to follow; and
- 93.4% said they would use the IRS again.



These survey results represent an improvement on those of previous years, and a high level of satisfaction amongst our customers, on which we will endeavour to build. They also suggest that the work we undertook in 2007 to introduce improvements to the layout and content of our decision letters has been well received.

During 2007/2008 we reviewed the letters and documents an Inspector sends before making a decision, in response to customer feedback about the quantity of papers received. In the coming year we plan to introduce simpler, clearer letters, which will make it easier to engage with the review process.

### **Ethnic Monitoring**

In April 2003, we introduced a system of monitoring the ethnicity of the people who use our service. We do this by means of a survey which is issued to all applicants for Inspectors' reviews.

During 2007/2008 we received 3,543 completed survey forms. Table 8 below compares by ethnic group the extent to which applicants engage in the review process and the outcome of decisions.

Table 8 – Ethnic Monitoring Survey Results				
	Responses to survey	Responses to Inspectors' enquiries *	Substituted cases *	
White	2,914 (82.2%)	2,741 (94.1%)	1,713 (58.8%)	
Mixed	124 (3.5%)	113 (91.1%)	68 (54.8%)	
Asian or Asian British	177 (5%)	162 (91.5%)	105 (59.3%)	
Black or Black British	274 (7.7%)	253 (92.3%)	159 (58.0%)	
Chinese or Other Ethnic Group	54 (1.5%)	48 (88.9%)	41 (75.9%)	

<sup>\*</sup> All percentages relate to the number of responses to the survey

Based on the responses received to our survey, there is an encouraging degree of consistency in engagement with the review process and in decision outcomes across the different ethnic groups. The decision outcomes for those falling into the Chinese or Other Ethnic Group category stand out from the other results, but this

element of the survey data should be treated with caution. The number of those responding to the survey in this category has historically been very low, and in the last two years levels of substitution for this group have fluctuated between 51.9% and 75.9%.

We have no base data against which to measure the responses to our survey to see whether or not these reflect the proportions of those groups who apply to the Social Fund and/ or follow the review process because Jobcentre Plus does not currently identify by ethnic group the people who apply to the fund. I understand that the Department is developing a system of diversity monitoring and I hope it will be introduced at the earliest opportunity.

### **Complaints about Service**

Our Customer Service Team is responsible for investigating complaints about our service and providing the appropriate remedy. This might be:

- · acknowledging the error and explaining what went wrong, and apologising;
- correcting anything that can be put right; and/or
- instigating a review and revision of procedures, where appropriate, to prevent similar occurrences in the future.

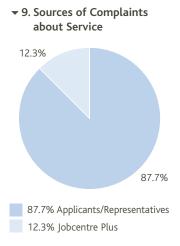
During 2007/2008 we received 75 complaints about our service. Chart 9 shows a break down of the sources of complaints.

We upheld 35 of the complaints, which equates to 0.2% of our workload. The majority of these related to issues about paperwork, such as sending incomplete papers to the applicant, or failing to send papers to the applicant or failing to return them to the correct Jobcentre Plus office following the Inspector's review.

The level of complaints about our service remains low but we continue to work to eliminate such problems.

# **External Complaints Panel**

In 2002 I appointed a panel of independent people with relevant experience to examine the fairness, impartiality, openness, clarity and responsiveness of our complaints service. Its remit does not extend to the legal aspects of the Inspector's review.



During 2007/2008 the panel examined 60 complaints, which panel members selected at random from the complaints the IRS received. Overall the panel found that the performance of our Customer Service Team had improved. It found that 92.2% of cases examined had been handled effectively, and the overall standard of complaints handling was now very good.

Panel members found that the most significant improvements related to:

- the clarity of and the quality of explanation in letters written in response to complaints; and
- the extent to which account was taken of a complainant's perspective.

The panel identified some areas where there was room for further improvement. It found that in a few cases more information should have been sought from a third party in order to establish the relevant facts of a case. The panel had seen good examples of signposting, that is, referring customers to other bodies who may be able to provide assistance. However, the panel considered that there was some scope for more signposting.

My thanks go to the panel members for their work during the year. Their feedback has been helpful and will continue to assist us as we seek further improvements in service delivery.

# **Important Issues Arising**

In my 2006/2007 report I raised a number of issues for the Department's consideration. I have set these out below together with the Department's response and the current position based on our experience. I am grateful to the Department for its consideration of the issues.

The Department's response said "I would also like to take this opportunity to thank you officially for the contribution that the IRS has made to the development of the Quality Assurance Framework, the development of learning and development material and input into a host of other areas."

#### Issues for Consideration Raised in 2006/2007

#### Access to the Fund

#### Issue

I suggest the Department takes urgent action to identify accurately the demand levels of crisis loans by telephone, provides the resources needed to meet that demand and publishes the standard for this service.

#### **DWP Response**

"From September 2006 (just before the marked rise in Crisis Loan applications began) to February 2008, the number of Crisis Loan applications per month increased by 86%. There was no prior evidence to indicate a rise on this scale. Nevertheless Jobcentre Plus reacted quickly by developing an action plan to deal with the increase. This included increased deployment of decision makers, contingency support from twelve Contact Centres in taking applications and latterly training of substantial numbers of new decision makers, including colleagues in three Contact Centres. This has led to a dramatic improvement in customer service with an average of 80% of calls now being answered within thirty seconds, although there remains variation in performance between sites. As Crisis Loan volumes have still not stabilised, the challenge for Jobcentre Plus continues to be to balance appropriate levels of customer service across all areas of Social Fund whilst improving efficiency and productivity to manage within the resources available."

#### **IRS Position**

There has undoubtedly been a significant increase in the number of applications for crisis loans during 2007/2008 – 45% more than during the 2006/2007 year as a whole. It is clear that such an increase in demand would present operational challenges to manage it effectively and efficiently.

I acknowledge that the scale of the increased demand may not have been predictable, but I was not surprised when crisis loan applications rose following the introduction of telephone applications. I and my predecessor had expressed concern over a number of years about the difficulties people faced accessing crisis loans. The evidence we had about practices that were in place prior to telephone applications indicated that people were deterred from making an application. For example, they were refused a form or were given a verbal decision that a payment would not be paid or were told there were no appointments available. All of this suggests that the true level of demand was higher than the official intake figures. As part of the introduction of a new business model, it was important to establish likely demand and consider how it might be resourced and managed.

I acknowledge that Jobcentre Plus took action in the early summer to improve access to the crisis loan telephone lines. This included redeploying resources within Social Fund and using resources from elsewhere in Jobcentre Plus. As a consequence of this intervention, many applicants received an efficient service; unfortunately as the Department's response indicates, the extent of the demand for crisis loans has not yet settled and some applicants have continued to experience real difficulties in accessing the fund.

Throughout 2007/2008 we continued to receive complaints and so extended our tests of crisis loan telephone lines. From July to November 2007, we tested the telephone lines at 16 Benefit Delivery Centres. From December 2007, we added the remaining four centres. Table 9 below sets out a summary of the results. Appendix 12 provides further details of all the calls made.

Table 9 – IRS Calls to Jobcentre Plus Crisis Loan Telephone Lines				
	Number of calls	Answered calls *		
July/August	960	364 (37.9%)		
September	890	671 (75.4%)		
October	936	812 (86.8%)		
November	959	759 (79.1%)		
December	855	444 (51.9%)		
January	1,200	761 (63.4%)		
February	1,200	755 (62.9%)		
March	1,020	538 (52.7%)		
Total	8,020	5,104 (63.6%)		

<sup>\*</sup> includes calls answered within 10 rings and calls held in a queue but answered within 7 minutes

The results of our tests show an overall success rate of almost 64%. However, as Table 9 shows, there was a degree of inconsistency during the nine month period and the success rate of our calls fluctuated from month to month. The best month was October, when almost 87% of our calls were successful. Unfortunately, this was not sustained and by March, just over half of our calls were answered. There was also inconsistency across Benefit Delivery Centres. During our tests, the site which answered most of our calls was Sunderland – 85% of our calls were successful. The numbers which were the most difficult to access were in Balham, Bradford, Bristol, Ilford and Stockton where the proportion of answered calls ranged from 13% in Balham to 38% in Stockton.

The improvements in our test results coincided with Jobcentre Plus' decision to employ contingency measures which included diverting staff from other Social Fund work. This action, whilst delivering better results for crisis loan applicants also caused an immediate deterioration in the handling of community care grant applications and reviews. Arrears of both built up; these were sustained for a number of months and only began to improve towards the end of the year. This raised new issues, of which I provide further details later in this section of the report.

## **Written Applications for Crisis Loans**

#### Issue

I suggest the Department takes urgent action to ensure staff in Jobcentre Plus comply with its policy of accepting written applications for crisis loans.

## **DWP Response**

"The vast majority of applications for crisis loans for living expenses are taken over the telephone (applications for items are made by post); this is our preferred method of dealing with this business and one that is very popular with applicants. However, we continue to take crisis loan applications in writing for those customers who are unable to conduct their business by telephone and staff are aware of this. Jobcentre Plus remains committed to looking into any specific examples where a customer has been refused the opportunity to submit their application in writing."

#### **IRS Position**

I welcome the Department's assurance that written applications will be accepted. I am pleased that it is committed to investigating any incident where the applicant has been refused the opportunity to make an application in writing.

#### Issue

I suggest the Department takes action to ensure that its staff comply with the duty to accept applications and issue formal decisions.

# **DWP Response**

"The acceptance of applications is covered above. A formal decision is issued on every application made, this is essential in order to enable applicants to access the review process. When an applicant telephones the crisis loan 0800 number, an agent will take them through the application process and whilst they will be told by telephone of the outcome of their decision, they will also be issued with a letter confirming it."

## **IRS Position**

I welcome the unequivocal response from the Department on this issue. However, although instances have reduced, we still occasionally receive complaints from people who were refused a payment without the formal process of application and decision.

## **Collecting Crisis Loan Payments**

#### Issue

I suggest the Department sets out in a published document the arrangements for those who are unable to travel to an appropriate Jobcentre Plus office.

# **DWP Response**

"Where an applicant is awarded a crisis loan and needs to travel to a Jobcentre Plus office to collect the payment we will continue to meet the reasonable cost of travel, taking into account the local infrastructure, public transport and the personal circumstances of the applicant. This information will be included on the Jobcentre Plus website and leaflets as appropriate."

#### **IRS Position**

I am pleased that the Department intends to publicise its arrangements for those who need to travel to collect crisis loan payments. It is right that applicants are advised about the availability of this service should they be in a position where they are unable to travel to an appropriate office.

# **Quality Checks**

## Issue

I suggest the Department develops, as a matter of urgency, a comprehensive quality assurance framework, including improvement strategies and external validation of quality checking results.

# **DWP Response**

"During the last year we have, together with the help of officials from the Independent Review Service designed a Quality Assurance Framework for Social Fund which meets the criteria referred to. This is currently being piloted in two of our Benefit Delivery Centres and we will be undertaking formal evaluation of those pilots prior to formulating plans for wider roll out. The need for external validation will be considered as part of that process."

#### **IRS Position**

I was very pleased about the Department's commitment to developing and piloting a Quality Assurance Framework for the Social Fund. My staff have worked closely with Departmental officials and I am confident the framework will be an invaluable tool in the pursuit of improved standards in decision making. I look forward to seeing the outcomes of the evaluation and I believe that rolling out the framework nationally will make a significant contribution to improving the quality of decision making.

## **Community Care Grants Budget**

#### Issue

I suggest the Department reviews and revises the formula for allocating the grants budget to ensure equitable distribution.

# **DWP Response**

"Responsibility for revising the allocations formula rests with Ministers who are keeping the situation under review."

#### **IRS Position**

I have been glad to have the opportunity to discuss my concerns about the distribution of the budget with the Minister. I remain concerned about this and will continue to press for change.

## Reviews at Jobcentre Plus

#### Issue

I suggest the Department takes urgent action to eliminate poor local practices in relation to the offer of review interviews by implementing a set of nationally produced letters.

## **DWP Response**

"Where possible, we contact review applicants by telephone to arrange an interview. Often, we can where the customer requests, conduct the interview at that point.

Alternatively arrangements can be made for them to be called back at a more appropriate time. If the applicant does not wish to make their review by telephone they will be given the opportunity of a face to face interview. Applicants who are not contactable by telephone are sent an appointment through the post. During the coming year we will be reviewing the letters that support this process."

#### **IRS Position**

The concern I raised in my 2006/2007 report was about the poor standard of letters issued to applicants to offer an interview. Because there are no nationally produced letters, offices have developed their own and few meet the necessary standards in order to ensure natural justice. They rarely give information about the purpose of the interview and some place the onus on the applicant to make the arrangements for the interview. I am pleased therefore that the letters to support the process will be reviewed in the coming year.

#### Crisis Loan Reviews

#### Issue

I suggest the Department introduces the facility to apply by telephone for reviews of crisis loan decisions at the earliest opportunity.

## **DWP Response**

"Jobcentre Plus accepts that this would be a logical extension to the facility to make an application over the telephone. Given the dramatic increase in Crisis Loan applications following the move to a telephone service Jobcentre Plus needs to consider carefully and test the potential impact that undertaking reviews by phone might have before taking a final decision."

#### **IRS Position**

In view of the difficulties Jobcentre Plus has experienced managing crisis loan applications by telephone, it is reasonable for officials to consider fully the implications of introducing the same facility for reviews and how these might be addressed. Nevertheless, these should not be seen as obstacles to prevent the implementation of such an important change.

#### **Issue for Consideration**

I suggest the
Department sets out
a timescale for the
necessary work to
introduce the facility to
apply for a crisis loan
review by telephone.

Crisis loans are the safety net of the Social Fund scheme and living expenses, in particular, must be decided quickly in order to prevent a potential serious risk to health or safety. Having received a speedy decision on the initial application, a dissatisfied applicant must then apply for a review in writing. Because of the difficulties for many applicants of getting to a Jobcentre Plus office, their applications will necessarily have to be posted. In many cases, at best, it is likely to be two days before the review request is received by the Reviewing Officer, therefore undermining the benefits for the applicant of the immediately responsive application process. It is crucial therefore that the facility to apply for a review by telephone is made available as soon as possible. I suggest the Department sets out a timescale for the necessary work to introduce the facility to apply for a crisis loan review by telephone.

# Other Issues Arising in 2007/2008

# **Delays at Jobcentre Plus**

During the early part of 2007/2008 Jobcentre Plus implemented contingency arrangements to enable it to cope better with the increased demand for crisis loans. One of the steps taken was to redeploy resources from other Social Fund work and this resulted in increasing arrears for community care grants, particularly at the review stage.

The Secretary of State's Direction 41 requires that Area Decision Makers within Jobcentre Plus provide all decision makers, including Inspectors, with information about the grants budget position as well as a plan of expenditure and guidance about the level of priority the local budget can meet. This information normally includes how up to date workloads are. By the end of September 2007, the information Jobcentre Plus provided showed that there were 22,309 cases awaiting an initial decision, which based on 2006/2007 intake represented two weeks' work overall, and 11,686 cases awaiting a review at Jobcentre Plus, which represented about six weeks' work overall. Some districts had no or minimal arrears of work; the backlogs were concentrated mainly in Chorlton, Milton Keynes, Norwich and Perry Barr. As a consequence, there were long delays in processing initial applications and reviews in these areas.

We routinely gather information about the time Jobcentre Plus takes to process initial applications and reviews from the cases Inspectors review. Based on these cases, the average clearance time for initial grant decisions for the year as a whole was 10 days against a standard of 9 days, ranging from 5.8 days in Newcastle to 24.9 days in Norwich. Of these cases, Newcastle cleared 91% in 9 days and Norwich cleared 16%.

For reviews, the average clearance time for cases received at the IRS was 19.8 days against a standard of 10 days, ranging from 6.2 days in Newcastle to 57.1 days in Norwich. Of these cases, Newcastle cleared 90% within 10 days and Norwich cleared 6%.

Tables 10 and 11 below show details of the Benefit Delivery Centres with the longest clearance times for initial applications and reviews in grant cases received at the IRS.

Table 10 – Time Taken to Clear Initial Grant Decisions in Jobcentre Plus \* Based on cases received at the IRS

based off cases received at the ins					
	Average	% within 9 days	% within 27 days	% within 45 days	
Basildon	18.1	42	72	91	
Norwich	24.9	16	59	89	
Nottingham	15.8	30	89	99	
Perry Barr	14.9	30	94	100	

<sup>\*</sup> Jobcentre Plus standard is an actual average of 9 days Note – all days are working days

Table 11 – Time Taken to Clear Grant Reviews in Jobcentre Plus \*
Based on cases received at the IRS

pased on cases received at the mo					
	Average	% within 10 days	% within 30 days	% within 75 days	
Chorlton	24.1	37	64	99	
Milton Keynes	31.1	23	63	88	
Perry Barr	52.6	8	35	65	
Norwich	57.1	6	28	66	

<sup>\*</sup> Jobcentre Plus standard is an actual average of 10 days Note – all days are working days

# Example 1

Applicant applied for a grant on 16 May 2007 for some household items, including a fridge/freezer and carpets. She had long term physical and mental health problems and extensive care needs. The application was refused 6 July 2007 and a review requested 11 July 2007. The review decision to award £300 was made on 26 October. (Total waiting time – 23 weeks.)

# Example 2

An applicant with myeloid leukaemia, depression and osteo-arthritis applied on 22 May 2007 for a grant for clothing. Due to her health problems, she felt the cold and needed to keep warm. The initial decision was made on 13 July 2007, the applicant applied on 20 July 2007 for a review which was decided on 22 October 2007. (Total waiting time – 21 weeks.)

# Example 3

A terminally ill applicant applied on 13 June 2007 for travelling expenses to visit his father who had Alzheimer's disease and had been affected by floods. Payment was refused on 1 August 2007 and a review requested on 14 August 2007. The review decision to award £400 was made on 23 October 2007. (Total waiting time – 17 weeks.)

These processing times are unacceptable, particularly because the Social Fund is there to meet the urgent needs of vulnerable people. A typical applicant in Norwich, for example, had to wait an average of 82 days (over 16 weeks) from date of application to the fund to the review decision. Since these are average times, some cases will have taken longer. I have raised my concerns about the extent of the arrears and delays with Departmental officials. Examples 1–3 illustrate the types of application which were subject to significant delay.

The backlogs of work also meant that the grants budget was not being spent as intended. The aim is to meet the same level of priority throughout the year and to manage the budget consistently. Offices with significant arrears of work had sizeable underspends compared to their profiled expenditure. Norwich, for example, started the year meeting only some high priority needs. As the arrears built, so an underspend in the budget accrued, and by the end of August 2007, the underspend stood at 32%. There is no facility currently to carry forward unspent budget from one year to the next. The options open to Norwich were simply to clear the backlogs of work or meet a wider range of priorities. By the end of October 2007, they had made little impact on clearing the backlogs and the budget was still 20% underspent. In an effort to spend the budget, they started to meet high and medium priority needs from November 2007. By the end of January 2008, the budget was still 12% underspent and they responded by meeting high, medium and some low priority needs. This meant that the outcome of applications made at the start of the year was very different to the end of the year, resulting in the unequal treatment of applications across the year.

In contrast, Llanelli, for example, had minimal backlogs, managed its budget closely so that expenditure matched profile and consistently met the same level of priority — all high priority needs at the lower end of price ranges — throughout the year.

There should be consistency in the levels of priority the budget can meet irrespective of the time of year an applicant applies for a grant or where he lives. It is unacceptable that an applicant applying to Norwich in April 2007 had some urgent high priority needs refused, yet had he applied in February 2008, few, if any, of his needs would have been refused on priority.

The absence of a facility to carry forward unspent budget from one year to the next in situations where there are substantial arrears of work also puts additional pressure on the following year's budget. A Benefit Delivery Centre carrying forward three months' arrears of work, for example, would have to determine awards on 15 months' worth of applications from a budget intended to cover 12 months.

Jobcentre Plus has taken steps to clear the backlogs and reduce processing times. They anticipated that the backlogs would be cleared by the end of May 2008. By the end of February 2008, Jobcentre Plus told us there were around 17,000 initial applications awaiting a decision which represents about 1½ weeks' work overall. There were around 10,000 review applications outstanding which represented about five weeks' work overall. I can see that there has been some improvement but delays continue for many applicants. It is important that the Department clears its backlogs as quickly as possible and takes urgent measures to prevent any future build-up of arrears.

I suggest the Department takes positive steps to process grant applications and reviews promptly in order to avoid a repetition of a build-up of arrears in the future and as a consequence manage the budget consistently across the year.

#### **Case Papers**

When an application for an Inspector's review is made, Jobcentre Plus is required to send all the relevant papers to the IRS straightaway. These include:

- the application form;
- · the initial and review decisions;
- · letters from the applicant and third parties; and
- any other documents provided by the applicant.

During 2007/2008, the average time between receipt of an application for an Inspector's review and the receipt of papers at the IRS was 8 working days, with 61% received within four days and 28% taking more than 10 days. The average time ranged from 4.4 days in Newcastle to 16.5 in Llanelli. As soon as we receive the papers, we process cases quickly. Nevertheless, from the applicant's perspective the time taken for the independent review starts as soon as he applies. Such delays, therefore, impact on the quality of service we can deliver. I am conscious that in the earlier part of the year, we were not as proactive as we

# **Issue for Consideration**

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might have been in chasing up papers. We have reviewed our processes to ensure we act promptly in appropriate cases.

I understand that Jobcentre Plus retains papers only for a few weeks following a decision before sending them off-site for storage. Offices tell us that it can take many weeks to retrieve papers from the storage sites. Increasingly, they are unable to send the relevant papers within a reasonable time or give us a timeframe within which they will be sent. Due to the urgency of applications and given the length of time applicants have already waited to have their cases resolved, it would be inappropriate to delay decisions because of Jobcentre Plus' storage arrangements.

In such cases, Inspectors have very little information on which to proceed; they have no or little information about the applicants' circumstances and needs, and do not know the rationale for Jobcentre Plus' decisions. Consequently they have to ask applicants for information they have already given. This is highly frustrating for applicants and can severely disadvantage those who are less able to make their cases owing to illness, literacy problems or other vulnerability. The situation is further exacerbated if, as in recent times, they have already faced lengthy delays.

During 2007/2008, the numbers of cases in which Jobcentre Plus has been unable to provide the papers has grown to levels which are wholly unacceptable. In the period from April to September 2007, there were 544 without papers, an average of 91 cases per month. From January to March 2008, there were 538 cases without papers, an average of 179 per month. The difficulties are concentrated in Balham, Chorlton, Perry Barr and Sheffield. This situation must be addressed as a matter of urgency as it impinges directly on the Inspectors' considerations and is very damaging to the applicants involved.

I suggest the Department takes urgent action to ensure the relevant papers are sent to the IRS promptly.

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# Resources

In our use of resources, we are committed to maximising economy, efficiency and effectiveness.

During 2007/2008, from our direct budget allocation of £4.306 million, we spent a total of £3.223 million, an underspend of £1.083 million (just over 25%). This underspend was caused by the following:

- We budgeted for 110 staff posts based on IRS business needs, but did not
  have this number of staff in place during the year. There were unexpected
  delays with the IRS recruitment process, which were outside our control. Falling
  numbers of reviews also impacted on the amount of staff money spent.
- Falling reviews and fewer staff meant that non-manpower costs were lower than anticipated. Some other non-manpower costs were not required in 2007/08 but are likely to be needed in the coming year.

We have been given provisional figures for the IRS budget for 2008/2009, and this will be confirmed later in the year.

Inspectors made 19,221 decisions, resulting in a unit cost of £168. This is higher than the unit cost achieved in 2006/2007 but is linked to the drop in IRS review workload. Our unit cost includes all staff costs, all non-manpower costs paid by the IRS directly, capital expenditure of £0.112 million and money spent on modernising our IT system.

Our accommodation and related costs are outsourced and are paid for centrally. These accounted for a spend of £0.629 million giving an overall expenditure of £3.852 million and a unit cost of £200.

# Staff

We had 82.52 staff in post on 31 March 2008 and our staff costs accounted for 86% of our direct budget expenditure.

The IRS Business Plan for 2008/2009 is based on 105 staff posts. We recruited staff in April and May 2008, leaving us with a total of 93.72 staff. Further recruitment is underway, and we aim to have additional staff in place by October 2009.

In line with our commitment to providing high standards of service and good quality decisions, we spent about £148,000 (4.6%) of our direct budget allocation on training and developing our staff.

The IRS has been recognised as an Investor in People since 1997. Our accreditation was reviewed and renewed in September 2007.

# **Information Technology**

In last year's Annual Report, I gave details of the major project we undertook to replace our IT case management system which had been in place for 14 years. I was pleased to report then that the new system went live on 12 March 2007 and that the early indications were that the system was delivering the improvements required for the IRS.

The new system has been in place now for 16 months and I am happy to report that it has delivered the improvements expected. These included the following:

- postcode software for correct address entry;
- a single view of the history of a case from registration to case reading, including a document management facility;
- a user-designed system with increased functionality including quicker followon-actions and the ability to view up to 3 cases at a time;
- · an interactive workload diary for Inspectors; and
- · a reporting package that is easier to use.

The supplier was paid the final payment for the development (£42,007) in October 2007. Overall, we contracted with our suppliers to pay just over £230,000 for work on the system, which includes the cost of business re-engineering, the original requirements, the application, development and implementation. We have kept our internal costs to a minimum and have sought external support where necessary.

Following the final payment, the IRS has now moved to a maintenance contract with the supplier which will last for two years but with a retainer for a further three years' support. The cost of this maintenance support has been agreed at £50,588 over five years.

The original contract also provides for members of the IT team to be given additional skills transfer support to enable them to learn how to maintain and develop the new system with only retainer support after two years. This support process has already begun and team members are already self-sufficient on various aspects of the new system. They will shortly begin a longer-term package of training to look at the project code and its development.

Each year the IRS undertakes a review to decide what system changes are required for the next financial year. This is necessary so that our IT can continue to support users in a changing business and legal environment. We will also be undertaking a post evaluation audit in the winter of 2008/2009 to look at the long-term development of the system. This will include, as before, taking into account the views of our users. We want to ensure that our IT case management system continues to serve us well for the future.

# **Appendices**

#### **IRS Review Workload**

- 1a by Month
- 1b by Jobcentre Plus Benefit Delivery Centre

# **Decision Analysis by Jobcentre Plus Benefit Delivery Centre**

- 2 Spread of Decision Types
- 3a Community Care Grants Confirmed Decisions
- 3b Community Care Grants Substituted Decisions
- 3c Crisis Loans for Items Confirmed Decisions
- 3d Crisis Loans for Items Substituted Decisions
- 3e Crisis Loans for Living Expenses Confirmed Decisions
- 3f Crisis Loans for Living Expenses Substituted Decisions
- 3g Budgeting Loans Confirmed Decisions
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#### Other

- 4 Clearance Times for Jobcentre Plus Initial Decisions on Community Care Grants by Benefit Delivery Centre
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- 7 Social Fund Commissioner's Meetings
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- 10 IRS Decision Completion Times by Month
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# Appendix 1a – IRS Review Workload by Month<sup>1</sup>

Month	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
April	1,371	427	132	1,930
May	1,199	409	172	1,780
June	1,209	454	129	1,792
July	962	408	162	1,532
August	1,057	438	152	1,647
September	875	354	96	1,325
October	870	365	138	1,373
November	1,066	456	127	1,649
December	769	330	91	1,190
January	998	449	100	1,547
February	1,059	485	137	1,681
March	1,128	504	143	1,775
Total	12,563	5,079	1,579	19,221

Workload comprises decisions on applications for an Inspector's review; applications for community care grants also considered for crisis loans, and vice versa; and reviews of Inspectors' decisions under section 38(5) of the Social Security Act, 1998.

Appendix 1b – IRS Review Workload by Jobcentre Plus Benefit Delivery Centre<sup>2</sup>

Location	Community Care Grants	Crisis Loans	Budgeting Loans	Total Workload
Balham	1,975	564	178	2,717
Basildon	84	28	16	128
Belle Vale	1,057	516	121	1,694
Bradford	545	225	68	838
Bristol	621	217	40	878
Chesterfield	312	218	38	568
Chorlton	1,365	420	224	2,009
Ilford	382	98	60	540
Inverness	423	221	66	710
Llanelli	229	93	21	343
Milton Keynes	687	211	92	990
Newcastle	216	72	12	300
Newport	389	190	53	632
Norwich	229	103	41	373
Nottingham	219	101	15	335
Perry Barr	883	448	137	1,468
Sheffield	992	406	146	1,544
Springburn	1,380	578	173	2,131
Stockton	285	113	19	417
Sunderland	290	257	59	606
Total	12,563	5,079	1,579	19,221

Workload comprises decisions on applications for an Inspector's review; applications for community care grants also considered for crisis loans, and vice versa; and reviews of Inspectors' decisions under section 38(5) of the Social Security Act, 1998.

Appendix 2 - Spread of Decision Types by Benefit Delivery Centre<sup>3</sup>

Location	Com	Community Care Grants %	ants		Crisis Loans %			Budgeting Loans %	
	Confirmation	Substitution	Refer Back	Confirmation	Substitution	Refer Back	Confirmation	Confirmation Substitution	Refer Back
Balham	50.5	49.5	Γ	38.1	61.9	I	78.3	21.7	I
Basildon	56.8	43.2	I	65.4	34.6	I	100.0	I	I
Belle Vale	43.4	56.6	I	40.6	59.4	I	88.2	11.8	I
Bradford	44.6	55.4	I	46.0	54.0	Ι	84.8	15.2	I
Bristol	50.0	50.0	I	48.8	51.2	I	86.2	13.8	Ī
Chesterfield	54.1	45.9	I	39.2	8.09	I	77.8	22.2	I
Chorlton	44.9	55.1	I	37.2	62.8	I	82.8	17.2	Ī
llford	50.7	49.3	I	34.0	0.99	I	77.8	22.2	Ī
Inverness	37.5	62.5	I	42.0	58.0	I	78.7	21.3	I
Llanelli	45.7	54.3	I	49.4	9.05	I	94.1	5.9	I
Milton Keynes	42.6	57.4	I	34.9	65.1	I	76.5	23.5	I
Newcastle	48.0	52.0	I	47.8	52.2	I	6.06	9.1	I
Newport	49.3	50.7	I	49.7	50.3	I	9.68	10.4	I
Norwich	50.5	49.5	I	31.8	68.2	I	82.9	17.1	I
Nottingham	47.6	52.4	I	40.2	59.8	I	85.7	14.3	I
Perry Barr	54.0	46.0	I	43.8	56.2	I	75.8	24.2	Ī
Sheffield	51.3	48.7	I	44.4	55.6	I	81.0	19.0	I
Springburn	44.8	55.2	ı	44.2	55.8	I	81.3	18.7	Ī
Stockton	49.2	50.8	I	61.1	38.9	I	93.8	6.2	I
Sunderland	44.4	55.6	I	52.8	47.2	ı	87.3	12.7	I
National	47.6	52.4	I	42.9	57.1	I	81.9	18.1	I

<sup>3</sup> When reviewing decisions, an Inspector has the power to: confirm Jobcentre Plus' decision; refer the case back to Jobcentre Plus for a fresh decision to be made; or substitute Jobcentre Plus' decision with one of his own.

Appendix 3a – Community Care Grants – Confirmed Decisions

Location	Confirmed Decisions <sup>4</sup> %	Decisions Not Reached Correctly <sup>5</sup> %
Balham	50.5	45.3
Basildon	56.8	36.4
Belle Vale	43.4	37.4
Bradford	44.6	31.7
Bristol	50.0	39.9
Chesterfield	54.1	33.3
Chorlton	44.9	66.7
Ilford	50.7	35.8
Inverness	37.5	43.4
Llanelli	45.7	66.0
Milton Keynes	42.6	65.7
Newcastle	48.0	11.9
Newport	49.3	28.3
Norwich	50.5	35.2
Nottingham	47.6	25.5
Perry Barr	54.0	41.2
Sheffield	51.3	38.7
Springburn	44.8	37.7
Stockton	49.2	21.8
Sunderland	44.4	52.0
National	47.6	42.7

<sup>&</sup>lt;sup>4</sup> Confirmed decisions as a percentage of all community care grant decisions.

<sup>&</sup>lt;sup>5</sup> Of those confirmed decisions, the percentage of decisions where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

# Appendix 3b – Community Care Grants – Substituted Decisions

Location	Substituted Decisions <sup>6</sup> %	Decisions Not Reached Correctly <sup>7</sup> %	New Information <sup>8</sup> %
Balham	49.5	74.5	83.3
Basildon	43.2	65.2	96.9
Belle Vale	56.6	70.5	85.3
Bradford	55.4	67.5	86.3
Bristol	50.0	72.2	84.8
Chesterfield	45.9	71.0	86.3
Chorlton	55.1	82.5	88.7
Ilford	49.3	67.9	83.6
Inverness	62.5	77.4	84.1
Llanelli	54.3	84.8	87.6
Milton Keynes	57.4	88.3	92.0
Newcastle	52.0	55.8	83.7
Newport	50.7	62.6	85.5
Norwich	49.5	69.4	83.7
Nottingham	52.4	60.8	86.3
Perry Barr	46.0	65.4	84.8
Sheffield	48.7	69.7	84.5
Springburn	55.2	71.4	85.9
Stockton	50.8	59.1	83.5
Sunderland	55.6	82.0	91.0
National	52.4	73.3	85.9

<sup>&</sup>lt;sup>6</sup> Substituted decisions as a percentage of all community care grant decisions.

<sup>&</sup>lt;sup>7</sup> Of all community care grant decisions substituted, the percentage where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>&</sup>lt;sup>8</sup> Of all community care grant decisions substituted, the percentage where new information received by the Inspector contributed to a change in the outcome of the decision. This includes both decisions reached correctly and decisions not reached correctly.

Appendix 3c – Crisis Loans for Items – Confirmed Decisions

Location	Confirmed Decisions <sup>9</sup> %	Decisions Not Reached Correctly <sup>10</sup> %
Balham	35.2	32.4
Basildon	69.6	30.8
Belle Vale	39.5	40.6
Bradford	42.9	29.1
Bristol	50.6	33.8
Chesterfield	39.2	28.6
Chorlton	36.8	60.7
Ilford	27.9	33.3
Inverness	41.7	50.0
Llanelli	43.5	76.0
Milton Keynes	30.2	55.6
Newcastle	46.0	18.2
Newport	49.4	24.3
Norwich	33.3	25.0
Nottingham	42.0	21.4
Perry Barr	45.2	41.3
Sheffield	42.7	30.6
Springburn	47.3	28.9
Stockton	57.6	25.0
Sunderland	54.8	53.5
National	42.3	37.2

<sup>&</sup>lt;sup>9</sup> Confirmed decisions as a percentage of all crisis loan decisions in respect of items.

Of those confirmed decisions, the percentage of decisions where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

Appendix 3d – Crisis Loans for Items – Substituted Decisions

Location	Substituted Decisions <sup>11</sup> %	Decisions Not Reached Correctly <sup>12</sup> %	New Information <sup>13</sup> %
Balham	64.8	59.6	53.7
Basildon	30.4	33.3	100.0
Belle Vale	60.5	63.0	48.0
Bradford	57.1	43.7	49.3
Bristol	49.4	56.0	66.0
Chesterfield	60.8	46.5	58.1
Chorlton	63.2	73.7	68.7
Ilford	72.1	60.7	60.7
Inverness	58.3	56.4	46.2
Llanelli	56.5	76.0	56.0
Milton Keynes	69.8	64.8	64.8
Newcastle	54.0	50.0	50.0
Newport	50.6	42.9	55.4
Norwich	66.7	61.1	66.7
Nottingham	58.0	51.6	48.4
Perry Barr	54.8	67.2	62.3
Sheffield	57.3	50.4	57.6
Springburn	52.7	56.6	57.9
Stockton	42.4	44.0	60.0
Sunderland	45.2	71.2	56.2
National	57.7	58.5	56.5

<sup>&</sup>lt;sup>11</sup> Substituted decisions as a percentage of all crisis loan decisions in respect of items.

<sup>&</sup>lt;sup>12</sup> Of those crisis loan decisions substituted, the percentage where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>&</sup>lt;sup>13</sup> Of all crisis loan for items decisions substituted, the percentage where new information received by the Inspector contributed to a change in the outcome of the decision. This includes both decisions reached correctly and decisions not reached correctly.

# Appendix 3e – Crisis Loans for Living Expenses – Confirmed Decisions

Location	Confirmed Decisions <sup>14</sup> %	Decisions Not Reached Correctly <sup>15</sup> %
Balham	54.2	50.0
Basildon	33.3	100.0
Belle Vale	42.6	22.5
Bradford	59.3	50.0
Bristol	38.5	60.0
Chesterfield	38.2	27.6
Chorlton	38.3	34.8
Ilford	43.5	50.0
Inverness	42.6	37.5
Llanelli	64.3	22.2
Milton Keynes	65.2	40.0
Newcastle	52.9	66.7
Newport	47.4	55.6
Norwich	23.5	75.0
Nottingham	31.6	50.0
Perry Barr	40.4	45.8
Sheffield	58.8	25.0
Springburn	31.6	41.7
Stockton	71.4	26.7
Sunderland	42.3	27.3
National	43.0	38.8

<sup>&</sup>lt;sup>14</sup> Confirmed decisions as a percentage of all crisis loan decisions in respect of living expenses.

<sup>&</sup>lt;sup>15</sup> Of those confirmed decisions, the percentage of decisions where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

Appendix 3f – Crisis Loans for Living Expenses – Substituted Decisions

Location	Substituted Decisions <sup>16</sup> %	Decisions Not Reached Correctly <sup>17</sup> %	New Information <sup>18</sup> %
Balham	45.8	90.9	50.0
Basildon	66.7	100.0	-
Belle Vale	57.4	94.4	46.3
Bradford	40.7	90.9	36.4
Bristol	61.5	93.8	56.3
Chesterfield	61.8	80.9	38.3
Chorlton	61.7	94.6	54.1
Ilford	56.5	92.3	69.2
Inverness	57.4	85.2	44.4
Llanelli	35.7	100.0	-
Milton Keynes	34.8	87.5	50.0
Newcastle	47.1	87.5	50.0
Newport	52.6	90.0	50.0
Norwich	76.5	100.0	38.5
Nottingham	68.4	100.0	46.2
Perry Barr	59.6	78.2	59.8
Sheffield	41.2	71.4	57.1
Springburn	68.4	92.3	42.3
Stockton	28.6	100.0	33.3
Sunderland	57.7	70.0	53.3
National	57.0	87.1	48.3

<sup>&</sup>lt;sup>16</sup> Substituted decisions as a percentage of all crisis loan decisions in respect of living expenses.

<sup>&</sup>lt;sup>17</sup> Of those crisis loan decisions substituted, the percentage where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>&</sup>lt;sup>18</sup> Of those crisis loan for living expenses decisions substituted, the percentage where new information received by the Inspector contributed to a change in the outcome of the decision. This includes both decisions reached correctly and decisions not reached correctly.

# Appendix 3g – Budgeting Loans – Confirmed Decisions

Location	Confirmed Decisions <sup>19</sup> %	Decisions Not Reached Correctly <sup>20</sup> %
Balham	78.3	43.2
Basildon	100.0	15.4
Belle Vale	88.2	25.8
Bradford	84.8	28.6
Bristol	86.2	40.0
Chesterfield	77.8	21.4
Chorlton	82.8	33.1
Ilford	77.8	42.9
Inverness	78.7	33.3
Llanelli	94.1	37.5
Milton Keynes	76.5	40.3
Newcastle	90.9	20.0
Newport	89.6	9.3
Norwich	82.9	27.6
Nottingham	85.7	41.7
Perry Barr	75.8	16.0
Sheffield	81.0	22.5
Springburn	81.3	35.6
Stockton	93.8	13.3
Sunderland	87.3	29.2
National	81.9	30.3

<sup>&</sup>lt;sup>19</sup> Confirmed decisions as a percentage of all budgeting loan decisions.

<sup>&</sup>lt;sup>20</sup> Of those confirmed decisions, the percentage of decisions where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

# Appendix 3h - Budgeting Loans - Substituted Decisions

Location	Substituted Decisions <sup>21</sup> %	Decisions Not Reached Correctly <sup>22</sup> %	New Information <sup>23</sup> %
Balham	21.7	94.3	14.3
Basildon	-	_	-
Belle Vale	11.8	100.0	7.7
Bradford	15.2	100.0	10.0
Bristol	13.8	100.0	-
Chesterfield	22.2	100.0	-
Chorlton	17.2	91.9	13.5
Ilford	22.2	100.0	25.0
Inverness	21.3	100.0	-
Llanelli	5.9	_	100.0
Milton Keynes	23.5	100.0	10.5
Newcastle	9.1	_	-
Newport	10.4	80.0	-
Norwich	17.1	100.0	16.7
Nottingham	14.3	100.0	-
Perry Barr	24.2	86.7	3.3
Sheffield	19.0	92.3	3.8
Springburn	18.7	93.5	6.5
Stockton	6.3	100.0	-
Sunderland	12.7	100.0	-
National	18.1	93.9	8.8

<sup>&</sup>lt;sup>21</sup> Substituted decisions as a percentage of all budgeting loan decisions.

<sup>&</sup>lt;sup>22</sup> Of all budgeting loan decisions substituted, the percentage where Jobcentre Plus' decision was not reached correctly under the first stage of the Inspector's review. At this stage the Inspector considers whether the decision maker has interpreted and applied the law correctly; acted fairly and exercised his discretion reasonably; and observed the principles of natural justice.

<sup>&</sup>lt;sup>23</sup> Of those budgeting loan decisions substituted, the percentage where new information received by the Inspector contributed to a change in the outcome of the decision. This includes both decisions reached correctly and decisions not reached correctly.

Appendix 4 – Clearance Times for Jobcentre Plus Initial Decisions on Community Care Grants by Benefit Delivery Centre

Location	Actual Average Days <sup>24</sup>	Within 9 Days <sup>24</sup> %
Balham	6.9	78
Basildon	18.1	42
Belle Vale	8.2	68
Bradford	10.0	61
Bristol	7.6	78
Chesterfield	13.0	44
Chorlton	11.3	56
Ilford	7.5	77
Inverness	9.2	62
Llanelli	9.2	61
Milton Keynes	13.7	40
Newcastle	5.8	91
Newport	10.1	55
Norwich	24.9	16
Nottingham	15.8	30
Perry Barr	14.9	30
Sheffield	8.3	61
Springburn	9.8	59
Stockton	7.8	71
Sunderland	9.5	60
National	10.0	60

<sup>&</sup>lt;sup>24</sup> Clearance time measured from the date Jobcentre Plus receives the application to the date it issues the decision. Data based on cases received at IRS. All days are working days.

Appendix 5 – Clearance Times for Jobcentre Plus Reviews of Community Care Grants by Benefit Delivery Centre

Location	Actual Average Days <sup>25</sup>	Within 10 Days <sup>25</sup> %
Balham	13.3	45
Basildon	18.1	29
Belle Vale	12.9	51
Bradford	13.9	46
Bristol	19.0	30
Chesterfield	20.7	32
Chorlton	24.1	37
Ilford	11.5	54
Inverness	13.0	54
Llanelli	19.2	33
Milton Keynes	31.1	23
Newcastle	6.2	90
Newport	17.0	21
Norwich	57.1	6
Nottingham	14.4	41
Perry Barr	52.6	8
Sheffield	15.5	37
Springburn	15.3	34
Stockton	11.8	44
Sunderland	11.7	50
National	19.8	38

<sup>&</sup>lt;sup>25</sup> Clearance time measured from the date Jobcentre Plus receives the review request to the date it issues the decision. Data based on cases received at IRS. All days are working days.

Appendix 6 – Time between Receipt of Application for Inspector's Review and Receipt of Papers at IRS by Benefit Delivery Centre

Location	Actual Average Days	Within 4 Days %	Over 10 Days %
Balham	10.8	34	32
Basildon	5.9	57	11
Belle Vale	7.1	55	17
Bradford	9.7	13	31
Bristol	8.3	47	22
Chesterfield	7.2	45	15
Chorlton	7.3	42	15
Ilford	5.5	65	9
Inverness	11.7	25	35
Llanelli	16.5	8	69
Milton Keynes	6.9	49	15
Newcastle	4.4	78	7
Newport	7.2	54	16
Norwich	5.0	77	8
Nottingham	5.0	76	6
Perry Barr	9.9	31	40
Sheffield	6.4	49	11
Springburn	6.1	51	9
Stockton	6.1	66	12
Sunderland	5.0	65	7
National	8.0	61	28

# Appendix 7 – Social Fund Commissioner's Meetings

# **Department for Work and Pensions**

John Hutton, Secretary of State for Work and Pensions

James Plaskitt MP, Parliamentary Under Secretary of State for Work and Pensions

Richard Heaton, The Solicitor, Department for Work and Pensions

Brendan O'Gorman, Deputy Director, Benefit Reform Division, Department for Work and Pensions

Terry Moran, Chief Executive, The Pension Service

Lesley Strathie, Chief Executive, Jobcentre Plus

Mel Groves, Chief Operating Officer, Jobcentre Plus

Neil Couling, Director, Benefits & Fraud Directorate, Jobcentre Plus

Jeremy Groombridge, Director of Transformation and Product Management, Jobcentre Plus

Richard Bingham, Benefit Delivery Manager, East Midlands

Chris Hayes, Customer Service Director, London

Chris Fisher, Benefit Delivery Manager, London

Grace Kennedy, Customer Service Director, North West

Bill Marks, Benefit Delivery Manager, North West

Carol Pratley, Benefit Delivery Manager, South East

Lindsey Bucknor, Benefit Delivery Manager, West Midlands

Margaret Tovey, Customer Service Director, West Midlands

Nigel Gair, Benefit Delivery Manager, Yorkshire & Humber

Gill Farnsworth, Customer Service Director, Yorkshire & Humber

Vicky Wing, Benefit Delivery Centre Manager

Yasmin Madigan, Performance Manager, Jobcentre Plus

Annual Meetings: East Midlands; East of England; London; North West; Scotland; South East;

West Midlands; Yorkshire & Humber

Launch of Benefit Delivery Centre, Inverness

Launch of Benefit Delivery Centre, Milton Keynes

# Appendix 7 – Social Fund Commissioner's Meetings (continued)

## **Others**

Lord Justice Carnwath CVO, Senior President of Tribunals

Julia Goldsworthy, MP

Leanne Wood, AM

Paul Lewis, Journalist

Age Concern, Cardiff

Cardiff Women's Aid

Child Poverty Action Group

Child Poverty Action Group Scotland

Citizens Advice, Cardiff

Family Welfare Association

Glasgow Homelessness

Glasgow Welfare Rights

Help the Aged

Help the Aged, Cardiff

Linkage Plus, Gateshead

Scottish Association of Mental Health

Welfare Rights: East Midlands, Leeds, London

Westgap

British & Irish Ombudsman Association Conference

IRS Conferences: Birmingham; Cambridge; Leeds; Liverpool; Southampton

# Appendix 8 – IRS Self-Instruction Packs

#### 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 Jobcentre Plus staff with responsibility for the Social Fund and organisations that advise or assist applicants.

#### **Crisis Loans**

A technical pack providing a thorough working guide to crisis loans. Specifically designed for Jobcentre Plus staff with responsibility for the Social Fund and organisations that advise or assist applicants.

## Budgeting Loans - A Quick Guide to the New Rules

This provides 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 Jobcentre Plus staff

This pack is designed for staff in Jobcentre Plus 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

This pack is 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. It is primarily aimed at Decision Makers and Reviewing Officers in Jobcentre Plus, but might also be useful to other Social Fund practitioners and to advisers.

# Appendix 9 – IRS 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 our applicants' 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; and
- 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 Secretary of State'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; and
- apply any relevant Commissioner's Advice to Inspectors.

In doing this we will deliver the review:

- promptly and within published Customer Service Standards; and
- in the most cost effective way, delivering value for money.

Appendix 10 - IRS Decision Completion Times by Month

Urgent cases % completed	within 24 hours <sup>28</sup>	84.8	77.6	81.7	84.6	90.2	93.8	75.0	89.5	88.9	93.1	92.6	91.7
Budgeting Loans % completed within	23 days <sup>27</sup>	100.0	100.0	100.0	100.0	100.0	I	100.0	100.0	100.0	6:06	100.0	100.0
Budgetii % comple	12 days <sup>26</sup>	100.0	100.0	100.0	98.9	100.0	2.96	98.5	100.0	98.4	100.0	100.0	100.0
Crisis Loans % completed within	23 days <sup>27</sup>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	0.96	93.3	100.0
Crisis % comple	12 days <sup>26</sup>	99.1	100.0	99.1	99.2	100.0	100.0	98.7	100.0	100.0	100.0	100.0	100.0
Community Care Grants % completed within	23 days <sup>27</sup>	93.9	92.8	94.0	91.8	93.1	91.8	96.2	96.4	99.3	94.8	0.96	92.4
Community % comple	12 days <sup>26</sup>	9.66	6.66	6.66	0.66	100.0	8.66	99.4	2.66	100.0	100.0	9.66	8.66
Month		April	May	June	July	August	September	October	November	December	January	February	March

<sup>26</sup> Of those cases which required no enquiries or only straightforward enquiries, we aimed to complete 95% in 12 working days.

<sup>&</sup>lt;sup>27</sup> For those cases requiring further investigation or complex enquiries, we aimed to complete 90% within 23 working days. <sup>28</sup> We aim to complete 95% of urgent cases within 24 hours.

# Appendix 11 – Customer Service Standards

We aim to deliver a high quality decision at the earliest opportunity. In order to deliver the overall standards, the following internal targets will guide our work:

#### Administration

- Direct applications with the required identifying details will be registered and papers requested on the day they are received.
- Cases will be registered on the day they are received.
- Cases will be allocated and passed to the 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 by close of business on the day they are received.
- Telephone responses to papers or to requests for further information will be recorded and passed to a decision maker by the morning of day 2 at the latest.

# **Decision Making**

- The relevant papers and the Social Fund Inspector's preliminary summary of the case will be sent to the applicant within 3 working days of receipt of the papers.
- Exceptionally, when the decision is indisputable, it will be issued within 3 working days of receipt of the papers.

# **Enquiries and Complaints**

- Enquiries and complaints will be acknowledged on the day they are received.
- A full response, or update as appropriate, will be sent to the applicant within 8 working days.
- A decision will be made on standard cases within 15 working days. Standard cases are all
  applications, excluding express cases and complex cases. They form the majority of the work
  of the Customer Service Team.
- A decision 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.
- A decision will be made on complex cases within 30 working days. These are applications that need extensive enquiries or investigation or where the nature of the case is exceptionally complex.

## **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 12 - IRS Calls to Jobcentre Plus Crisis Loan Telephone Lines by Benefit Delivery Centre

Total Calls Answered	214 27 (13%) 447 340 (76%) 445 248 (56%)			443 343 (77%) 447 357 (80%)	449 329 (73%) 451 235 (52%)	449 359 (80%) 447 345 (77%)	446       317 (71%)         451       322 (71%)	451 334 (74%)		8.020 5.104 (64%)
January–March 2008 alls Answered <sup>29</sup>	13 (8%) 128 (75%) 84 (49%)	50 (29%) 50 (29%) 50 (49%)	72 (71%) 122 (71%) 28 (16%)	143 (84%) 145 (85%)	141 (83%) 76 (44%)	137 (80%)	121 (71%)	127 (74%)	63 (37%) 141 (83%)	2.054 (60%)
0	(5) 171 (6) 171 (8)			5) 171 (6)	5) 171 (6)	5) 171 (6)	5) 171 (6)	5) 171		3,420
October–December 2007 Calls Answered <sup>29</sup>	14 (33%) 137 (86%) 93 (59%)	16 (10%) 15 (35%) 100 (64%)	131 (82%) 17 (40%)	131 (82%) 146 (90%)	137 (84%) 102 (63%)	138 (85%) 133 (83%)	129 (81%) 131 (80%)	143 (88%)	18 (42%) 154 (95%)	2.015 (73%)
62	43 (%) 160 (%) 159	, ,		6) 159 6) 162	6) 163 6) 162	6) 163 6) 160	6) 160	6) 162	·	6) 2.750
July–September 2007 Salls Answered <sup>29</sup>	- 75 (65%) 71 (65%)	14 (12%)	72 (62%)	69 (61%) 66 (58%)	51 (44%) 57 (48%)	84 (73%)	67 (58%) 55 (47%)	64 (54%)	87 (74%)	1.035 (56%)
July; Calls	116	717 1	710	113	115	115	115	118	<u>- +</u>	1.850
Location	Balham Basildon Belle Vale	Bristol	Chorlton	Inverness Llanelli	Milton Keynes Newcastle	Newport Norwich	Nottingham Perry Barr	Sheffield	Stockton Sunderland	Total

<sup>29</sup> Includes calls answered within 10 rings and calls held in a queue but answered within 7 minutes.

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