

Independent Review Service

May 2000 Issue 16

The Journal and Digest of Decisions

Inside:

Customer Service: The Independent Review Service's Approach





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Editor's Letter

For our new look first issue we decided to concentrate on customers. At the IRS we feel it is important to identify our customers, listen to what they want and to respond to their needs. We consider they are at the centre of our business.

Over a period of time customer needs and legislation change. We strive to update and reconsider our ways of working to meet these changes. The last journal issue included changes we have made to the delivery of our decisions. This issue has articles on the review of our external focus, our work on the possible impact of the human rights act and proposals for IT.

As promised we have included the results of the survey of **The Journal** customers and continued with the changes made in the last issue in response to those views.

We value your comments and look forward to your views on our new style.

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Who Are Our Customers?

by Patricia Instone, a Social Fund Inspector

The IRS is an independent statutory body within the Department of Social Security. Social Fund Inspectors conduct independent and impartial reviews of decisions made by the Benefits Agency on Social Fund applications from members of the public.

Our primary customers are the applicants themselves. These are members of the public who have applied for

The actual make up of people who ask for a review by a Social Fund Inspector changes from day to day. The example below shows applications made during a three month period, October to December 1999. During that time the IRS received 8,565 requests for an Inspector's review. They came from all over the country.

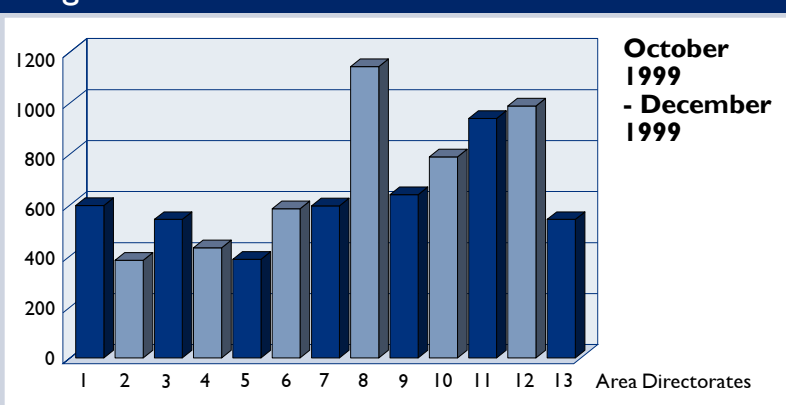
During this period, the majority of those who asked for an Inspector's review were between the ages 25 and 60. However, while 22 percent were under 25, only six percent were over 60.

Most applicants handled the review process themselves. From past experience we expect that some of these will have sought advice before coming to the IRS, or when responding to the copy papers. However, 10 percent were formally represented and 0.5 percent had an appointee.

Whilst these statistics are interesting and informative, they are just

numbers. There is no such person as the average seeker of an Inspector's review. This is clear as soon as the Inspector starts to read the case papers. All applicants are different, with their own particular circumstances and needs. It is important that we acknowledge their individuality, and respect their opinions. This is what we strive to do at the IRS.

Origin of Cases sent to the IRS for Review



a discretionary payment from the Social Fund to meet a particular need, and who are dissatisfied with the decisions they have had so far. There are other interested parties to the review process. These are: the Benefits Agency, whose decisions we review; welfare rights organisations; and independent advisers, who support applicants through the process.

What Do Our Customers Want?

by David Saville, of the Research & Development Team

Last year saw the introduction of major changes to the Social Fund. These required a completely different approach to Budgeting Loan decision making and consequently, to the layout and content of our decisions. Similarly, 1999 saw our introduction of shorter, "streamlined" decisions for Community Care Grants and Crisis Loans.

The new decisions were designed to meet better the customer's need for a clear and speedy decision. However, it was important that we consulted with our customers, to find out how successful we had been.

We, therefore, carried out a customer survey by post in November and December 1999. The purpose of this article is to share some of the results of that survey.

Budgeting Loan Decisions

Over 30 percent of the selected Budgeting Loan customers returned their survey forms. The survey showed that the great majority of customers read their decision thoroughly. However, only 51 percent fully understood the decision letter, and only 41 percent fully understood the sheet setting out how we made the calculations.

Customers gave a variety of answers when asked why they had difficulties understanding the decision. In some cases, they found features of the scheme itself difficult to understand, in particular that we cannot consider the urgency of their need. The presentation of the decision itself caused difficulties too, with the use of fractions and sums causing some customers confusion.

“Streamlined” Decisions

Over 40 percent of customers surveyed returned the “streamlined” survey form.

One effect of “streamlining” is considerably shorter decisions. In general, the survey shows that customers are happy with this. Only two percent of those returning the survey form felt that the Inspector’s decision was too short. On the other hand, 11 percent felt it was still too long.

67 percent of customers surveyed said they fully understood the Inspector’s decision. This is considerably better than the figure for Budgeting Loans, but still means that about a third had difficulty. Of those who did not fully understand, the main problem appears to be the outcome itself - they believed that they should have had a payment. Other problems that customers had include the use of legal or technical words, or concepts in decisions (particularly the concept of priority).

Conclusions

We have acted on our customers’ comments by re-examining our Budgeting Loan decision letters, to see how we can make them simpler. A new format for the decision letter is currently being produced, which should be less technical and should reduce the amount of arithmetic.

The Customer Service Team

by Anne-Marie Nicholls, of the Customer Service Team

The Independent Review Service aims to deal with cases quickly and thoroughly, and to give decisions which are independent, clear and consistent. The Inspector’s decision is normally the end of the review process. There is not an automatic right to a review of an Inspector’s decision. Nevertheless, customers who are unhappy with the outcome of the case will often telephone or write, asking for the decision to be looked at again. The Customer Service Team provides a specialist, centralised unit to take responsibility for all enquiries and complaints and provide an impartial service. We also receive complaints and enquiries from other sources, such as the Benefits Agency, representatives and other interested parties.

How the Team Works

The Customer Service Team is made up of Inspectors and administrative staff who provide support, none of whom have played any part in the initial review. We deal with all contact following an Inspector’s decision from whichever source. Generally, enquiries are made by telephone and complaints in writing. However, we are happy to accept a complaint over the telephone or by e-mail. Our telephone lines are open from 9.00am until 4.30pm. During this time, staff experienced in this area are available to discuss customers’ concerns and answer queries. Inspectors are available to deal with more complex issues. An answering service is available outside the above hours. We aim to deal with all complaints and enquiries within

three working days. Sometimes, however, further enquiries are necessary. If this is the case, we will write to explain why it will take longer than usual to deal with. We normally deal with enquiries or complaints requiring further investigation within twenty working days.

Enquiries and Complaints

We receive different types of complaints, for example, about the service we provide, the Inspector’s decision and the Benefits Agency. Other post-decision contact includes enquiries, thank you letters, internal queries and letters which have crossed in the post.

We look carefully at all complaints and enquiries. However, involving the Customer Service Team does not mean the application will be treated as another stage of appeal. If the customer does not agree with the decision or with the outcome, or if the Inspector has not made an award, this does not necessarily mean the decision is wrong.

Generally, the Customer Service Team will re-open a case when:

- a relevant fact has been overlooked;
- a relevant fact has been incorrectly recorded;
- the Inspector has not applied the law correctly.

When to Complain

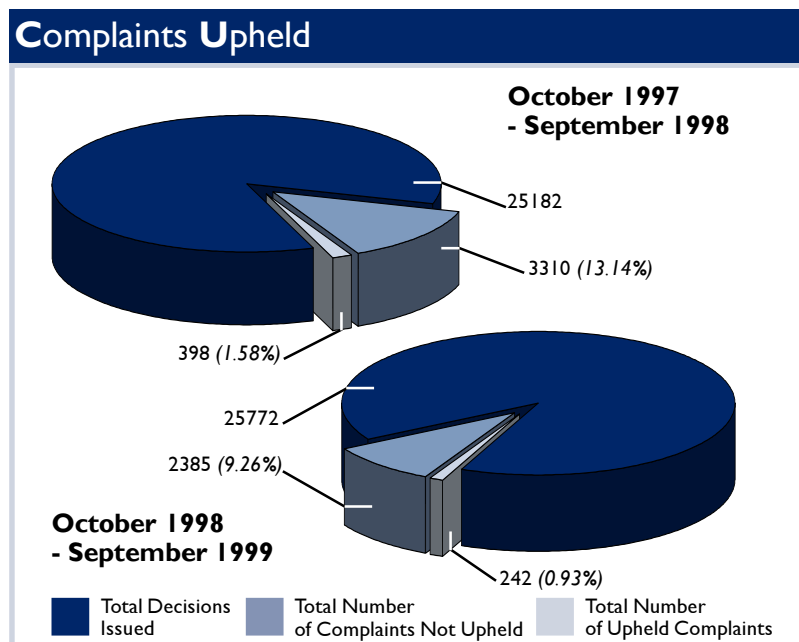
If there has been an error, be it a mistake about the facts, an error of law or judgement, a "slip of the pen" or arithmetical error, the customer should contact the Customer Service Team. We will look at the complaint and recall the papers if necessary. We will then either write to explain why the decision or the outcome of the decision is correct, or re-open the case to correct the error.

The customer may contact the Customer Service Team to make a complaint as detailed above, or to make

Independent Review Service's quality processes. We have an Inspector taking the lead on quality issues (a case reader) who writes a monthly report to inform all parts of the Independent Review Service. He also liaises with other case readers, providing a monthly report and feedback on an ongoing basis. The Customer Service Team provides feedback to teams and quality forums, also via a monthly report sent to all parts of the Independent Review Service.

Recording and distributing information about the enquiries and complaints we have received enables

us to identify areas where there have been common trends and grievances; or where we have been making mistakes. One area recently highlighted involved the issue of shared parental responsibility. We were able to identify inconsistencies which have recently been addressed. As the chart has illustrated, the number of complaints and upheld complaints has reduced steadily. This suggests the feedback from the Customer Service Team has played an important role in improving the service provided by the organisation as a whole.



general enquiries about the Social Fund or Independent Review Service. Sometimes, however, it may not be appropriate to contact the Customer Service Team. Unfortunately, in the interests of independence and natural justice, the Customer Service Team is unable to offer advice or opinions about cases where an Inspector has not yet made a decision.

Complaints Upheld

The annual average proportion of complaints received against the number of decisions issued over the past two years from October 1997 was 14.72 percent and 10.19 percent respectively. However, the proportion of complaints upheld was 1.58 percent and 0.93 percent. This shows the number of Inspectors' decisions containing an error possibly resulting in the case being re-opened has been very few in number. See the above charts.

Feedback and Quality

The Customer Service Team forms a crucial part of the

Service provides. Recently, we conducted two surveys to see how well customers understood the Budgeting Loan decision letters under the simplification scheme introduced in April 1999 and the streamlined Inspectors' decision letters. We looked at the results and are to discuss these with customers. We will also discuss what these groups want to see in decision letters and how we can improve our service.

We are in the process of re-designing the leaflet IRS 3, which is an information leaflet issued with decisions. This informs the customer when it may be appropriate to make an enquiry or a complaint. The aim is to make the Customer Service Team more accessible. We will also be seeking customer feedback on the proposed changes to this leaflet.

If you would like more information about the Customer Service Team, please contact us on 0121 606 2149, or at the usual Independent Review Service address.

IRS External Focus Review

by Bridgit Hipkiss, of the Business Team

IRS external focus work has developed over the last four years and our clear commitment to this area of work continues. Over time, external circumstances have changed. In recognition of these

products include a range of meetings, visits, surveys, reports, technical workshops, leaflets, best practice notes, telephone advice, a website and **The Journal**.

IRS External Focus Principles

The new external focus guiding principles underpin our approach to this aspect of IRS work. These are:

- We will share expertise in order to facilitate high quality decision-making for the citizen, at minimum cost to the tax-payer.
- In all our approaches we will seek to achieve fair and equal treatment of all parties with an interest in the review.
- The aim of the external focus is to provide information rather than intervention.
- Delivery of the external focus will be a distinct and discrete area of work from the delivery of the review in the IRS. No personal interaction between decision-maker and decision-maker. The external focus will be delivered by staff who are not Inspectors.
- Investment will be focused where it will achieve the greatest impact.

Impending European Convention Of Human Rights legislation gives a sharper focus to the ever-present issue of fair and equal treatment. The IRS is taking steps to ensure our approaches, products and services are compatible with the spirit of the Convention. We will be rigorous about conducting external focus activity in an even-handed and impartial way.

For 2000/01 the thrust of our external focus work will be about providing information, rather than intervention. To emphasise its independence, the delivery of the review will be a discrete and distinct area of work. So, our external focus work will be delivered by staff who are not involved in review work. However, staff assigned responsibility for external focus work will continue to share information and expertise.

The shape of some products and services will change over the coming year. These changes will feed in gradually, as new ideas and approaches develop. We are looking at the fairest and most effective way of:

changes we are restructuring the way we organise and deliver our external focus work.

The objective of this area of work is to share knowledge and expertise, to improve quality and service for customers of the Social Fund. We influence quality and service through the work we do with customers and Social Fund Practitioners (both Social Fund and Welfare Rights). Present services and

- handling requests for advice.
- sharing information and expertise with all of our customers.

Although we may change the way we communicate, we will continue to talk and listen to all of our customers. The IRS remains committed to sharing expertise, in an informative and impartial manner.

Journal and Digest Survey Results

by Dave Moore, Support Team Manager

With issue 14 of **The Journal** we included a customer survey questionnaire. Thank you to all who replied.

There were some common themes which we have already decided to implement. Whenever possible, we will not split articles and we have changed the colour of the **Digest of Decisions'** paper so that it can be easily photocopied. These changes featured in the last issue.

In the digest we are aiming to explain abbreviations on the page they occur, as well as using a glossary of terms. There is an index of cases in this issue and updates to the index will appear in every third issue.

Other suggestions depended on the background of the respondent. For example, some readers found articles were too focused on the Benefits Agency's Reviewing Officer issues; others considered the technical information could go further. We will try to

balance the views in future issues and meet the needs of the different readers.

In response to our question about what readers would like to see in future issues, generally we have been asked for articles/cases on :

- applications from Asylum seekers;
- applications from discharged prisoners;
- Crisis Loans issues;
- Community Care Grant discretion.

We will try to include these topics in the future.

We have also redesigned our cover and changed the internal appearance. We hope that these changes meet with your approval and we welcome your comments.

The Customer, the IRS and IT

by Chris Fields, of the IT Support Team

Since the IRS started in 1988, we have constantly monitored and changed our Information Technology (IT) to benefit our customers and simplify processes.

When the IRS began we had only one PC with an in-house database. This database, SFINCS (Social Fund Inspectors' Network Computer) is now used across the office and provides the solid IT foundations for our customer service. Staff can quickly find a the customer's details by using the IRS reference number and can provide accurate information such as:

- the stage a case has reached;
- when a decision is likely to be made;
- which Inspector is dealing with a case.

The biggest current development in IT is the Internet. This is a source of information that is as important as the book was at the start of the last millennium. We realised that we needed to develop an Internet website of our own and this was quietly launched on Christmas

Eve, December 1996. We were one of the first UK government departments to set up a site. It contains general information about the IRS and some of the services that we offer.

In 1997, the Prime Minister stated that 25 percent of the public's dealings with the government should be capable of being carried out electronically by the year 2002. To improve our service and achieve this target, the IRS is re-vamping its website to provide more user-friendly access to information. To complement this, we also need to increase the one percent of our customers who currently contact us on our e-mail address at sfc@irssf.gov.uk. To help us achieve this we now include our e-mail address, together with our telephone and fax number, on all publications and documents.

The Future

So that we can continue to provide excellent customer service, our IT systems need to be reviewed on a regular basis. Being a relatively small organisation, the IRS has the resources and flexibility to utilise available technology quickly. New products are assessed and

introduced if we feel that they will improve our service. Projects in the pipeline include:

- the online facility for the customer to apply for a decision and monitor its progress;
- research into video conferencing, enabling face to face contact between our customers and ourselves;

- investigation into the new WAP (Wireless Application Protocol) technologies which provides quick access to the web from equipment such as mobile telephones.

Due to the innovative use of IT, our services for our customers in the 21st century can only get better and better.

Helping Our Customers

by Support Team Manager, Al Judge

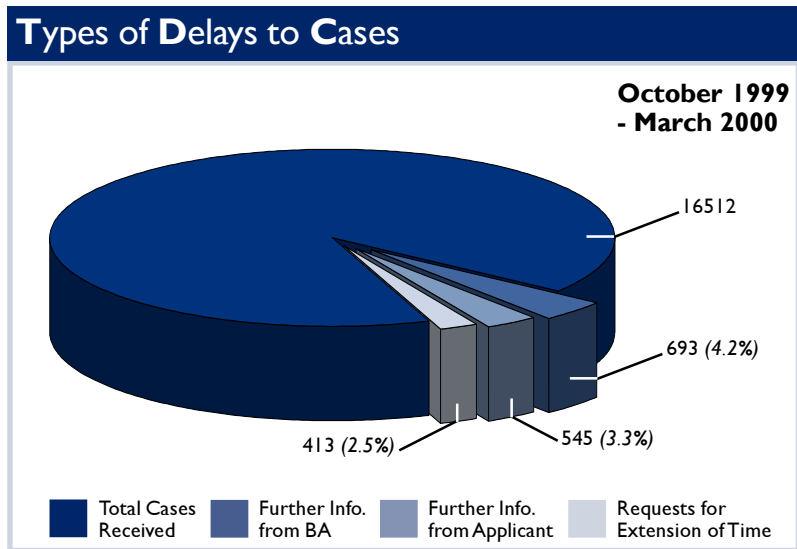
In the last six months, the IRS has received a total of 16,512 requests for a review. We aim to clear:

- 95% of routine cases within 12 days of receipt of the review request.
- 100% of routine cases within 15 days of receiving the review request.
- 98% of cases where further information is required within 20 days.

The most common issues of papers that are not included in the initial referral to the IRS are:

- Direction 7 papers, where an applicant has made a previous application for a Community Care Grant/ Crisis Loan and a repeat application for the same time is received within 26 weeks. In all cases where Direction 7 applies the papers should be included in the original referral.
- The Area Decision Maker's guidance applying to the case at the time the original decision was made by the decision maker and any relevant changes in the guidance since the original decision.

There are reasons that may delay these targets being achieved. The aim of this article is to address some of



• Screen prints from the benefits computer system showing:

- Budgeting Loan debt.
- Repayment rates of outstanding debt.
- Any claims to Income Support or Jobseekers Allowance.
- The breakdown of any award made for a Community Care Grant.

Any case where the details are not provided at the initial referral stage requires an additional telephone call to the Benefits Agency causing disruption and delay.

the most common reasons, increasing awareness of how we can all improve the customer service that we provide.

Further Information

10 percent of all cases received within the last six months have been delayed due to further information being required from the Benefits Agency.

Further information required from applicants or representatives have accounted for 2.5 percent of the delay in the action of all applications within the last six months. The nature of the request cannot be predicted, but is often needed to clarify evidence held within the original papers. The information is essential to each case and reinforces impartiality

whilst providing further opportunity for applicants or representatives to put forward their case.

Request for Extra Time

In the last six months, requests for extensions of time to allow applicants or their representatives to either comment on the papers or provide additional information have occurred in 3.3 percent of the total cases received. This delays the resolution of cases, but is necessary in some cases to ensure that valuable information is obtained. Wherever possible

we encourage all relevant comments to be returned to us within 10 days of the papers being issued to the applicant or representative.

Improving the Service

We currently liaise with Benefits Agencies, representatives and applicants to encourage and ensure that we receive the correct and necessary papers and information at the initial stage of referral. Our long term aim is to action claims within a shorter time scale and reduce, where possible, the need to request further information.

Customer Service

The role of the Area Teams of Inspectors is described by Peer Case Reader, Bob James

The Inspector's review forms the core of the work of the IRS. It is the Inspector's decision, and the reasons for the decision, which is the over-riding concern for both the applicant and the Reviewing Officer.

On the Area Teams, we believe we have dual responsibility in terms of providing "customer service": a responsibility to both the applicant and the Reviewing Officer. Obviously, the demands and expectations are different. The applicant wants to receive a decision as quickly as possible. He also wants a decision that is clear and easy to understand. If the outcome of his review is unsuccessful, then he is entitled to a clear and concise explanation as to why this is the case. If his application is successful, but he has been awarded less than requested, again, he is entitled to a clear explanation of the reasons for the decision.

In order to meet our aims we set ourselves stringent targets. We also have a comprehensive programme of "case reading" to facilitate consistency of decision making. We regularly review our style of decision letter for focus and clarity, and seek the views of customers themselves.

The expectations of the Reviewing Officer, of course, differ from those of the applicant. However, if a decision is substituted, or fault is found in the decision making process, then we see it as our duty to explain clearly the reasoning behind the decision which must fully support the outcome.

Inspectors aim to provide the best possible service and to help the customer to get the right decision at the earliest opportunity.

The Human Rights Act

David Saville, describes how the IRS is preparing for the Human Rights Act

Together with other public bodies, the IRS has been preparing for the Human Rights Act 1998, which comes into force in October of this year.

This has required that we examine our own procedures to ensure that they are compatible with the Act and the Convention it incorporates. As Social Fund payments are discretionary, it is arguable that they do not fall into the category of "civil rights" and, therefore, that the full force of the "right to a fair trial" provisions will not apply (Article 6(1)). However, we will need to ensure that our decision making complies with the developing duty of fairness in common law. It is likely that the courts will use the standards in

the Convention as a tool to further develop these standards. We must be ready for this.

We will need to look at our own decision making, to ensure that it is compatible with the Convention rights. Many of the rights the Act incorporates could be relevant to the Social Fund. The Act provides that, if a previous interpretation of a Direction is not compatible with one of the rights in the Convention, and it is possible to interpret the Direction in a way that is compatible, we will have to choose the compatible interpretation.

Like all public bodies, the IRS will need to develop a new consciousness of human rights, to ensure that the Act is properly implemented. This we will aim to do.

Points From The IRS Postbag

Anne-Marie Nicholls takes a look at more issues from the IRS Postbag

Satisfied Customer

Mrs A had made an application for internal repairs, redecoration and flooring. The Inspector refused an award. In doing so, he gave a detailed explanation for refusing each requested expense. Mrs A contacted the Customer Service Team to express her thanks to the Inspector. Although she had been refused an award, she had been given a very clear decision which explained the reasons fully. Her regret was that she may not have pursued a review if the reasons for refusal had been explained to her earlier.

The Customer Service Team passed Mrs A's thanks to the Inspector who had made the decision.

Quality of Evidence

Mr B had severe mental health problems and had been in prison. He then lived with a relative for two years, but they were arguing. Mr B subsequently moved into a partly furnished flat, which had carpets, a wardrobe, a bed and a gas cooker. Mr B applied for help with household items, including a microwave oven, because he was worried he might leave the gas cooker on. The Inspector agreed the Reviewing Officer's award for some items. However, he refused a microwave. Mr B asked for the decision to be looked at again, particularly with regard to the microwave. He gave more information, including that he was not using the gas cooker because it was not safe for him to do so.

An Inspector on the Customer Service Team wrote to Mr B for more information. It transpired Mr B's mental health problems meant he was very panicky and stressed while cooking. He had burnt many things in the past. He had had a fire on the cooker and had also left the gas on. He could not cope with the cooker in the flat and was not using it. The Customer Service Team Inspector reviewed the decision and awarded a microwave oven despite the fact Mr B had a cooker. This was due to his individual circumstances. The microwave oven would provide him with a safe means of cooking his meals in his own home.

Clarification of Law

The Inspector was asked to review a Community Care Grant application for a cooker. A Crisis Loan

application for a cooker had been made within 26 weeks of the Community Care Grant application. The Inspector pointed out in her decision that Direction 7 should have been applied and had not been. Direction 7 bars an application for a Crisis Loan or Community Care Grant for the same items in the same circumstances where a payment has been awarded or refused within a period of 26 weeks. The Reviewing Officer queried what the Inspector had stated. He had been given advice that Direction 7 only applied if a Community Care Grant application had been made within 26 weeks of another Community Care Grant application, or a Crisis Loan application had been made within 26 weeks of another Crisis Loan application.

The Customer Service Team Inspector clarified the matter, explaining that the Direction did in fact apply if the application was for either a Crisis Loan or Community Care Grant and an application for either a Community Care Grant or Crisis Loan had been made within 26 weeks for the same item in the same circumstances.

Parental Responsibility

Mrs C wanted help to furnish her home with a view to having her four sons to stay overnight. Her marriage had broken down after some years. She had been ill and had health problems. The Inspector acknowledged she had health problems, and that her relationship with her sons was beginning to suffer. However, she had limited cooking facilities and lived in the same area as her sons. The Inspector refused an award on the grounds of insufficient priority.

A Quality Team Inspector within the Independent Review Service looked at the issue of parental responsibility and referred the case to the Customer Service Team for consideration.

An Inspector from the Customer Service Team wrote to Mrs C to find out if there was any more information she could provide about her situation. Mrs C gave a lot of details about her health problems, both physical and mental, and of her circumstances. This information had not been before the Inspector originally. As a result, the Customer Service Team Inspector reviewed the decision and made an award. The learning points from this were fed back to the Quality Team.

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