

**To:** Finance, Resources and Customer Services Policy Board

**On:** 30 August 2017

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**Report by:** Director of Finance and Resources

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**Heading:** Customer & Business Services Performance Report

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**1. Summary**

- 1.1 This report details performance across key Customer & Business Service (CBS) functions including revenue collection and benefit administration for the period ending 31 July 2017 (including an update on the funding and expenditure position in relation to Discretionary Housing Payments (DHP) and the Scottish Welfare Fund). Section 4.5 of the report includes details of a Scottish Public Services Ombudsman Report in relation to the Scottish Welfare Fund. This report also provides a performance update in relation to customer services provision for the same period.
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**2. Recommendations**

- 2.1 It is recommended that the Board note the contents of the report.
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**3. Revenue Collection**

**3.1 Council Tax**

- 3.1.1 This section details the collection performance as at 28<sup>th</sup> July 2017 for Council Tax. It also provides details of the total sums collected for the previous year.
- 3.1.2 The billable sum for 2017/18 is £74,375,702

3.1.3 The Council Tax Reduction awarded is £12,378,167 amounting to 14.27% of the billable sum, which is 0.66% less than at the same point last year. The separation of claims for Council Tax Reduction and Housing Benefit is a contributing factor, resulting in a reduction in the number of applications.

3.1.4 The sums collected to date for 2017/18 are £31,132,207 which is 41.86% of the billable sum. This is an increase in cash collection as a proportion of net charges billed of 0.33% compared with the same position for 2016/17.

### **3.2 Non Domestic Rates**

3.2.1 This section details the collection performance as at 28<sup>th</sup> July 2017 for Non Domestic Rates (NDR). It also provides details of the total sums collected for the previous year.

3.2.2 The Non Domestic Rates (NDR) charges billed for 2017/18 amount to £136,586,283.

3.2.3 The cash receipts to date amount to £44,606,052 which is 32.66% of the sums billed. This is an increase in cash collection as a proportion of net charges billed of 5.25% compared with the same position for 2016/17.

3.2.4 The Service tracks NDR receipts closely. Where appropriate and in line with the recovery process the Service will proactively target businesses for payment.

## **4. Benefit administration**

4.1. This section details the processing performance in relation to Housing Benefit and the Scottish Welfare Fund, as at the end of July 2017. Also provided is an update on the funding and expenditure position in relation to Discretionary Housing Payments (DHP) and the Scottish Welfare Fund.

4.2 The Service continues to successfully balance a significant work load along with managing the impact of the ongoing effect from the UK Government's welfare reform agenda.

### **4.3 Speed of Processing – Housing/Council Tax Benefit**

4.3.1 As detailed in Table 1 below, processing speed for New Claims is slightly outside target for the period. Resources have been deployed to ensure affected claims have been prioritised. The year to date position remained ahead of target.

4.3.2 In relation to New Claims processed within 14 days of all information received, this measure is within target for the period and year to date.

4.3.3 Processing of Changes in Circumstance (CIC) is within target for the period, the year to date position remained ahead of target.

*(Supplementary processing information is attached in Appendix 2 for members' reference)*

**Table 1 – Performance Summary**

<b>Performance measure</b>	<b>4 Week Reporting Period 16 June 2017 to 13 July 2017</b>	<b>Year to date position</b>	<b>Annual Target</b>
New Claims – processing time	25 days	24 days	24 days
New Claims - % processed within 14 days of all information received	92%	92%	92%
Changes in Circumstance – processing time	9 days	6 days	10 days

#### 4.4 Discretionary Housing Payments

4.4.1 The total budget for Discretionary Housing Payments for 2017/18 is shown in table 2 below.

4.4.2 Funding for DHP was previously provided to Local Authorities by the Department for Work and Pensions, following the new social security powers devolved to the Scottish Government, DHP funding is now provided entirely by them. The total budget is detailed in table 2 below and shows the indicative spending split provided to the Council.

4.4.2 The DHP budget has been calculated to include the full Scottish Government estimate of the amount of funding required to fully mitigate the effect of the Bedroom Tax. This estimate includes a 20% reserve allocation which will be paid in May 2018, if required.

4.4.3 In line with DHP Policy and DHP Regulations, the Service makes awards to fully mitigate the effect of the Bedroom Tax and maximise spend within the year.

**Table 2 – DHP Budget**

<b>Funding – indicative allocations</b>	<b>amount</b>
Financial Hardship (non Benefit Cap)	£99,631
Financial Hardship (Benefit Cap)	£195,705
Bedroom Tax*	£1,870,877
<b>Total budget for the year</b>	<b>£2,166,213</b>

\*This figure represents the maximum amount required to cover the estimated shortfall of customers impacted by the Bedroom Tax.

**Table 3 – DHP Performance Summary**

<b>Measure</b>	<b>1 April 2017 to 31 July 2017</b>
Volume of DHP applications received	3,659 applications
Volume of DHP decisions made	3,448 decisions
Number of DHP awards	3,314 awards
Average processing time (target 29 days)	8 days
<b>Total amount committed/paid</b>	<b>£1,827,931</b>

#### **4.5 The Scottish Welfare Fund**

- 4.5.1 The Scottish Welfare Fund (SWF) provides a safety net for vulnerable people on low incomes through the provision of Community Care Grants and Crisis Grants. The Scottish Welfare Fund is a national scheme, underpinned by law and delivered on behalf of the Scottish Government by all local councils. The SWF replaced elements of the Social Fund abolished by the Department for Work and Pensions in 2013.
- 4.5.2 The Service makes awards in 2017/18 in line with Scottish Government guidance and had spent 30.3% of its total budget for the Scottish Welfare Fund (SWF) by the end of July 2017.
- 4.5.3 The performance data relating to the Fund is presented in table 4 below. The Service has processed Crisis and Community Care Grants well within target for the month.
- 4.5.4 When the SWF was introduced on 1/4/13, unsuccessful claimants were able to request that the decision be reviewed at a first and if requested a second stage, this decision review process was undertaken entirely by Councils. Within Renfrewshire a second tier review request was undertaken by an agreed panel of supervisory staff within the Council.
- 4.5.5 The Scottish Government conducted a consultation 2014/15 to examine the 2nd tier review process and following the review the decision was taken that SPSO (Scottish Public Service Ombudsman) would handle 2nd tier reviews from 1 April 2016.
- 4.5.6 The SPSO can decide:
- to change part or all of a council's decision
  - to tell the council to make a new decision, or
  - not to change the council's decision in any way

The SPSO will also make suggestions for improvements in respect of the way in which SWF cases have been handled.

- 4.5.7 On 29 June 2017 the SPSO published a review report of its first year undertaking its role. (Copy attached as Appendix 3) This report highlighted that it determined 437 reviews and instructed Councils to make 164 awards. For Renfrewshire the number of 2<sup>nd</sup> tier reviews determined for Renfrewshire was 7, in one of those cases the Council was instructed to make an award. Members may wish to note that during 2016/17 the Service made over 10,500 decisions and relative to this caseload, 7 submissions to the SPSO resulting in 1 request that the council make an award, represents one of the lowest level of submissions across Scotland reflecting well on the robustness and completeness of the decision making by the service in the administration of the SWF.
- 4.5.8 The SPSO report noted that their most common finding related to councils' communication with applicants. They identified an issue that, in many cases, there was insufficient detail in decision letters to enable the applicant to understand the decision.
- 4.5.9 Members are reassured that any decisions made by SPSO regarding Renfrewshire cases are fed back to all relevant staff. All good practice and findings from the SPSO report have been considered by the Service and where appropriate guidance and training will be updated. The Service is focussing specifically on the quality of decision letters

**Table 4 – SWF Performance Summary**

<b>Measure</b>	<b>1 April 2017 to 31 July 2017</b>
Number of Crisis Grant applications received	2,951
Number of Crisis Grant Awards	2,298
<b>Total amount paid for Crisis Grants</b>	<b>£151,330.70</b>
<b>Average Processing time (2 working days target)</b>	<b>1 day</b>
<b>Average Processing time (within month)</b>	<b>1 day</b>
Number of Community Care Grant applications received	663
Number of Community Care Grant Awards	400
<b>Total amount paid for Community Care Grant</b>	<b>£215,794.70</b>
<b>Average processing time year to date (15 working days target)</b>	<b>11 days</b>
<b>Average processing time (within month)</b>	<b>10 days</b>
<b>Total amount paid/committed from the fund</b>	<b>£367,125.40</b>
<b>Total Budget</b>	<b>£1,216,122.00</b>

\*Note that figures are adjusted each month to reflect awards previously made, but not fulfilled.

## **5. Customer Service Provision**

5.1 This section details the performance of the customer service unit for the period 1<sup>st</sup> to 31<sup>st</sup> July 2017. The report provides an update on the overall contact centre call handling response times as well as face to face response times across the three customer service locations in Paisley, Renfrew and Johnstone

### **5.2 Telephone Call handling**

5.2.1 The summer period is the time when customers arrange Free School Meals, Clothing Grants and EMA's in advance of the next school term, and demand for July can be high. This year the number of contacts was consistent with that seen in 2016.

5.2.2 The Contact Centre received 28,289 calls and answered 96% against a primary target of 90% for the period. The total calls received since 1<sup>st</sup> April is 119,040, with 97% being answered as outlined in Table 5.

**Table 5 – Customer Service Unit – Primary Target (call handling)**

Primary target	Year	July	Year to date
90% calls answered	2017	96%	97%
	2016	92%	87%

5.2.3 The contact centre performance remains above the primary target and year to date significantly higher than the same period last year.

5.2.4 The secondary target is to respond to 70% of all calls within 40 seconds

**Table 6 – Customer Service Unit – Secondary Target (call handling)**

Secondary target	Year	July	Year to date
70% calls in 40 seconds	2017	68%	69%
	2016	55%	43%

5.2.5 The performance against the secondary target for July was just below target, mainly due to the major telephone outage that occurred on Monday 17<sup>th</sup> July where all telephone lines into the Council were down. This resulted in the service level being below target for the remainder of that week.

Performance against the secondary target remains significantly higher than the same period last year, and it is anticipated that year to date performance return to above target in the next period.

### 5.3 Face to face provision

5.3.1 The primary target for Face to Face customer service is to ensure average wait time for all customer visits is below 20 minutes. The table below outlines the performance for the period across all Customer Service locations.

5.3.2 The service received 3,758 customer visits in the period and continues to deal with these customers within target performance. Year to date, there have been 15,577 customer visits with an overall wait time of 12:25.

**Table 7 – Customer Service Unit – Primary Target (Face to Face)**

Location	Year	July	Year to Date
<b>Paisley</b>	<b>2017</b>	<b>14:31</b>	<b>14:45</b>
	2016	18:35	18:51
<b>Renfrew</b>	<b>2017</b>	<b>01:49</b>	<b>04:40</b>
	2016	12:32	12:08
<b>Johnstone</b>	<b>2017</b>	<b>12:32</b>	<b>11:48</b>
	2016	16:39	16:52

### 5.4 Factors impacting performance in the period

The main issue impacting on the contact centre in July was the major telephony outage between the 15<sup>th</sup> and the 17<sup>th</sup> July. The outage was an external provider matter and required supplier support to reinstate the telephony service. The outage resulted in customers being unable to contact any telephone number across the Council. As a consequence of this, the contact centre was busier for the remainder of that week which impacted on service level performance.

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## Implications of the Report

1. **Financial** – The level of collection of Local Taxation continues to provide funding for the delivery of Council services throughout Renfrewshire.
2. **HR & Organisational Development** - None
3. **Community Planning** - None  
  
**Empowering our Communities** – The collection of Local taxes through electronic payments (e.g. Direct Debit, Website and Telephone) is increasing and provides an extensive range of payment opportunities for the public.  
  
**Jobs and the Economy** – An efficient and effective billing and administrative process is vital in ensuring the recovery of income to the council in order to support the provision of local services.
4. **Legal** – None
5. **Property/Assets** – None
6. **Information Technology** - None
7. **Equality & Human Rights**
  - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report.
8. **Health & Safety** None
9. **Procurement** – None
10. **Risk** - None
11. **Privacy Impact** – None
12. **COSLA Policy Position** - None



## Appendix 1

### RENFREWSHIRE COUNCIL

#### REVENUES COLLECTION STATEMENT AS AT 28<sup>TH</sup> July 2017

<b>COUNCIL TAX</b>		
	<b>2016/17</b>	<b>2017/18</b>
	<b>£m</b>	<b>£m</b>
Projected Yield	78.511	82.043
Gross Charges	81.710	86.754
Less rebates	12.090	12.378
Net Charges Billed	<u>69.620</u>	<u>74.376</u>
Cash Collected	66.124	31.132
Rebate Grant	12.090	12.378
	<u>78.214</u>	<u>43.510</u>
Cash collected as % of Net Charges	94.98%	41.86%
Income as % of Projected Yield	99.62%	53.03%

<b>NON DOMESTIC RATES</b>		
	<b>2016/17</b>	<b>2017/18</b>
	<b>£m</b>	<b>£m</b>
Projected Yield	99.716	133.855
Gross Charges	119.945	154.638
Less reliefs	18.194	18.052
Net Charges Billed	<u>101.751</u>	<u>136.586</u>
Cash Collected	99.185	44.606
Cash collected as % of Net Charges	97.48%	32.66%
Cash collected as % of Projected Yield	99.47%	33.32%



## Customer & Business Services Performance Report – Appendix 2

### Supplementary KPIs – Finance & Resources Policy Board

#### APPEALS

Where a claimant disputes a Benefits decision and also disputes a revision decision they can formally make an Appeal. The Benefits Service will prepare a detailed submission which is then considered by the Independent Tribunals Service. Preparation of a submission is a very involved process and requires significant data gathering.

<b>Target processing speed (number of days)</b>	60		
<b>Result: last 3 months (days)</b>	May: 21 days	Jun: 30 days	Jul: 56 days
<b>Average (12 months to date)</b>	40 days		
<b>Average Appeals Completed</b>	7 Appeals per month		

#### Comment:-

Appeals have been processed well within target over the period.

#### REVISIONS

Where a claimant disputes a benefits decision in the first instance they can request for it to be looked at again. This is known as a Revision. The process involves a Senior Benefit Assessor reviewing the decision thoroughly to decide whether the decision should stand.

<b>Target</b>	28 days		
<b>Result last report</b>	January: 36	February: 26	March: 24
<b>Result Last 3 months</b>	May: 30	Jun: 31	Jul: 40

**Comment:-** The service missed target processing time for Revisions due to short term staff shortage, the Service aims to be back within target by the next reporting period.

#### ACCURACY

The Service proactively monitors the accuracy of benefits decisions made through a robust audit checking programme. The Service targets to audit 3% of all calculations. The actual level of checking for this reporting period is higher due to a number of new staff joining the Benefits team and therefore requiring 100% of their work to be checked.

	Target %	Actual %
<b>Volume of Audits</b>	3%	10%
<b>Accuracy – March 17</b>	95%	86%
<b>Accuracy – Year to Date</b>	95%	86%

**Comment:-** The Service has set a stretching target for Accuracy and this has been missed for this reporting period. A much higher level of checking has been carried during this period because a number of new benefit assessors have been recruited and this has led to higher than normal levels of inaccuracy.

#### Overpayments

The value of overpayments reported at the last board was £7,063,637 the current value is £7,151,244

	Target %	Actual %
<b>% recovery of debt raised</b>	73%	76.40%
<b>17/18: % recovery of debt raised</b>	73%	80.04%

**Comment:-** The Service is ahead of target in relation to recovery of Overpayments.



# SCOTTISH WELFARE FUND INDEPENDENT REVIEW SERVICE

ANNUAL REPORT 2016–17

I cannot tell you how much this has helped me to start my life again and more importantly, have a safe and comfortable environment for my kids to be in

Your decision will make such a difference to me both mentally and physically

Very professional service

Thank you for showing compassion and understanding with my case

# Background

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The Scottish Public Services Ombudsman (SPSO) took on a new responsibility as independent reviewer for Scottish Welfare Fund (SWF) applications on 1 April 2016. The SWF provides a safety net for some of the most vulnerable and disadvantaged people in Scotland through the provision of Community Care Grants and Crisis Grants. It is a national scheme, delivered on behalf of the Scottish Government by local councils in line with the SWF legislation and guidance.

When an applicant brings an independent review to us, our role is to consider if the council made the decision that should have been made. We can decide:

- to change part or all of the council's decision
- to tell the council to make a new decision, or
- not to change the council's decision in any way

In cases where we uphold review requests, awards are made to support people in crisis situations. Others are provided with essential items to establish or maintain settled homes in the community. We also make suggestions for improvements in respect of the way in which SWF cases have been handled.

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# Executive summary

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Recognising the urgency of the situations many applicants face, accessibility was a key focus



SPSO took on responsibility for Scottish Welfare Fund independent reviews in April 2016, when my predecessor Jim Martin was in office. In our first year of delivering the new service, we exceeded our performance targets for timeliness and the quality of our decisions. We handled a comparable number of reviews overall compared with the previous scheme, and saw a 26% increase in the number of crisis grant applications.

Our team consisted of five covering the whole of Scotland, replacing the previous scheme where all of the 32 councils had separate review panels in place, each entailing administration and management costs.

Recognising the urgency of the situations many applicants face, accessibility was a key focus. We ensured that people could apply for a review by telephone (when previously applicants had to make review requests in writing). 72% of all initial contact to us was made by phone, and it is likely that the increase in crisis grant applications was in large part a direct result of this increased accessibility. In terms of timescales, we handled 99.5% of crisis grant applications within one working day and 97.8% of community care grant applications within 21 working days from the point at which we had the information we needed to make our decision.

A significant change in service delivery from the previous scheme is that SPSO case reviewers contact every applicant to explain the process and provide an opportunity for them to discuss their case. In addition, we provide detailed reasons for the decisions we make, and also highlight 'suggestions for improvement' which aim to promote better service delivery and decision-making by individual councils.





“  
The new scheme offers  
unique independent  
oversight into the way  
in which SWF guidance  
is being applied across  
the country

”

As well as delivering an accessible, effective service that provides value for money for the public purse and feedback to councils, the new scheme offers unique independent oversight into the way in which SWF guidance is being applied across the country. Our most common finding was councils' poor communication with applicants and in many cases we highlighted that they did not provide a clear rationale for their decision. We also saw many instances of councils not following the statutory guidance in their decision-making and incorrectly interpreting the available evidence.

*Rosemary Agnew.*

# Performance summary

We helped  
**1,078**  
people



We answered

**331**  
enquiries

We gave advice  
and support to

**310** people

We determined

**437**



reviews (230 community  
care grant reviews and 207  
crisis grant reviews)

We instructed councils  
to award

**66**

crisis grants – our median  
award was £82.35

We instructed councils to  
award **98** community care  
grants – this included  
**345** individual items





We made  
**408**  
suggestions for improvement  
about how councils had  
handled cases



**72%**  
of all initial contact  
was made by phone




We handled  
**99.5%**  
of crisis grant applications  
within one working day\*



We handled  
**97.8%**  
of community care grant  
applications within  
21 working days\*

The overall average  
uphold rate was  
**32%**  
of crisis grant  
applications

The overall average  
uphold rate was  
**43%**  
for community care  
grant reviews



\* From the point at which we received all the information needed to make our decision.

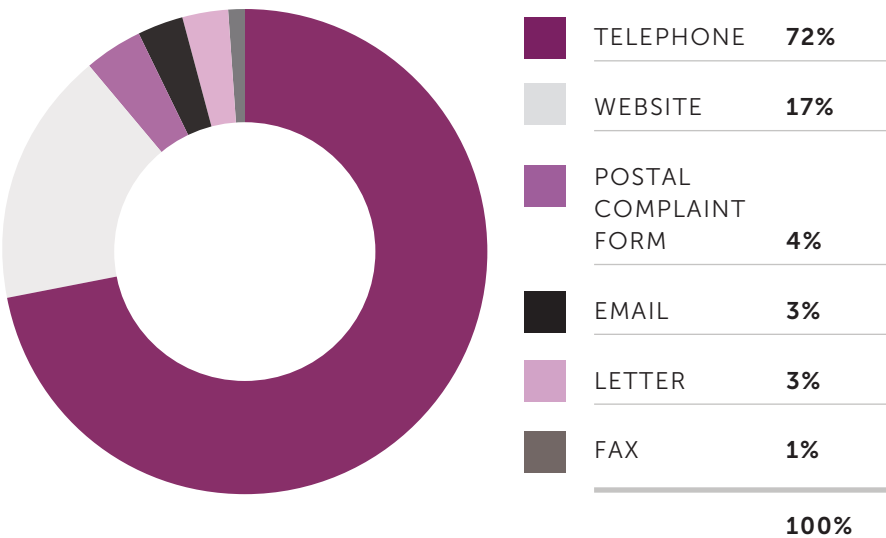
# Accessibility

“From the outset, we recognised the importance of accessibility for the particularly vulnerable people who apply for SWF grants”

From the outset, we recognised the importance of accessibility for the particularly vulnerable people who apply for SWF grants. We held a public consultation to gather views on our suggested approach. We set up two sounding boards (for councils, and for the third sector), held a user engagement event and visited several councils. The responses, feedback and learning from these helped shape our processes.

An important decision we made as a result of the feedback was that we would accept reviews by telephone, using a Freephone number. This represents a significant change from the previous scheme, which required second tier reviews to be in writing. In 2016–17, 72% of all initial contact was made by phone, evidence that this is people’s preferred method of accessing the service. We also saw a 26% increase in the number of crisis grant reviews received compared with the previous year, which we believe is likely to be in large part due to our service being accessible by phone.

## Method of contact



# Accessibility & Performance

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We developed a dedicated website about our SWF role, and produced leaflets in simple and clear language. This included a separate leaflet for advisors who assist applicants with independent reviews. In the interests of transparency and accountability, our internal case handling guidance is also published on our website.

Our diversity information from a sample of cases (21%) during the year showed that 65% of respondents reported either a physical or mental disability. Examples of reasonable adjustments we made included primarily using telephone communication for those with literacy difficulties, issuing decision letters in different languages and using an interpretation service. We also have Browsealoud software on our website to enable access to the site for people with dyslexia, visual impairments, low literacy and English as a second language.

Additionally, we prepared a draft Equalities and Human Rights Impact Assessment to ensure that we respect the rights of those bringing decisions to us for review. We plan to finalise this assessment in 2017–18, taking into account the experience gained during the first year of the service.

There will be more information about how we gather and act on equalities and diversity feedback in the SPSO 2016–17 annual report.

## Our performance indicators

We set ourselves three performance indicators (PIs), and as shown, we exceeded them:

- PI-1 (target: 95% of crisis grant applications will be determined within one working day from the point at which we have received all information)  
**99.5%**
- PI-2 (target: 95% of community care grant applications will be responded to within 21 working days from the point at which we have received all information)  
**97.8%**
- PI-3 (target: 95% of cases requested for reconsideration, decision is correct)  
**99.5%**

PI-1 and PI-2 are the timescales that we set out in our Statement of Practice for each type of grant and they are measured from the point at which we have received all the information we require to make our decision. PI-3 is a quality target and is based on the outcome of the small number of cases where we are asked to look again at the decision. There is more about this on page 12, 'Reconsideration of our decisions'.

# Timescales

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**Our service is responding more speedily to people facing crisis situations**



## **Comparing timescales of our scheme with the previous one**

We handled 99.5% of crisis grant applications within one working day and 97.8% of community care grant applications within 21 working days. We measure this from the point at which we receive all the information needed to make our decision. This section looks at how our total case handling times compare with the time taken under the previous scheme.

Before we took on our new role as independent reviewer in April 2016, councils conducted review panels to deal with tier 2 applications. While it is not possible to directly compare case handling times because of differences in the delivery of the two schemes, we can say that between 1 April 2013 and 31 March 2016, tier 2 panels handled 83% of crisis grants within 5 working days and 93% of community care grants within 30 working days.

Our figures for 2016 – 17 show that we handled 97% of crisis grants within 5 working days and 77% of community care grants within 30 working days.

We are pleased that, even taking into account the differences in how the two schemes operate, our service is responding faster to people facing crisis situations.

It is important to note that our total case handling time includes the time taken by councils to provide us with their case file (up to one day for crisis grants and four days for community care grants). Clearly, this additional step adds to our timescales.

A significant change in service delivery from the previous scheme is that SPSO case reviewers contact every applicant to explain the process and provide an opportunity for them to discuss their case. We regularly contact relevant third parties for further information including housing officers and mental health professionals. We also provide detailed reasons for the decisions we make, and we highlight 'suggestions for improvement' which aim to promote better service delivery and decision-making by individual councils.

# Premature enquires & Review numbers

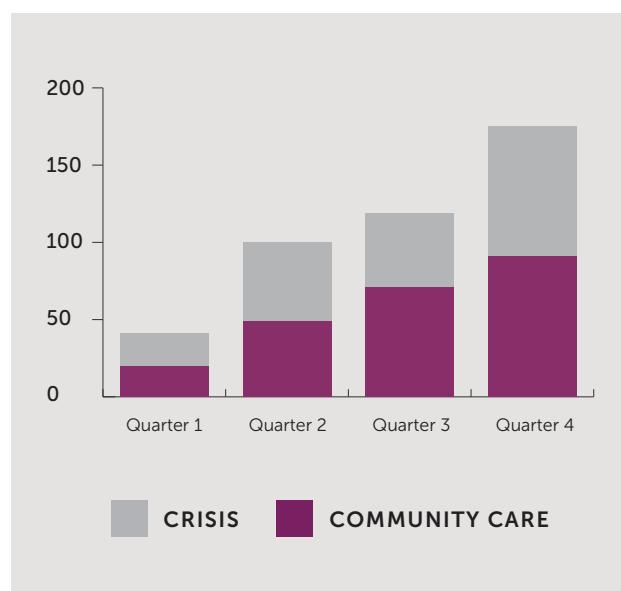
## People coming to SPSO too early

We handled 137 premature enquiries, a rate of 18%. These are where people contacted us before asking the council to review their decision or where they had asked the council to review the decision but had not yet received a response. In the course of the year, we reminded councils that they should provide information that clearly signposts applicants to the council or to SPSO, as appropriate to the stage of the applicant's review.

We also gave advice to a further 294 applicants about how they should make an application to their council. Some of these applicants told us that they knowingly contacted us instead of the council because they had no phone credit to dial their council. As we have highlighted previously, we offer a Freephone number, something applicants evidently find useful. On these occasions we contacted the respective councils to ask if it was possible for them to make contact with the applicant. We also signposted a small number of people to other organisations including the Department of Work and Pensions (DWP), advice agencies or towards SPSO's process for dealing with complaints about SWF.

## Review numbers

We determined 437 reviews over the year. The number of cases increased each quarter as shown below. Should this trend continue, we anticipate that the number of reviews determined in 2017–18 will exceed this year's total by some margin.



In 2015–16, tier 2 panels under the previous scheme determined 485 reviews. These panels remained in place for the first few weeks of 2016–17 for transitional cases where applications were made before 1 April. Taking this into account, the number of reviews we handled in 2016–17 is comparable.



# Reconsideration of our decisions

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We view  
reconsideration  
requests as a  
learning tool



We test the quality of our decision-making through examining carefully all requests that are made to us for reconsideration. During 2016–17 we responded to 37 requests for reconsideration. This was 8% of our decisions. We changed the original decision in two of these and re-opened a further two cases in light of new information having been received.

We learn from review requests. In one case where the original decision was changed, we amended our approach for future cases involving ‘supplementary items’. This means that in cases where we decide that a cooker should be awarded, we also award pots and pans, where they have been applied for and when they meet the necessary priority level. This also applies to bedding when beds have been awarded. The rationale for this decision is that, despite these items being relatively inexpensive, without them the applicant is unable to effectively use the primary item they have been awarded.

There will be more information about our quality assurance process and about how we make service improvements in response to feedback from applicants, including from complaints about our service, in the SPSO 2016–17 annual report.



# Councils' performance

## Which councils we get reviews about

We received review requests from applicants in 28 out of 32 council areas and gave decisions to applicants in 25 areas. The numbers of cases determined are outlined below, broken down by council and type of grant. The numbers of reviews received varied substantially between councils and this is likely to be due to a range of factors including population size and demographic differences. We received most review requests from applicants in Glasgow, North Lanarkshire and South Lanarkshire: this is broadly consistent with previous years.

Authority	Community Care	Crisis	Total	Authority	Community Care	Crisis	Total
Aberdeen City Council	1	2	3	North Ayrshire Council	3	1	4
Aberdeenshire Council	4	11	15	North Lanarkshire Council	28	35	63
Dumfries & Galloway Council	9	3	12	Perth and Kinross Council	3	3	6
Dundee City Council	13	12	25	Renfrewshire Council	2	5	7
East Ayrshire Council	8	2	10	South Ayrshire Council	7	4	11
East Dunbartonshire Council	9	4	13	South Lanarkshire Council	26	16	42
East Lothian Council	0	1	1	Stirling Council	5	1	6
East Renfrewshire Council	2	2	4	The City of Edinburgh Council	6	12	18
Falkirk Council	2	1	3	The Highland Council	1	4	5
Fife Council	3	4	7	The Moray Council	0	1	1
Glasgow City Council	85	78	163	West Dunbartonshire Council	4	2	6
Inverclyde Council	4	0	4	West Lothian Council	2	2	4
Midlothian Council	3	1	4	<b>Total</b>	<b>230</b>	<b>207</b>	<b>437</b>

## Performance

Cases where we change the council's decision are recorded as upheld. Uphold rates show how frequently we consider that a different decision should have been made and so are a key indicator of how councils are performing. The overall average uphold rate in 2016–17 was 32% for crisis grant reviews and 43% for community care grant reviews.

We have written to each council that received at least one decision from us, to advise them of their uphold rate, and how this compares to the overall average. The letters to individual councils are available on our website. Naturally, where numbers of SPSO reviews are very low, the comparison with the overall average is not particularly meaningful. However, recording the uphold rates helps us, councils and others to set a baseline for comparison in future years and to begin to identify trends.

# What we found

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**We saw some very positive examples of councils carrying out detailed investigations as part of their decision-making**



## **What we found when looking at reviews**

We saw some very positive examples of councils carrying out detailed investigations as part of their decision-making, in particular where it was necessary to clarify or question the information the applicant had provided. We also saw good practice in communication, where the council explained very clearly in their letter how they arrived at their decision, including an account of the specific facts and circumstances that they considered.

We also identified a number of areas where we considered improvement could be made. Where we identify potential or actual failings, we record suggestions for improvements which we highlight directly to councils. As per our Statement of Practice, these can occur both in cases where we have changed the decision and where we consider that the original decision should stand. In the interests of transparency we include these in our decision letters to applicants.

Our most common finding related to councils' communication with applicants. In many cases, we concluded that there was insufficient detail in decision letters to enable the applicant to understand the decision. These largely involved decision letters not providing clear reasons for the decision, taking into account the specific circumstances of the case. This is a concern for SPSO in the interests of natural justice.

As a result of our findings, we highlighted to the Scottish Government that we do not consider that the statutory guidance is sufficiently clear on this point. In response, the Government told us they are currently considering how to address our concerns. We have not been given a timescale for this.

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Overall, we recorded 408 findings. In cases where we identified more than one failing, multiple findings were recorded. We record our findings under different categories and one of these is where councils have not accurately followed the statutory guidance when making their decisions. We also record examples of available information not being taken into account as part of the decision-making process, for example where relevant evidence has been disregarded. If we assess that councils did not have sufficient information to make a robust decision, or they did not make reasonable enquiries to gather relevant evidence, we record this finding as 'insufficient information/ inquisitorial failure'.

We also highlight examples of incorrect information being relied upon and this includes errors with case recording. Where relevant information comes to light during our independent review process that was not known to the council, and that could not have reasonably been gathered, this is recorded as 'new information provided'.

The subjects and prevalence of each are shown below.

All findings 2016 – 2017		
Subject	%	Total
Communications issues – written	31%	126
Guidance not followed correctly	26%	106
Incorrect interpretation of information	20%	81
Insufficient information/inquisitorial failure	14%	57
Other	5%	19
Incorrect Information	2%	7
Communication issues – verbal	1%	6
New information provided	1%	6
<b>Total</b>	<b>100%</b>	<b>408</b>

# Findings

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## Findings material to our decision

Where our findings cause us to disagree with the council's decision, we record these as being material to the decision. 173 of the 408 findings are in this category. These are broken down by subject below, followed by some examples.

Findings: material to decision		
Subject	%	Total
Incorrect interpretation of information	38%	65
Guidance not followed correctly	29%	50
Insufficient information/inquisitorial failure	25%	44
New information provided	3%	6
Other	2%	4
Incorrect Information	2%	3
Communication issues – verbal	1%	1
<b>Total</b>	<b>100%</b>	<b>173</b>

## Examples of types of finding material to decision

### Incorrect interpretation of information

- *The council assessed that exceptional pressure did not apply as they noted this normally relates to chronic illness – we disagreed with this generalisation*
- *The council did not take into account the fact that the applicant cares for his children overnight when assessing the priority of the application*
- *Insufficient weight was given to the applicant's history of domestic abuse and the effect of this on her life*

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## Guidance not followed correctly

- *The application was declined on the basis that the item had been awarded previously – we assessed that this was not in line with the guidance*
- *The council awarded a lesser amount for a crisis grant which only covered fuel costs on the basis that they had also referred the applicant to a food bank. We assessed that this contradicts the guidance*
- *The council declined the application on the basis of residency but did not consider Section 4.5 of the guidance which refers to someone with no fixed address as being resident in the authority to which they apply*

## Insufficient information/inquisitorial failure

- *The council declined the application on eligibility due to the applicant not being resident in the area after checking DWP records. However, the applicant was still in temporary accommodation which was confirmed by staff there with a quick phone call*
- *The council did not consider whether the applicant met the 'exceptional pressure' qualifying criteria and focused on the 'homelessness criteria'*

## New information provided

- *Letter from doctor confirmed that if the items were not awarded then the applicant needing to go into a care institution would be a logical consequence*
- *New information provided resulted in us assessing that the applicant met the exceptional pressure criteria*

# Findings

## Feedback

We also highlight issues that were not material to the decision but where we considered improvements could be made. These are highlighted below, broken down by subject type. Our most common finding that was not material to our decision concerned communication issues. Some examples of the communication issues we highlighted to councils are also noted below.

Feedback		
Subject	%	Total
Communication issues – written	54%	126
Guidance not followed correctly	24%	56
Incorrect interpretation of information	7%	16
Other	6%	15
Insufficient information / inquisitorial failure	6%	13
Communication issues – verbal	2%	5
Incorrect information	2%	4
<b>Total</b>	<b>101%*</b>	<b>235</b>

\*Percentages do not total 100 due to rounding

## Examples of feedback

- *The original decision included a blank space where the reasons were expected to be input*
- *The decision letter only provided generic reasons for the decision indicating that the priority threshold was not met*
- *No reasons were provided for declining the application at the first tier stage*
- *No detailed reasons for the decision were provided other than mentioning that a maximum of three crisis grants are allowed in a 12 month period. There was no mention of exceptional circumstances or why the decision was made*
- *The crisis grant template letter was issued at first tier stage in error instead of a community care letter*

# Looking ahead

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**This is an exciting project, enabling us to work with councils to further analyse our findings to help identify recurrent topics where learning can be targeted.**



## **Learning and improvement**

An important part of our role is to encourage learning and improvement and share good practice. In 2016–17, SPSO set up a unit which aims to enhance the impact of our work by helping authorities, including councils, improve public services through learning from complaints. We have secured funding for 2017–18 for this unit to focus some resources on learning and improvement in relation to SWF decisions and reviews. This is an exciting project, enabling us to work with councils to further analyse our findings to help identify recurrent topics where learning can be focused.

## **Involving stakeholders**

As a new service, raising awareness of our role was a priority during the first year. To help us achieve this, we spoke at a number of events including the Child Poverty Action Group Annual conference, the Scottish Independent Advocacy Alliance Annual Conference, the Welfare Rights Forum and three Scottish Government workshops. Additionally, we met with a number of advice organisations across Scotland and visited 14 SWF teams within councils.

As we highlight above, we set up two sounding boards (one for local authorities and one for the third sector) when we prepared for the role. The feedback they provided proved to be invaluable and so we continued the meetings of the sounding boards throughout the first year of the service and into 2017–18. The local authority sounding board enables us to share information about our processes, gather feedback and respond to queries. It has also revealed information about broader themes across SWF as we are conscious that we only see the ‘tip of the iceberg’ in terms of overall SWF applications. Our third sector sounding board has developed our understanding of the needs of specific groups who may access the fund including people with disabilities, refugees and individuals who have experienced domestic violence.

We look forward to continuing to work with our stakeholders to further improve our service in the years ahead.

# Customer compliments

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I cannot tell you how much this has helped me to start my life again and more importantly, have a safe and comfortable environment for my kids to be in. I also wanted to thank you for showing compassion and understanding with my case... Again, from the bottom of my heart, many, many thanks.

(applicant)

## Customer compliments

Further thanks for your assistance. It has saved me a lot of hard days. Much respect and luck for the future.

(applicant)

Thank you for my review. I am really happy with this decision. You have been brand new to me and the only one who has listened to me and not ignored my situation.

(applicant)

That's great thanks. I just called to let my boss know and he is pleased that you have made this decision in case we come across this in the future. Thank you so much for your prompt help!

(representative from an advice agency)



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Just to say thanks for all your help and also what you did for me, let's hope I don't have to use your service again.

(applicant)

You have taken the pressure off me and really helped me in my new tenancy. Thank you for all your work on my case – you have made my weekend.

(applicant)

I couldn't believe the level of detail in the decision and all the people you contacted to get information. I remember when the social fund system was in place and this experience was so much better. Great quality decision making! My client was delighted and it will make such a difference to him.

(representative from an advice agency)

Thank you for all your efforts in this case. I have advised the client about the outcome and she was very grateful.

(representative from an advice agency)

Very professional service. Thanks for everything.

(applicant)

I thank you for all you did for me and your hard work.

(applicant)



## Grant fulfilment

**Throughout the year, we determined a number of cases where it was necessary to consider how grants were fulfilled.**



A council declined an application for a crisis grant as they did not consider that the applicant met the qualifying criteria. This decision was overturned at the first tier review stage and the council awarded a £20 fuel voucher for power. They also advised the applicant to use a food bank. We disagreed with this approach and awarded a higher amount, taking into account the £20 that had already been paid. This is in line with the statutory guidance which states that councils should not use food banks as a substitute for paying a crisis grant if the application is successful.



An applicant submitted an independent review after being awarded a fridge freezer which she considered did not meet her needs. The applicant suffered from chronic health problems, the symptoms of which fluctuated day to day. On days when she was feeling well, she was able to batch-cook meals for herself and her 12-year-old son. This meant that on days when her symptoms were more severe, she or her son were able to defrost and reheat these pre-prepared meals in the microwave.

Having assessed the capacity of the freezer compartment, we considered that it would not allow the applicant to store sufficient pre-prepared meals to meet her family's needs. We therefore upheld her review request and awarded a fridge freezer with increased capacity.



A representative applied for a crisis grant on behalf of an applicant whose husband and seven children had recently joined her in Scotland from overseas. As such, the applicant's only household income was Job Seeker's Allowance as her child tax credits and child benefit were not yet in payment. The council awarded £936.60 to cover a period of 14 days and awarded a further payment of the same amount at first tier review.

The representative asked us to independently review the decision, stating that the amount awarded was not enough to cover the applicant's living expenses. We did not uphold the review request, on the basis that the council had calculated the award appropriately in line with the guidance. The council had also awarded an additional payment at first tier review.

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## Issues or delays with benefits



An applicant had applied for a crisis grant after separating from his partner and being held by the police for several days. When he returned to the property there was no money, gas or electricity and he was not due to receive his payment of Universal Credit for another five days. The council declined the application on the basis that he had received a short-term benefit advance a month previously and had a few tins of food available, therefore they considered that he was not in crisis. We disagreed and upheld the review request, awarding a payment for five days which totalled £31.33.

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An applicant applied for a crisis grant for living expenses after his benefits were sanctioned. The applicant was in receipt of hardship payments and he had enough food and electricity to last him for at least three days. The council made reference to not being able to undermine a DWP sanction. We assessed that this reference was incorrect as it is not included in the current statutory guidance. Overall, they assessed that the applicant did not meet the qualifying criteria as he was not in a circumstance of pressing need that required immediate action and there was no risk to his health and safety. We agreed with the council's assessment that the applicant did not meet the qualifying criteria and did not uphold the review request.

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An applicant applied for a crisis grant as he had recently started a new job but had missed the payroll deadline. This meant that he was not due to receive his first wage until several weeks later, and his employer was unable to provide an advance on his wages. The council declined the application as they considered that it was medium priority, and they were only awarding awards at high priority at the time they made their decision. We disagreed with the council that Mr C's application was medium priority. We placed particular weight on the length of time until his first wage and the impact that it could have on his ability to sustain his new job. We concluded that the application was high priority and instructed the council to award a crisis grant for the 34 day period until he was due to receive his first wage.



### Issues or delays with benefits

An applicant had just started work after a period of unemployment and had only received a partial wage due to the date he started his new job. We assessed that although he had not received a full month's wages, he had still been paid a considerable amount more than the equivalent level of means tested benefit. We assessed that he could not be considered to be on a low income. Additionally, his bank statement showed that he had £50 savings at the time of his application which was subsequently transferred out of the account. We concluded that the applicant did not meet the criteria to be awarded a crisis grant.

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### Exclusions

An applicant from a rural area had applied for living expenses, including £200 for a minimum delivery of oil. He had recently lost his job, suffered a relationship breakdown and was also awaiting his first payment of Universal Credit. The council awarded him 14 days' living expenses plus an additional £6 for electricity, but refused his application for oil as they said it was an on-going need and therefore excluded under Annex A of the SWF Statutory Guidance.

We considered that his requirement for oil was a one-off need and therefore not excluded as per the council's assessment. We also assessed that a 28-day award for living expenses was appropriate as per section 7.9 of the guidance and awarded an additional amount to take account of this.

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An applicant had applied for a sleep monitor and a replacement fuse box. The council refused the items as they considered them to be excluded items under Annex A of the SWF Statutory Guidance. They assessed that the sleep monitor was a medical item and that the replacement fuse box was an on-going expense as the applicant was a homeowner and should be responsible for maintenance and repairs on an on-going basis.

We took into account the circumstances of the case including the noted vulnerabilities and disagreed with the council's assessment that they were excluded items. However, we did not uphold the applicant's review request on the basis that they did not meet the priority level in place based on the evidence available.



## Exclusions

An applicant applied to the council for an orthopaedic mattress, electric shower and lever taps for her kitchen and bathroom. The council awarded a mattress but did not award the other items, stating that they were excluded as they were repairs to private property. The shower unit was still functional, but the electric shower itself was faulty. This meant the elderly applicant, who suffered from incontinence, arthritis and mental health problems, had to wash herself at the sink.

We disagreed that replacing an electric shower was a substantial improvement to private property and instructed the council to make an award. We did not consider that the lever taps met the necessary priority level so did not award these.



An applicant applied to the council for a community care grant to pay for repairs to guttering at his privately owned property. The council assessed that the item was excluded as a substantial repair.

We disagreed with this assessment as, having investigated further, the cost of the repair was less than £100. However, we assessed that the applicant did not meet the qualifying criteria and as such, did not uphold the review request.



### **Repeat applications for the same items**

An applicant applied to the council for flooring, beds and mattresses after moving to a new property. The council rejected the application on the basis that she had been awarded money for beds and mattresses on two previous occasions. We asked the applicant why there was a further need for the same items in quick succession. She explained that the beds were damaged and that there was a need to leave some items behind in a previous property.

We determined that while it may initially appear unreasonable to award similar items on three occasions within 12 months, the full circumstances were not taken into account. We also considered that the guidance only sets out restrictions around repeat applications for the same goods and services within 28 days where there has been no relevant change in circumstances. In this case, we assessed that this restriction did not apply and awarded one bed and mattress, but declined the other items on the basis of priority.



An applicant applied for carpets for a new property as she had left her previous tenancy following an assault. She was refused carpets as the council stated they normally only award this item once and she had received carpets previously.

In this case we considered that a rule of thumb had been applied and the applicant's circumstances, which were very serious, had not been considered. We upheld the review request and awarded carpets on this basis.





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