

**MINUTES OF THE JOINT STANDARDS COMMITTEE MEETING HELD IN
CONFERENCE ROOM 3, CASTLE COURT ON 12 DECEMBER 2023 AT 10:30AM**

Marie Cavanagh		Chairperson
Leonora McLaughlin	Member	Director of Pensions, Disability, Benefit Security and Debt
Kevin Higgins		Independent Member
Owen McCloskey		Independent Member
Julie Nelson	Member	Deputy Director, Benefit Security and Debt
Anne Murdock		Acting Deputy Director Universal Credit Operations
Bernie McVey		Benefit Security Business Support

1. Welcome and Apologies

Marie Cavanagh welcomed everyone to the meeting and thanked them for their attendance. Apologies were registered for Ursula O'Hare, Ann Meeke, Peter Murchan and Ros Agnew.

2. Conflict of Interest

Marie asked the Committee to look at the current agenda and declare any conflict of interest. None were declared.

3. Minutes of the last meeting 28.9.23

The minutes of 28.9.23 were agreed as an accurate record.

4. Action Points from Standards Committee meeting 8.3.23

Action Point 12/21 (Ongoing): The Committee will check if any improvements can be made to PIP once the Green and White papers are available.

The Committee agreed to keep this item on the agenda.

Action point 6/22 (On-going): Ann Meeke to provide updates at future Committee meetings on progress with legacy customers move to UC.

From 16 October 2023, the Department will start to issue Migration Notice letters to people within all postcode and Jobs & Benefit office areas across Northern Ireland in receipt of Working Tax Credits and/or Child Tax Credits and no other benefit. The Migration Notice letter will tell them that they will need to make a claim to Universal Credit within 3 months from the date of their letter. The Committee agreed to keep this item on the agenda, not from an operational point of view, but as there will be around a quarter of a million transactions, they need to ensure this does not impact on the outcomes of decision and financial accuracy. Leo advised that Anne is expecting an increase in the number of M2UC claims from January 24 onwards.

Action Point 9/23: Propose to close Julie advised the Committee that the figures for Quarter 1, had to be re-run and would not be available for at least another week, but she plans to issue them by correspondence.

Leo advised that the figures could not be issued, as promised, as they had to be cleared by the Departmental Management Board. However, Julie will speak about the Quarter 2 position today, action point 7 on the Agenda refers.

Action Point 10/23: Ursula queried funeral payments and child funeral payments having the same target of 20 days but the results were 10 days and 14.8 days, respectively and she wanted to know the reason for this. Leo suspected that there

were more cases involved in the decision making but will check this out and report back to the Committee.

Leo advised that unlike Funeral Expenses Payments which are paid via the Social Fund system, the Child Funeral Fund payments are made using Account NI. This adds an extra 4/5 days on to the processing time while a PO is requested to make the payment. Both areas are nevertheless performing well within their target of 20 days.

Action Point 11/23: The current sample has been further reduced from 664 in 2022/23 to 520 in 2023/24. However, Ros has asked the statisticians for an explanation on sample sizes in lay terms that confirms the sample size reduction. Marie suggested that this paragraph should also be highlighted in the foreword in future CMS reports. Ros agreed to include this paragraph in the foreword and it will also include it in the Quarter 2 report.

Ros will include an explanation about the sample size in the Quarter 2 report and Marie will also highlight this in the foreword for the CMS Annual Report 2023/24.

Leo advised that Karl McElhenny and Gary Curran, Child Maintenance Services, should be copied into all emails in Ros' absence.

Action Points from meeting with the Voluntary Sector 16.11.22

Action Point 11: (Bernie to send this action point to Voluntary Sector to check if it can be closed) Owen raised the issue regarding the use of algorithms in decision making within DfC. They should be disclosed as it may have an impact on decision making and have in built bias. Owen was concerned that particular groups of people were being targeted. Kate offered to cross reference this against Section 75 in the NI Act 1998 with Equality Commission.

Guidance for decision making in the Department is contained in the DMG and ADM. In line with decision making principles decision makers must gather the evidence, determine the facts and apply those facts to the law. Algorithms

are not part of this process and DMS is unaware of their use within the Department.

Marie advised that although the Voluntary Sector are content, this action point should remain under review, as technology is moving on so quickly.

Action Point 1: Bridget Corr raised the issue of UC DM's not using discretion when considering Real Time Information (RTI) where one-off payments could be moved into consideration for a subsequent Assessment Period (AP). There have been some cases presented to Law Centre NI for consideration where this has happened. In one case this had been resolved with UC only for it to reoccur the following month. Bridget would like this issue to be discussed and raised with the Department. Owen pointed out that decision makers do not have to accept Real Time Information.

Action Point: 1 Anne agreed to take this action point regarding RTI forward and will report back at the next meeting.

Action Point 2: Ongoing Recent change in policy by the Home Office in relation to asylum seekers to reduce the period of time the applicant has to confirm their ID from 28 days to 7. Marie confirmed this had not been raised by the Department's policy team at a recent meeting with them around new policies.

Marie advised the Committee about this action point which was raised by the Voluntary Sector. Jackie has already contacted Owen about this. Asylum seekers who have been granted refugee status and leave to remain can apply for Universal Credit. Ongoing.

5. CMS Quarter 2 Report, 1 July – 30 September 2023

Leo offered a separate focus session to the Committee to discuss the CMS report in Ros's absence, if required, but the Committee were content to proceed by discussing the report.

The target for the 2023/2024 year is to achieve a MVE of less than 3% on manual assessments. At 30 September 2023, the year to date MVE for CMS 2012 scheme was 1.9%.

Marie stated that they were on target with the MVE, CMS plan to monitor 520 cases for 2023/2024. There were no challenges this quarter.

Kevin referred to Income and Household, Appendix 2 of the report and asked if Real Time information is used in Child Maintenance Services (CMS). CMS use evidence from the customer and not Real Time Information. Kevin commented on how good the figures were.

There was discussion about how the sample sizes for each year were calculated. Julie explained that it likely works similar to Standards Assurance Unit, whereby the number of cases to be sampled is determined by the amount/ type of errors found the previous year to give a confidence interval of 95%, but this may reduce the number of cases to be monitored in any given year.

CMS added the following paragraph into their report.

'It would always be standard practise when calculating a sample size to consider and factor in findings from previous studies to the sample size calculations (in this case the previous year checks), especially if it is exactly the same exercise that is taking place. This is to prevent over sampling.'

The Committee were content with the explanation about MVE in the CMS report.

6. DfC Quarter 2 - 1 April – 30 June 2023

Julie presented the Quarter 2 report for the Department for Communities and reminded the Committee that all cases from the official error sample with a decision made in previous 12 months are reviewed for decision making accuracy.

Decision Making

For Quarter 2, 5 of the 6 decision making benchmarks have been achieved, with all exceeding the benchmark set. Employment and Support Allowance missed the target with 1 error in 12 cases monitored.

The error raised for Employment and Support Allowance was a supersession and related to Income. The 6 errors raised for Universal Credit were also supersessions and the main area of error was finding of fact.

When the results for Quarter 3 were included, the year to date position shows that all targets were met or exceeded.

Financial Accuracy

All of the 6 financial accuracy targets were met with all exceeding their target. When Quarter 3 results were included the year to date figure also shows all 6 financial accuracy targets have been exceeded.

Overpayments / Appeals

The monitoring for overpayments and appeals run a full quarter behind that of the decision making and financial accuracy results.

Overpayments

The result for overpayments was 90% accuracy. The areas of error were *evidence* (2 errors 67%) and *findings of fact* (1 error 33%) and all related to the amount of the recoverable overpayment being incorrect. When the figures for Quarter 3 were included the overpayment result increases to 93%

Appeals

For appeal submissions a total of 18 cases were examined and no errors were raised resulting in an overall standard of 100%.

Kevin advised that the Local Housing Allowance had been discussed at a recent Advice Sector meeting and he asked about how the Universal Credit element was progressing. Anne advised that all was going well providing evidence is given, to ensure tenancy agreements. Kevin enquired whether the Department had recruited staff from the Housing Executive to assist with these claims but Anne advised that there had been no migration of staff from the Housing Executive.

Kevin also queried the link between Carer's Allowance and Universal Credit. He said this issue had been raised over a year ago regarding awards of carer's Allowance and how they impact a Universal Credit Overpayment. The onus is on the customer to say they are caring so Kevin wanted to know if they could be disadvantaged regarding the carer's element of Universal Credit. Anne assured Kevin that the question is asked on the Universal Credit claim form.

New Action Point 12/23: Anne will check the link between Carer's Allowance and Universal Credit and report back to the Committee.

7. Clearance Times

Leo advised that the clearance times were not met for Attendance Allowance, Disability Living Allowance and Carer's Allowance but against a backdrop of new claims and current staff vacancies is confident that the Department will recover the position.

For Personal Independence Payment, Capita combined with the effects of Covid have delayed the clearance times. However, customers have been getting help from the Voluntary Sector. The Department are working closely with stakeholders to improve the position. Leo advised that there is a 100% check for empowered decisions. Capita are also there to provide advice but there is a limited supply of Health Care Professionals at the minute. Leo advised that the Department are looking at online claims for PIP. This will be on a small scale to start off with.

Marie referred to Attendance Allowance claims and commented that 12.9 days is quite high. Leo explained that this was due to the high percentage of new claims, up 30% on the previous year and also staffing issues.

Kevin praised the high result for Attendance Allowance special rules figure.

Marie appreciates the difficulties the Department are having at the minute with getting staff recruited.

8. Standards Committee Meetings/Visits

Pensions	17.10.23
Voluntary Sector	16.11.23

Marie commented that it was a good engagement with Pensions and the Voluntary Sector. She advised that minutes of the meetings with Decision Making Services and the Northern Ireland Audit Office will be presented at the next meeting.

9. Any Other Business

Marie thanked Kevin for giving more than could be asked for in terms of commitment to the Committee. On a personal level Marie said that Kevin was an asset to the meetings and wished him all the best for the future. Even though Kevin's term with the Committee has ended, staff in the Department will continue to meet with him in his Advice Sector role.

Leo echoed what Marie said and said that he was a friend to the Department and made a sterling contribution which was very much appreciated.

Marie thanked everyone for attending.

The next meeting is scheduled for 7 March 2024