

19-21 Broad Street | St Helier
Jersey | JE2 4WE

Deputy Rob Ward
Chair, Health and Social Security Scrutiny Panel
Sent by e-mail

25th January 2024

Dear Deputy Ward

Re: Ministerial Response – Review of Income Support Overpayments

I write in response to the Panel's letter dated 11th January 2023. Firstly, I would like to thank the Panel for agreeing to extend the deadline in light of last week's States Assembly sitting.

I am sorry to hear that the Panel were disappointed by the response to the Income Support Overpayments Review. I appreciate that the Panel have requested an updated version of the Ministerial response – the response provided took a considerable amount of time and thought to produce and it remains my position overall. I have, however, responded to each of the Panel's points in turn below and propose that this letter serves as an addendum to my response.

- 1. The Minister's response to recommendation 2, although accepted, does not address the Panel's recommendation that communication to the claimant regarding an overpayment that has occurred at the fault of the Department includes acknowledgment of the error and apology. Please refer to this point specifically.***

The Department has already completed planned work on written communications and letters in relation to this issue. Amended wording is now included in our written communications, including offering an apology where the Department has made an error. This action was completed and implemented across the relevant benefits teams at the end of Q4 2023.

- 2. The response to the Panel's recommendations 4 and 11, where both have been 'partially accepted', state that "the Minister cannot commit to this specific recommendation forming part of the new system". It is the Panel's view that, based on the evidence received, collecting data on why overpayments occur and the processing time for changes of circumstances is vital to "improving the understanding of customers and their interactions with GOJ". Please can you provide further explanation as to why you cannot commit at this time to these requirements forming part of the new IT system.***

The Transform solution will provide Government with more data regarding customer interactions and support more detailed tracking of customer journeys. In response to recommendation 4, it is likely that this data will allow for the future creation of databases detailing the reasons for overpayments, but this is not included as a specific requirement at present. It will, therefore, need further consideration regarding its feasibility with the chosen supplier and any additional development cost implications. I cannot, therefore, commit to this at present.

- 3. The response to recommendation 5 does not specifically address the impact of overpayments on an individual's mental health and wellbeing. Evidence received during our review indicates that an individual's wellbeing is not always considered during this process and, worryingly, some are left feeling suicidal. Please can you amend your response to advise how you currently acknowledge the impact of overpayments on claimants' wellbeing.**

The Department has robust safeguarding measures to support customers with mental health issues. Staff are trained to make referrals as appropriate in relation to any safeguarding concerns, not just in relation to overpayments. Mental health issues and suicidal thoughts are seldom created by financial worries alone, they are usually caused by additional multi-faceted stresses in the lives of our customers.

Additionally, colleagues in Work and Family Benefits are receiving training as Mental Health First Aiders to further enhance mental health and wellbeing support for our customers.

- 4. The response of recommendation 7 states that "wellbeing of children is an important consideration and is always taken into account in making decisions". The Panel did not receive evidence to support this statement during its review. Please can you evidence how the wellbeing of children is considered at every stage of the process.**

It is existing practice that officers will consider the impact of children in a household when assessing the level of overpayment recovery. Officers are able to request a Ministerial Decision where exceptional circumstances exist.

- 5. The response to rejected recommendation 12 states that "CLS Officers are not recruited on the basis of gender, and it would be inappropriate to do this". Please note that the Panel was not suggesting that officers be recruited based on their gender. However, we are aware that female staff are already employed within this role. The Panel received evidence that contradicts your statement that "it is always explained to the customer that if it is not convenient the officer will reschedule or arrange an appointment in the office". Furthermore, during a States Sitting on 28th November, you were asked about your response to this recommendation to which you advised "we will take into account when home visits are conducted that the appropriate gender and nature of officers are being sent to the visit." The Panel would be grateful if you could revisit this recommendation based on the answer given in the States Assembly and consider whether rejecting it is in line with that and the evidence you provided during the review.**

The Panel asks that I reconsider and accept their original recommendation; "The Minister for Social Security must ensure that a female Officer from Customer and Local Services is always present when a home visit takes place at an address occupied by a single woman."

In my original response I rejected the Panel's recommendation as stated above. The Panel has confirmed in their question above that it "was not suggesting that officers be recruited based on their gender." I am pleased the Panel has agreed that this would not be appropriate. Therefore, in a small team with specialist skills, I cannot ensure that a female visiting officer is **always** present, as the Panel requests.

As I informed Deputy Mézec in Questions Without Notice on the 28th of November 2023, home visits are relatively unusual, and a person is not obliged to let the officer into their home. Many home visits are conducted with the agreement of the person being visited and in circumstances where there is no reason to require the presence of a female officer.

A home visit of this nature normally requires 2 officers. CLS may not know if a home is occupied by a sole female, particularly given that these investigations are often about an undeclared partner living at the address.

I do accept that there may be situations where the presence of a female officer would be helpful, and we will consider this in relevant cases and will take this into account in future recruitment.

6. In response to recommendation 21 you advised that “the new IT system will not be based on a client relationship model. This type of model would not provide the functionality needed in the new system.” However, in a Public Hearing on 25th July, the Chief Officer* for CLS advised that a client relationship model was something he hoped would be achieved in the future but that the current IT systems do not allow it. Please can you amend your response to include an explanation as to why this is no longer your long-term objective and the reasons why it would not provide the functionality needed.

To clarify, functionality to enable this approach has been included within the requirements for the Transform Programme and this is initially specified for our Back to Work services as they currently operate a relationship management model with jobseekers.

In addition, the new IT system will be rolled out in phases, with initial priorities focused on ensuring that the solution is able to deliver our existing services effectively and efficiently whilst removing much of the existing difficult manual work that exists in the current solution. Once those priorities are achieved and officers use of the new system has matured then further refinement of our delivery models will be considered, with one of those options being a widening of the client relationship model.

** To clarify, this was a comment from the Group Director rather than the Chief Officer.*

Yours sincerely



Deputy Elaine Millar
Minister for Social Security