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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

**The Welfare Reform (Northern Ireland) Order 2015**

**PART 7**

**Miscellaneous**

*Discretionary support*

**Discretionary support Commissioner**

**136.**—(1) There shall be an officer known as “the discretionary support Commissioner”.

(2) The discretionary support Commissioner shall be appointed by the Department on such terms and conditions as the Department may determine.

(3) The discretionary support Commissioner—

(a) shall appoint such discretionary support inspectors, and

(b) may appoint such staff for the Commissioner and for discretionary support inspectors, as the Commissioner thinks fit but with the consent of the Department.

(4) Appointments under paragraph (3) shall be made from persons made available to the Commissioner by the Department.

(5) Discretionary support inspectors have such functions as are conferred or imposed on them—

(a) by regulations under Article 135, or

(b) by any other statutory provision,

in relation to the review of decisions of the Department.

(6) It shall be the duty of the discretionary support Commissioner—

(a) to monitor the quality of decisions of discretionary support inspectors and give them such advice and assistance as the Commissioner thinks fit to improve the standard of their decisions;

(b) to arrange such training of discretionary support inspectors as the Commissioner considers necessary;

(c) to carry out such other functions in connection with the work of discretionary support inspectors as the Department may require;

(d) to report annually in writing to the Department on the standards of reviews by discretionary support inspectors.

(7) The Department shall publish any report made under paragraph (6)(d).

(8) In Part 1 of Schedule 4 to the Administration Act after the entries under the heading “The social fund” insert—

*“Discretionary support officers*

The discretionary support Commissioner.

A discretionary support inspector.

A member of any staff appointed under Article 136(3)(b) of the Welfare Reform (Northern Ireland) Order 2015.”

(9) In the Freedom of Information Act 2000, in Part 7 of Schedule 1 after the entry relating to the social fund Commissioner insert—

“The discretionary support Commissioner appointed under Article 136 of the Welfare Reform (Northern Ireland) Order 2015.”