

Public Authority	Income Support and Compliance Division
Description of the department/directorate/entity's structure	Division headed by a Director General with one directorate: Income Support and Investigations Directorate
Description of the department/directorate/entity's functions and responsibilities	<p><i>Mission Statement:</i> <i>"To provide timely financial assistance and other benefits to eligible recipients and committed to ensure that social benefits and services are granted and received in compliance with the provisions of the applicable legislation".</i></p> <p><i>The Legal Provisions</i> <i>An Overview</i> The Social Security Act (Cap 318) provides for two basic schemes, One scheme is known as the Contributory Scheme and the other as the Non Contributory Scheme. In the Contributory Scheme, the basic requirement for entitlement is that specific contribution conditions are satisfied. In the Non Contributory Scheme, the basic requirement is that the conditions of the means test are satisfied.</p> <p>The administration and execution of the provisions leading to the implementation of these two schemes are provided for in the thirteen parts that make up the Act. Each part has a number of sections and the whole Act embodies one hundred and thirty six articles. The majority of these articles provide for the entitlement conditions for the various benefits, pensions, allowances, grants and assistances. Some of these sections are solely devoted to administrative procedures.</p> <p>Others ensure legality in the enforcement of certain provisions, whilst others provide the legal framework from the setting up of certain machinery like boards and committees. Although the Act vests its execution in the Director General and gives him certain discretionary powers, it has an in-built mechanism that ensures redress when a claimant feels aggrieved by a decision of the Director. In fact, one section provides for an appeal to be lodged in front of the</p>

Umpire who is empowered to decide even against the Director General. The Director General is also liable to be challenged in the Civil Courts, including the Court of Appeal as well as the Constitutional Court.

The Non-Contributory Scheme which originally was meant to cater for those below the 'poverty line' has over the years evolved into a comprehensive scheme covering types of benefits that supplement each another. This provides for simultaneous coverage in those cases where more than one contingency is present. Moreover, through the process of targeting, this scheme has succeeded in the provision of additional assistance to certain specific categories such as, in the case of persons with a disability, in the case of single parents, as well as in the case of the family as a single unit. Indeed, one may say that the development that took place, over a number of years, in the provisions of the non-contributory scheme may be considered as a synopsis of the dynamic process that was taking place in our society over the same period.

The Division through the Income Support and Investigations Directorate is committed to investigate all reports of alleged non-compliance in the payment in social benefits and to submit recommendations to suspend or re-assess rate of benefits, as required, where these benefits are found to have not been paid in compliance with the provisions of the Social Security Act (Cap 318). The Directorate also investigates on its own initiative cases of beneficiaries or categories of beneficiaries suspected of receiving social benefits not in compliance with the provisions of the Social Security Act. Within the parameters of existing legislation, in its operations, the Directorate makes all possible use of available information. In this regard, it communicates and coordinates with other Departments and entities to ensure that its investigations are as thorough as possible. The Directorate seeks to identify and act immediately to avoid the perpetuation of the payment of social benefits that are not in compliance with the Act.

<p>General description of the categories of documents the department/directorate/entity holds (including exempt documents)</p>	<ul style="list-style-type: none"> ○ Personal files related to social security claims; ○ Subject files related to general issues/topics/matters of social security; ○ Administrative files related to the normal administration of benefits compliance; ○ Investigation files that cover each case that is investigated by the Directorate.
<p>Description of all manuals and similar types of documents which contain policies, principles, rules or guidelines in accordance with which decisions or recommendations are made in respect of members of the public (including bodies corporate and employees of the public authority in their personal capacity)</p>	<ul style="list-style-type: none"> ○ Operating Procedures containing instructions how various claims for benefits are to be processed in line with the provisions of the Social Security Act; ○ Manual of Procedures containing instructions how various claims for benefits are to be processed in line with the provisions of the EU Social Security Regulations; ○ Initial Reports Template; ○ Daily Visit Report Template; ○ Investigation Report Template.
<p>Statement of the information that needs to be available to members of the public who wish to obtain access to official documents from the public authority, which statement shall include particulars of the officer or officers to whom requests for such access should be sent</p>	<p>Requests for information can be submitted on: foi.incomesupportandcompliance@gov.mt foi.socialsecurity@gov.mt</p>
<p>Details of Internal Complaints Procedure</p>	<p>An applicant whose request for information is refused, or who is otherwise not satisfied with the information provided, its format or the extension of the deadline for the submission of the notification indicating whether a request would be met or not, may address a complaint to the Ministry. The complaint should be addressed to the Ministry's Principal FOI Officer, who shall bring the complaint to the attention of the officer responsible (i.e. the most senior official within the Ministry). The officer responsible shall reply to the applicant within</p>

	<p>10 working days from the receipt of the complaint.</p> <p>The applicant shall also be informed that he or she may appeal the decision or otherwise address a complaint to the Information and Data Protection Commissioner in accordance with the Freedom of Information Act (Cap. 496 of the Laws of Malta). The officer responsible shall inform the applicant of the decision taken with respect to his or her complaint, and in the event of confirmation of a decision not to release the pertinent information, shall explain the reasons thereof. Whenever, the applicant's complaint is related to the format of the information provided or to an extension of the deadline for the submission of the notification indicating whether a request would be met or not by the Ministry, and the original decision is upheld, the applicant shall be given an explanation as to why his or her complaint cannot be positively addressed. An applicant may also make use of the Internal Complaints Procedure to report failure to meet deadlines or to send notifications.</p>
Other Information	<p>Requests and Complaints Forms may be downloaded from the Ministry's website www.family.gov.mt. Payments in cash can be made at the Accounts Section of the Ministry at 19, Mikiel Anton Vassalli Street, Valletta VLT 1311. Payments can also be made by cheque payable to the Ministry.</p>
Public Authority Contact Details	<p>Income Support and Compliance Division 'Palazzo Ferreria', 310 Republic Street, Valletta VLT 1110 Freephone 153</p>