

Independent Case Examiner

Client Summary of the Annual Report 2000/01

'Judging the issues by not taking sides'

Independent Case Examiner



Introduction by Anne Parker

Independent Case Examiner for the Child Support Agency (CSA)

My role as Independent Case Examiner is to act as an independent referee for customers of the CSA who feel that they have been treated unfairly and who are unhappy with the way the Agency has responded to a complaint about maladministration. Once the Agency's internal complaints procedures have been

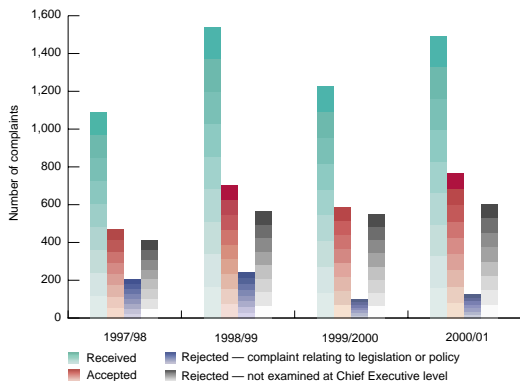
exhausted, I can consider both the client's position and that of the Agency, and if necessary, make recommendations about putting matters right.

I am pleased to introduce my first Client Summary, which brings together some key facts and figures from my 2000/2001 Annual Report that I believe will be of particular interest to clients and their representatives.

Levels of complaints

Complaints received by ICE:

The number of written complaints the CSA received during the year reduced by 6 per cent from 21,015 to 19,704. Although the number of complaints received by the CSA has reduced, there has been an increase of 21 per cent in the number of complaints I received, from 1,226 last year, to 1,488 this year. The following table shows the total number of complaints my office received, in addition to details of those that were accepted and those that were rejected. It also describes the position compared to previous years.



* Figures do not include cases withdrawn

Cases we accepted

This year I accepted 765 of the complaints I received. Eighteen of the cases accepted were received from previous clients who continued to experience difficulties and wished to make a new complaint about the CSA. I will be undertaking a more detailed analysis of such cases during 2001/2002.

Cases we could not accept

There were 723 complaints that I could not accept for investigation, either because the client had not exhausted the Agency's internal complaint procedure or because the matter was outside my jurisdiction (for example complaints about legislation or policy).

Who complained

The following table describes the proportion of cases reaching my office from non-resident parents and parents with care.

Non-resident parents			Parents with care		
	1999/2000	2000/01		1999/2000	2000/01
Male	56%	53%	Male	2%	2%
Female	3%	3%	Female	39%	42%
Total	59%	56%	Total	41%	44%

How complaints are progressed

Complaints are progressed in order of receipt, to try to ensure fairness. When beginning an investigation, we contact the client to clarify their complaint and establish whether there is any specific course of action we can ask the Agency to take in order to resolve their complaint. If there is no obvious means of resolving the client's complaint, the investigating officer will request the relevant evidence from the Agency, and investigate whether maladministration has occurred. Recommendations can be made to the Agency, either in respect of providing redress to the individual client, or in terms of amending its procedures to ensure it provides a better service in the future.

Findings:

Complaints cluster around three recurring themes:

- Delay;
- Communications; and
- Error.

The Agency's own internal complaint analysis identified the same issues in the complaints it handled. Some delays are rooted in the past and Agency action to update its work is bringing more such delays to light. My report illustrates examples of delays in completing reviews and assessments, and the impact they can have on clients, for example, the accrual of substantial arrears. I also provide examples of poor communication on the part of the Agency, such as failure to respond to client communications. Specific reference has been made to cases where I found that clients had received incorrect or inadequate replies from, or on behalf of, the Chief Executive. Such experiences can only add to a client's sense of grievance. I have taken the opportunity to illustrate examples of Agency error, for instance in making an initial assessment based on inaccurate information about the number of qualifying children.

My report also highlights the fact that problems with enforcement continue to be a source of complaint. Whilst I welcome the publication of a revised Enforcement Guide, explaining the measures open to the Agency, only time will tell whether it is being used to good effect. I have also made reference to inconsistency within the Agency's Business Units in making discretionary decisions, specifically in respect of advance payments to parents with care. The Agency has agreed to address this matter by issuing revised instructions on how to apply the criteria for such payments.

Level of complaints upheld

The following table illustrates the extent to which I upheld complaints or found them to be justified. I collected the data in respect of the resolution process for the first time in 2000/01 and am now able to assess the position on all of the cases cleared.

Full report cases						
Fully upheld, partially upheld, not upheld						
	1998/99		1999/2000		2000/01	
	No. of cases	%	No. of cases	%	No. of cases	%
Fully upheld	75	32	44	20	68	24
Partially upheld	150	64	155	71	197	68
Not upheld	8	4	21	9	23	8
TOTAL	233	100	220	100	288	100

Resolved cases						
Fully justified, partially justified, misconceived						
	1998/99		1999/2000		2000/01	
	No. of cases	%	No. of cases	%	No. of cases	%
Fully upheld	*		*		157	54
Partially upheld	*		*		115	39
Misconceived	*		*		20	7
TOTAL	*		*		292†	100

* Information not held for previous years. Information only collected from part way through April 2000 therefore not all resolved case are included.

† Information collected from mid-April 2000. Total cases resolved 307.

Analysis of complaints by Business Unit

In this year's Annual Report, for the first time I have used the data from cases investigated to identify and report trends that had developed within individual Business Units. I hope that the findings and the reporting of these trends will help to ensure that good practices are not geographically isolated, but spread throughout the Agency.

My report also describes the Agency's progress in respect of:

- Interim Maintenance Assessments;
- enforcement;
- account statements;
- paternity; and
- decision Making and Appeals Procedures.

Compensation

Clients often regard a formal apology, together with an acknowledgement that the Agency has made mistakes and will put things right where possible, as a satisfactory outcome. Nevertheless, in many of the complaints I investigate, the scale and nature of maladministration justifies some payment of compensation. The issue of financial redress for justified complaints is therefore an important part of my work. The Agency is governed by the compensation scheme agreed with the Treasury, by the Department of Social Security. This makes provision for various types of financial redress for maladministration in cases where it has led to a direct and quantifiable financial loss, and in recognition of the impact of persistent errors on a person's life and/or health. Whilst I am able to recommend to the Agency that it consider a compensatory payment, I cannot recommend how much should be paid. This is for the Agency to decide. However, I can comment on any inconsistency in applying the scheme, and can investigate complaints that are only about the amount of compensation the Agency has awarded, or the way in which requests for compensation have been handled.

In addition to payments under the compensation scheme, the Agency has for some time had recourse to other forms of financial redress. It is able to defer collection of some arrears owed by a non-resident parent in certain circumstances. Specifically, arrears arising due to the Agency's delays in calculating an initial maintenance assessment, and delays in completing some, but not all, reviews under the Child Support Act 1991.

Further extensions to the Deferred Debt Scheme

Delays that disadvantage clients occur in other areas of the Agency's work. I am therefore pleased that the Department of Social Security has extended the scheme to include cases where more than six months arrears of maintenance have arisen as a result of:

- delays in handling appeals within the Agency;
- delays in handling departure applications; and
- delays in completing reviews not currently covered by the existing scheme.

The Agency is also able to make an advance payment of arrears owed to a parent with care if they have arisen because of its maladministration. Such payments can only be made where there is a reasonable prospect of the Agency recovering the arrears from the non-resident parent. Consequently, stringent criteria have to be met before an advance payment can be made.

Financial redress

During the reporting year, I made 1,117 recommendations in respect of financial redress (in some cases it was necessary to make more than one recommendation). These recommendations have resulted in clients receiving compensatory and advance payments or deferment of maintenance arrears, totalling £518,333.

Delays in making compensation decisions

For a long time I have been concerned about the length of time it takes the Agency to make decisions about compensation. Delays remain an issue, and I am working with the Agency to speed up the progress of cases through the compensatory process, with a view to further improving the service clients receive.



ICE performance

Cases cleared and timescales

The following table describes my office's overall intake and output during the year.

Action taken on cases during 2000/01			
Intake		Clearance	
Cases brought forward at 31.3.2000	389	Not accepted; not appropriate to this office	122
Received during 2000/01	1,488	Not accepted; not dealt with at Agency Chief Executive level	601
		Withdrawn	24
		Cleared by resolution	307
		Cleared by full report	288
		Total dealt with	1,342
		Cases carried forward at 31.3.2001	535
Total work on hand	1,877	Total	1,877

Clearance times

My target for clearing cases is 'within an average of 34 weeks'. This was achieved in previous years, but the build up of cases and an ageing caseload meant that I was unable to achieve that goal during the last business year. In my last Annual Report I acknowledged that changes to working practices had created a build up of older, more complex cases. This situation was addressed in January 2000. Cases are now investigated in strict date order. Case handling times increased substantially in the middle of the year, but by the end of the year our handling times were averaging 38.5 weeks.

Output

The concentration on those older, more complex cases has reduced our throughput. This drop in output is regrettable but our emphasis on clearing older complaints has reduced the number of unacceptably old cases.

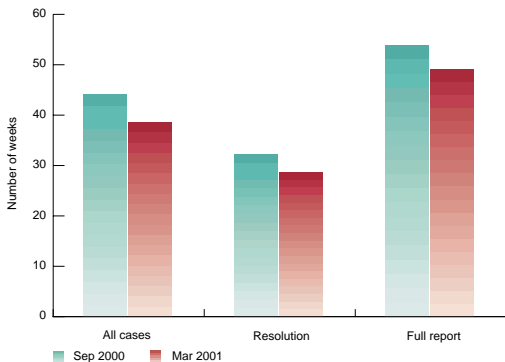
Total cases cleared			
	1998/99	1999/2000	2000/01
Total cleared	474*	665*	595*
Cleared by resolution	239 (51%)	445 (67%)	307 (52%)
Cleared by full report	235 (49%)	220 (33%)	288 (48%)
No. outstanding at the year end	497	389	535

*Figures do not include complaints withdrawn

Resolution and full report times

The following graph describes the marked difference in the time it takes to clear cases using the resolution and the full report approach.

Average weekly age of cases at closure



Investigative capacity

A high staff turnover and an increasing caseload has meant that my office needed to undertake regular training and recruitment programmes as inexperience impacts on productivity. However, during the business year I was pleased to obtain

additional investigative resources. It will be some months before the new staff will be in place and trained, but as their experience grows the service offered to customers will improve still further.

ICE standards of service

This year I have consulted on my first Charter, which I expect to publish during the first part of 2001/02. The Charter details how complaints are investigated and the standards of service clients can expect to receive from my office. Copies of the Charter will be issued to clients when their complaint is acknowledged as having been received. Performance in respect of the Charter standards will be reported on in future annual reports.

ICE client satisfaction

I have continued to issue a satisfaction questionnaire to all clients, whether or not I have been able to investigate their complaint. All of the comments I received have been reviewed, and I have sought to identify and address any case-specific or office-wide issue. The current response rate of 55 per cent is an increase of 5 per cent from the survey conducted in 1999/2000. The following table illustrates the percentage of positive responses compared to the questions contained within the questionnaire.

Rising satisfaction levels	Performance	
Aspect of service	1999/2000	2000/01
Provision of sound telephone advice	80%	84%
Overall satisfaction with telephone service	87%	90%
Kept informed of progress	74%	79%
Case handled confidentially	86%	90%
Overall satisfaction	69%	71%

It is pleasing to note that many of the areas measured describe an improving assessment of the service we provide. However, the survey results also offer opportunities for further improvement, for example in terms of the clarity of our correspondence.

Client forums

Whilst client satisfaction surveys are a valuable source of information, direct contact allows clients the opportunity to air their views more freely.

During 2000/01 I held three client forums, two in the London area and one in York. Those who attended gave up their own time and travelled some distance. I am most grateful to them. I found the forums to be extremely helpful, and I have used clients' feedback to enhance services in some key areas.

Complaints about ICE

In January 2001, I revised our complaint handling procedures. The definition of a complaint that is now used accords with the one used in the British Standard for Complaints Handling, namely *'any expression of dissatisfaction with the service provided by the Independent Case Examiner's office, received by any method (post, e-mail, telephone, questionnaire response etc), whether justified or not'*. I anticipate that the use of this definition will lead to an increase in the number of complaints recorded. The analysis of complaints received will also be used to improve the service provided to clients. My office aims to send a full reply to complaints within 10 working days. I am keen to ensure that we use complaints to learn how to improve our service.

ICE and the Parliamentary and Assembly Ombudsmen

All closure letters and reports from my office advise clients how to approach the Parliamentary Ombudsman or the Assembly Ombudsman if they are dissatisfied with the outcome of my investigation. Additionally, the Parliamentary Ombudsman has agreed to consider referrals from MPs on behalf of their constituents in any case in which my investigation may be unduly delayed. This year the Parliamentary Ombudsman investigated two cases that had been handled by my office. The Ombudsman's investigations of these cases resulted in my office revisiting and amending some of its procedures.

Summary

Although my office has seen a rise in the number of complaints, I do not believe that this indicates that the service provided by the CSA has deteriorated. The Agency's agreement to signpost my service in Chief Executive correspondence has triggered much of this increase. It is clearly important that customers are aware of the service I provide. However, the increased intake has now begun to tell and my office has become a victim of its own success. I, therefore, welcome the agreement to provide additional funding to enable me to increase my investigative staff with effect from April 2001. It is very good news for clients. The recruitment and training programme has already begun. Whilst I regret the delays my customers experience, I am reassured that they continue to express high levels of satisfaction with the service received.

'Judging the issues by not taking sides'

There have been measurable improvements in the Agency's customer service and complaints handling process. This year the Agency has been keen to grasp the final opportunity to put things right without recourse to an investigation by my office. However, I am disappointed that the Agency has not used its powers of redress in a greater number of cases for customers who have suffered distress, embarrassment, actual financial loss or inconvenience. My office will continue to monitor this next year.

Given this is the first time I have produced a Client Summary of my Annual Report, feedback on the contents would be most welcome. In particular, whether the facts and figures contained within are of real interest and value in this format.

A copy of the full version of my Annual Report can be obtained by writing to:

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Copies can also be obtained from our website at www.ind-case-exam.org.uk



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