

We are committed to providing the best possible service to our clients.



CSAC:  
INDEPENDENT CASE EXAMINER'S OFFICE

Name and Address of Client

Ref No

RFA:

Dis

# Annual Report 2001/02

*'Judging the issues by not taking sides'*

Independent Case Examiner



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Annex 1 The life cycle of a complaint

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#### Abbreviations

CSA	Child Support Agency
CSR	Child Support Reforms
DEO	Deduction from Earnings Order
DVLA	Driving Vehicle Licensing Authority
ICE	Independent Case Examiner
ICR	Independent Case Reviewer
IMA	Interim Maintenance Assessment
MA	Maintenance Assessment
NRP	Non-Resident Parent
PWC	Parent With Care
SLA	Service Level Agreement



# 1 Foreword

## Who is the Independent Case Examiner?

Jodi Berg is the Independent Case Examiner for the Child Support Agency and investigates complaints about the Agency's work. Ms Berg is also the Independent Case Examiner for the Northern Ireland Child Support Agency and Social Security Agency, and the Independent Complaints Reviewer (ICR) for the Land Registry, the Public Record Office, the Charity Commission and the Housing Corporation. She is a solicitor with extensive management experience in both the private and public sectors and is a Fellow of the Chartered Institute of Arbitrators.

I am pleased to present my first annual report as the Independent Case Examiner (ICE). I was appointed in August 2001 for an initial period of six months. This has subsequently been extended to a year, to enable the Department for Work and Pensions to consider the scope of the role and make a permanent appointment. At the outset, I pay unreserved tribute to my predecessor, Anne Parker, for her invaluable contribution to the development of the role of ICE. Anne established the ethos of the office and can be thanked for the high regard in which it is held. I hope to be able to build upon her success to ensure that ICE is ready and able to meet the needs of today and the challenges of tomorrow.

Many of today's children are growing up in homes apart from one of their parents. Sadly, statistics show that 3 out of 5 lone parent families are living in poverty. All children need and deserve to be protected from the poverty that can rob them of a happy and successful future. The Child Support Agency (CSA) exists to ensure that, in as many cases as possible, maintenance flows from the parent with whom a child does not live, to the parent who has the day-to-day responsibility for their care.

In some cases, the breakdown of a relationship between parents has had a knock-on effect on the establishment or continuation of maintenance arrangements. These can be highly stressful situations for everyone involved, in which it can be very difficult to focus only upon the needs of one's children. The CSA's role is to act as an impartial go-between and, as such, it is absolutely essential that parents can trust the CSA to deal with applications in accordance with prevailing legislation and within clear and transparent guidelines. As a society, we need confidence that the CSA will play its vital role in reducing unacceptable levels of child poverty.

The CSA works within an extremely complex statutory and procedural framework that is largely impenetrable and incomprehensible to the average person. In order to deal with this problem and in response to the Government's White Paper *A new contract for welfare: CHILDREN'S RIGHTS AND PARENTS' RESPONSIBILITIES*, new legislation was introduced (Child Support, Pensions and Social Security Act 2000) to pave the way for the Child Support Reforms (CSR). The Reforms are aimed at simplifying and clarifying the rules and procedures which govern the way the CSA provides its service. The CSA has pledged to help people to understand what it does and how it does it in a much more direct way than was ever possible under the 'old' rules.

The implementation of the Reforms was originally due to take place in April 2002. It is disappointing that concerns about the computer system have led to a delay. As I write this report, there is no clear indication of when the Reforms will be introduced, nevertheless, it is absolutely essential that the CSA and its customers can rely on the new technology being able to meet all of the demands that are placed upon it. My hope is that by our next annual report, the Reforms will have been introduced and that the systems will be working well.

Whether or not the technology works effectively, at the end of the day, the CSA will continue to rely on the efficiency of its staff and upon the importance they place upon the quality of the service they provide. There is a general recognition that customers are entitled to have their applications and communications handled with speed, consideration and competence. When this does not happen, people expect and are entitled to have their complaints treated seriously and, if they remain dissatisfied, to be able to turn to someone who is not part of the management structure of the CSA, who can impartially decide whether their complaint is justified. The ICE's service exists for this purpose. In addition, the work that my staff and I do makes a positive difference to the service received by CSA clients, by helping the CSA to develop a culture of listening to and learning from customer feedback.



The CSA was one of the first to introduce an independent element to its complaint handling processes and this has been widely welcomed by customers and stakeholder organisations. The CSA's example has since been followed by other government agencies keen to provide a high level of customer service. These organisations have also recognised the value of the quality assurance that such schemes provide for them and for the public they serve.

My report reflects upon the complaints about the CSA that have been referred to me during the year. In too many cases I see, maladministration has been a feature of the CSA's handling of applications, assessments or enforcement over several years. Despite this, some complaints have neither been properly acknowledged nor addressed before referral to my office. This is particularly disappointing as complaints are the clearest way of learning directly from customers where there are problems in the system. An organisation's commitment to customer service is shown by its determination to use this information positively.

In most cases, our efforts are rightly focused on resolving problems faced by individual customers. As a consequence, I do not always feel it necessary to make what are known as 'systemic' recommendations to the CSA. I do this only on those occasions when I feel that there is a weakness in the CSA's service delivery that is amenable to change through focused management intervention. My expectation is that the CSA will accept my recommendations unless there are legal or procedural constraints, which prevent it from doing so.

If CSA customers and staff are to feel that the CSA is truly committed to customer service, there must be real and tangible evidence that the CSA's work is customer rather than process driven. In my experience, this requires everyone, from Board members to front-line staff, to recognise the part that they have to play in this endeavour.

For this reason, I have particularly welcomed the opportunity that I have had since my appointment to raise issues with the Board, CSA executives and members of staff. I am pleased to report that the CSA is taking active steps to promote a customer-centred approach to its work. It is introducing new procedures in order to



address the weakness in its complaint handling and, in addition, is developing a system for capturing the information that flows from complaints. I will refer to these matters in greater detail later in this report but I am optimistic that the coming year will see a step change in the CSA's response to customer concerns.

My report outlines how we at ICE have developed our systems to enable us to improve upon the high quality of service for which ICE is known. We strive for excellence and leave no stone unturned in our efforts on behalf of clients and the CSA. Once again this year, the value that we place upon our staff has been recognised by re-accreditation for the prestigious Investors in People award. This does credit to everyone at ICE and I congratulate the team on this excellent achievement. I also thank every member of the team for their welcome and ongoing support during a time of substantial change for the office.

Being the ICE is both a challenge and a privilege. The CSA faces an exciting future and the CSR mean that there is all to play for in making the CSA second to none in the quality of its service delivery. There is still some way to go before the CSA achieves this goal and the ICE office looks forward to playing an active part in that endeavour.



## 2 Independence and accountability

### 2.1 Independence

We provide a free and impartial complaints review and resolution service for customers of the Child Support Agency (CSA), which aims to make a positive difference to the service CSA clients receive. The service we provide is managerially independent from the CSA and, since inception, has been located within separate premises.

Our service is available to customers of the CSA, who have exhausted the CSA's own internal complaints procedure but remain dissatisfied with the response and/or redress provided by the CSA. Our role is to consider complaints about CSA maladministration. We are unable to investigate complaints or disputes on matters of law or Government policy, or those that have been, or are being investigated by the Parliamentary Ombudsman.

Once we have accepted a complaint we establish whether there is scope for resolution without the need for investigation. In the event that this cannot be achieved to the satisfaction of the client, an investigation will be undertaken and, where appropriate, recommendations will be made to the CSA about putting matters right. Recommendations can include:

- an apology;
- an explanation;
- specific action to put things right; and
- compensation.



In addition, the Independent Case Examiner (ICE) can also make a difference to CSA performance through systemic recommendations. These highlight areas where improvement in the CSA's operational processes and procedures will have a positive impact on the experience of users.

**2.2 Accountability** **Customer satisfaction:** We are committed to providing a first class service, both in terms of quality and response times. We welcome and encourage comment from clients on the quality of the service we provide. This is achieved in various ways – for example through customer satisfaction surveys and through the complaints we receive about our service. The valuable feedback we receive is analysed and, wherever possible, acted upon.

During the reporting year we issued customer satisfaction questionnaires to all clients whose complaints were accepted for investigation. We were pleased that 56 per cent of clients responded. The results of these responses were analysed, to identify areas where improvement was needed. Our aim is to improve the level of client satisfaction year on year. We are pleased to report an overall increase in client satisfaction in this reporting year. Details of some of the most significant improvements are below:

Rising satisfaction levels	Performance	
	2000/01	2001/02
Aspect of service		
Satisfaction regarding our independence	68%	74%
Overall satisfaction with our service	71%	83%
Clarity of complaint acceptance criteria	82%	92%
Provision of sound telephone advice	84%	89%
Treating clients fairly	71%	81%

Whilst this is good news for the quality of our service, we appreciate there is no room for complacency, particularly since there is clearly scope for improvement, as illustrated by our achievements against certain Charter standards.

*"The thoroughness with which you have undertaken your investigation and all the attention to detail which you have given during your telephone conversations and your correspondence has been much appreciated."*

Extract from letter of thanks to ICE.

Reducing satisfaction levels	Performance	
	2000/01	2001/02
Aspect of service		
Correspondence received as promised	91%	87%



**Complaints about our service or findings:** In the last reporting year, we introduced a revised system for dealing with complaints. We welcome and record any expression of dissatisfaction, whether written or oral, about our findings or the standard of service we have provided. This accords with best practice in complaints handling.

As anticipated, the result has been that we have recorded a significant increase in the number of internal complaints, from 15 in the year 2000/01 to 100 in 2001/02. This has increased our opportunities to learn from our customers what issues are of concern to them. Many people who complain about our service express dissatisfaction with our decision. Of the complaints we received about our service, over 91 per cent were acknowledged within two working days and over 96 per cent received a full or holding reply within ten working days.

Our quarterly analysis of these complaints allows us to identify and learn from our mistakes or failings and rectify any shortcomings in procedures. Unfortunately, for reasons addressed later in this report, the main area of complaint this year concerned delay. We acknowledged to our clients that this is a matter of real concern to us and offered our apologies for any delays encountered. We are working hard to meet our customers' high expectations of our service. We hope that our revised working practices, coupled with the introduction of a new, much improved database, will greatly assist enabling us to improve the speed and quality of the service we provide. As this report is being written there is clear evidence that these efforts are already paying dividends.

*"A long delay in concluding the case. However, this was pointed out to me in letters and the reasons explained. Thank you."*

Extract from ICE customer satisfaction survey.

We aim to resolve complaints as quickly as possible. However, if clients remain dissatisfied with either the service we have provided, or with the outcome of our investigation into their complaint, it is open to them to ask their Member of Parliament to raise their concerns with the Parliamentary Ombudsman. Some complainants did this during the reporting year and the Parliamentary Ombudsman accepted 19 such complaints for investigation.



## 3 ICE Performance and Service Standards

This year we have invested considerable resources in our information systems, with the introduction of a new database. This will enable us to manage our caseload more effectively and to collate the information necessary to provide appropriate feedback to the CSA and other stakeholders.

### 3.1 Advice and assistance

We receive numerous telephone enquiries from customers of the CSA, some of whom are unsure of how to take forward their concerns about the way in which their case has been handled by the CSA. Many customers have yet to exhaust the CSA's own internal complaints procedure and are unclear as to when they can ask this office to become involved. The advice provided, both on the telephone and by way of supporting literature outlining the scope of the service we offer, is essential in enabling people to progress their concerns.

### 3.2 Complaint referrals

In the 2001/02 business year, we recorded the receipt of 1,498 complaint referrals, 772 of which were accepted for investigation. This compares with 1,460\* and 745\* respectively in the previous year and represents an increase in complaint referrals of approximately 2.5 per cent.

This has to be set against the Agency's case load of 1,082,420 which is an increase of 3.2% on the previous year.

However, the number of cases accepted for investigation does not represent the full extent of complaints we actually investigated. This is because the majority of complaints are made up of several allegations of maladministration, which may pertain to entirely



\*Please note that to allow comparisons to be made, the figures in respect of 2000/01 have been adjusted to exclude Northern Ireland CSA complaint referrals, which were included in the general figures quoted in last year's Annual Report and are the subject of a separate report this year.



different issues or events. During the coming year, we will be seeking to more accurately quantify the actual number of individual issues we resolve or investigate.

Of the **726** cases that we were unable to accept for investigation:

- **94** were not appropriate to this office, because they concerned child support legislation or policy; and
- **632** were cases where the complainant had yet to exhaust the CSA's internal complaints process, namely to have received a reply from or on behalf of the CSA's Chief Executive in the preceding six months.

In the event that we are unable to accept a complaint for investigation, because the client has not exhausted the CSA's internal complaints procedures, we forward their correspondence to the CSA for reply. If the CSA fails to provide the client with a response within six weeks of this and the client wishes to pursue the complaint, we will then accept it for investigation without further reference to the CSA. During the reporting period 44 of the cases we accepted for investigation fell into this category.

The following table shows the percentage of men and women who complained to this office, and the percentage of those that are the parent with care (PWC), and non-resident parent (NRP).

Gender	Parent with care	Non-resident parent	Other
Female	47%	1.5%	0.7%
Male	3%	47.5%	0.3%

### 3.3 How clients learn about our service

Our Customer Satisfaction Survey shows that the number of clients who first learned about our service from the CSA increased from 34 per cent in 2000/01 to over 38 per cent \* in 2001/02. Others first heard about ICE from their MPs, from stakeholder groups or from other sources. Any increase is welcome, nevertheless, the relatively low percentage figure of people who first hear about us from the CSA suggests there is still considerable scope for improving the signposting arrangements to this office and the

\* Note – figures relate to those clients who had a case accepted for investigation.



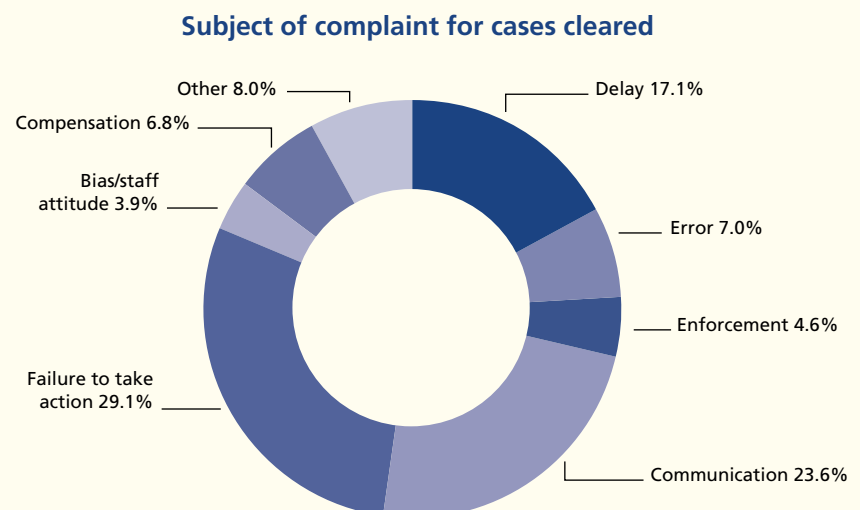
awareness of CSA staff about our service. We are pleased to report recent efforts to include footnotes in Chief Executive correspondence, informing clients about our service. We hope that this will help more people to access our service, should they need to do so. During the reporting year 82 per cent of clients were advised about our service in the correspondence they received from or on behalf of the CSA's Chief Executive. The Chief Executive is committed to ensuring that every final response to complaints includes appropriate information about our service.

### 3.4 Areas of complaint

As in previous years, the complaints we received focused on three recurring themes, namely:

- delay;
- communications; and
- error.

This is typical of complaint referrals to similar organisations responsible for investigating complaints about other public bodies.



### 3.5 Our performance and service standards:

The inclusion of footnotes in correspondence from the CSA's Chief Executive (see 3.3) resulted in a dramatic increase in complaint referrals to this office. This rise in referrals caused us to reassess the resource needs of the office. Following the welcome allocation of increased resources, we undertook the recruitment and training of additional staff. This increased the number of investigators from



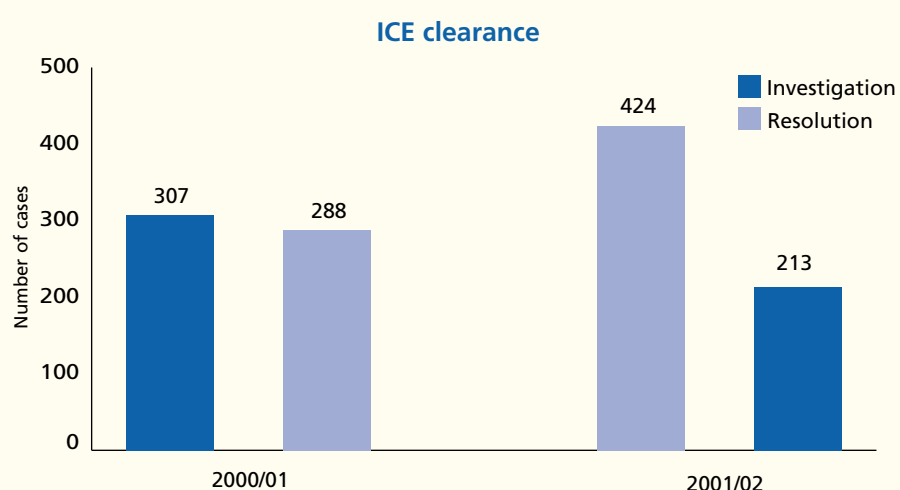
25 to 43. The training of new staff represented a significant organisational investment, particularly in the second and third quarter of the business year. The benefits of this investment, in terms of throughput, were beginning to have an impact by the end of the last quarter, during which we cleared 32 per cent of all cases closed during the business year.

### Total cases cleared

	2000/01**	2001/02
Cleared at gateway	745	726
Total cleared by resolution and investigation*	592	637
Cleared by resolution report	306 (52%)	424 (67%)
Cleared by investigation report	286 (48%)	213 (33%)
Outstanding at year end	527	618

\*Figures do not include withdrawn cases.

\*\*Please note that to allow comparisons to be made, the figures in respect of 2000/01 have been adjusted to exclude Northern Ireland CSA complaint referrals, which were included in the general figures quoted in last year's Annual Report.



We are pleased to report a considerable increase in the number of cases we were able to resolve, without the need for an investigation, given this generally represents a speedier outcome for the client. However, it is disappointing that complaints, which could have been

resolved without our intervention, continue to reach this office in such large numbers. The CSA is committed to significantly reducing the percentage of these cases in the coming year.

CSA customers rightly expect to have their concerns listened to and addressed in a timely manner, by the CSA itself, without being put to the inconvenience of having to seek redress elsewhere. This can only be achieved if the CSA recognises complaints and the potential for resolution within the context of its own complaints handling procedure. As we write this report, the CSA is taking steps to introduce new procedures aimed at achieving this objective. This issue is explored in greater detail in Section 7 of this report.

This year saw the launch of our first Office Charter, which sets out our service standards and target response times, in respect of six stated areas of business. Our performance in respect of our targets is outlined below:

Target	Performance
Acknowledge letters asking ICE to investigate complaints about the CSA within 2 working days of receipt	100%
Respond to client correspondence within 10 working days of receipt	97%
Respond to telephone calls within 7 rings	91%
Complete 90% of our gateway checks – from receipt of complaint to formal acceptance or rejection of complaint – within 10 days	91%
Remind clients of their right to approach the Parliamentary Ombudsman, as appropriate:	
■ if their case remains uncleared at 26 weeks; or	83%
■ if they are dissatisfied with our service, or the outcome of our investigation, when their case is closed	97%
Clear cases accepted for action within an average of 34 weeks	Average clearance time 32.28 weeks

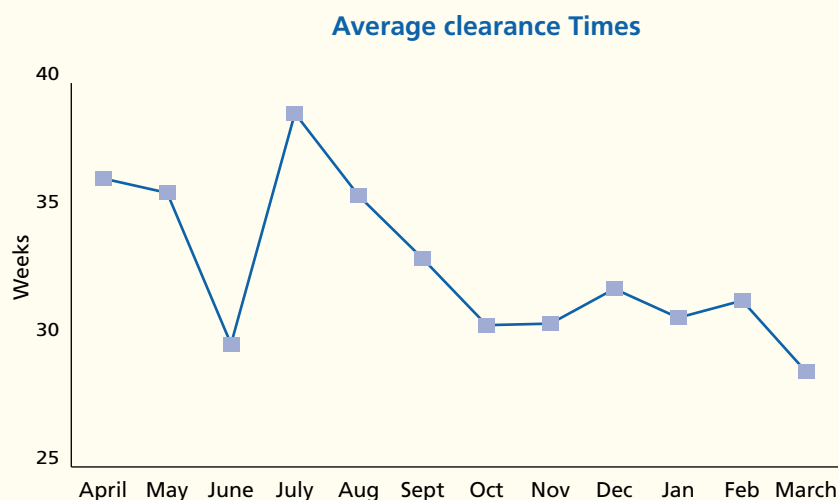


*Jodi Berg meets the Agency's ICE Liaison Team at Plymouth*

Measurement of our performance was made easier at the later end of the year with the introduction of our new management information system.

We are currently reviewing the Charter and the standards contained within it. Following consultation, we propose to revise the Charter to reflect recent changes in our procedures and to issue revised, more challenging, service standards in due course.

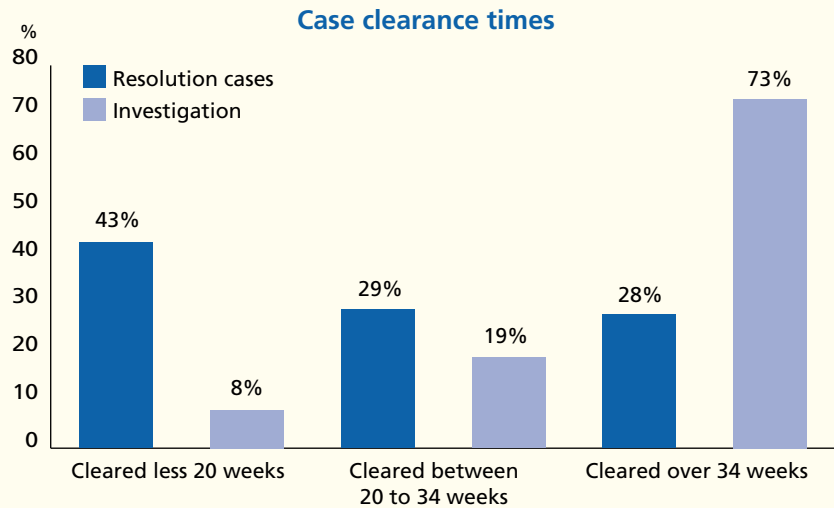
During 2000/01, we were unable to achieve our target for clearing cases within an average of 34 weeks. However, we are pleased to report that the target was achieved during the 2001/ 02 business year. Primarily this has been the result of recent organisational changes, which have significantly reduced the time between the acceptance of a complaint and the start of our action. We are indebted to the CSA's ICE Liaison Teams who have worked co-operatively with our office to achieve the resolution of complaints and the speedier flow of information.



The following graph describes the significant difference in the time it takes to clear cases through resolution, as opposed to investigation. We acknowledge that waiting times for those clients, whose complaint requires investigation, have been well in excess of the average clearance time target. We recognise the importance of keeping in touch with clients during any waiting period. We are confident that in the coming year, we will be able to improve clearance times for this group of clients.

*"Fully satisfied with the service, as I am now in receipt of child support maintenance. I did feel at times that it was a very long drawn out process. Twelve months was far too long to wait, but well worth it now I am in receipt of some money. Thank you."*

Extract from ICE customer satisfaction survey.



### 3.6 Our findings

We continue to fully or partially uphold the vast majority of the cases we investigate, as illustrated in the table below.

Investigation report cases				
Findings	2000/01		2001/02	
	No. of cases	%	No. of cases	%
Fully upheld	68	24	46	22
Partially upheld	195	68	141	66
Not upheld	23	8	26	12
<b>Total</b>	<b>286</b>	<b>100</b>	<b>213</b>	<b>100</b>

We have recently changed the way in which we describe our findings. A complaint will not now be upheld if, at the time of acceptance, it has been fully addressed by the CSA and appropriate redress has been provided, offered or instigated.

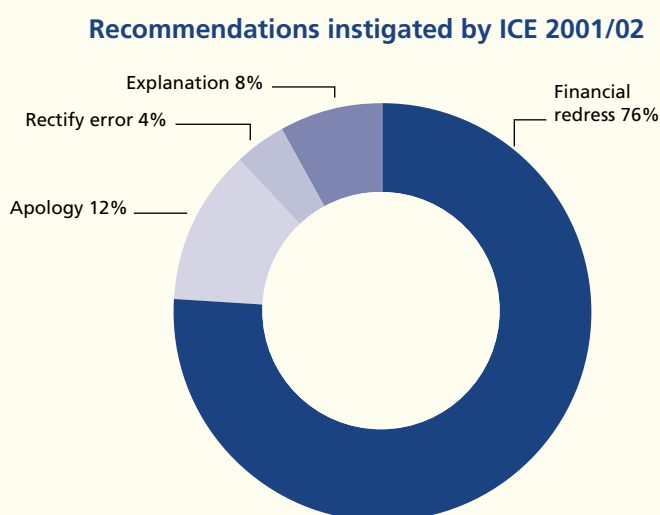
The number of complaints upheld, coupled with the significant number that are resolved without the need for an investigation, point to a failure in the CSA's complaints handling procedures. This leads us to conclude that the necessary rigour, in terms of quickly identifying the root cause of a complaint and actively pursuing resolution, has been lacking. The ICE's first priority has been to recommend that the CSA takes urgent steps to address

this problem. We hope that, in the coming business year, we will be able to assist the CSA in this process by providing it with data on our findings in respect of each element of a client's complaint.

**3.7 Redress** Redress can take many forms, including an explanation of what has happened and why; an apology; compensation for actual financial loss; and, where appropriate, consolatory payments in recognition of service failures. The earlier a complaint is addressed the less likely it is that clients will require consolatory payments; however, such requests are the inevitable result of delay in these matters. Details of the range and type of recommendations we made during the reporting year are outlined below.

*"Greater publicity for ICE is essential. The service was truly excellent, more than one person dealt with my case, and I was amazed by their ready grasp of complex facts and situations. The outcome was rather more favourable than I had expected."*

Extract from ICE customer satisfaction survey.



**Financial redress:** Whilst financial redress is not the only solution when things go wrong, given the nature of the CSA's role it nevertheless forms a significant aspect of our work. We are unable to direct the CSA as to the specific amount of compensation a client should receive; however, we can consider whether the CSA has had regard to all the relevant facts in deciding on the question of compensation.

**Advance payments:** In addition to the compensation scheme, which is operated in accordance with Treasury Guidance, in appropriate circumstances, the CSA can offer a parent with care redress in the form of an advance payment of the arrears, which have arisen because of its maladministration. Such payments can only be made where there is a reasonable prospect of the CSA being able to recover the arrears from the non-resident parent,



and stringent criteria must be met before an advance payment can be made.

**Deferred debt:** April 2002 saw the cessation of an important element of the CSA's ability to encourage compliance, the debt deferment scheme. The Child Support (Temporary Compensation Payment Scheme) Regulations 2000 gave the CSA the power to defer payment for NRPs who had accrued arrears as a result of delays on the part of the CSA. The scheme allowed the CSA to defer the collection of arrears, which had accrued as a result of its maladministration, in cases with an effective date prior to 1 June 1999. This was seen by many complainants as a reasonable means of redress, in light of the difficulties they had experienced. It was assumed that the introduction of the Decision Making and Appeals procedures, which took effect from 1 June 1999, would minimise delays, thereby removing the requirement for deferred debt. The indications are that, broadly speaking, this is the case. However, we have started to see cases where the accrual of arrears due to CSA delay has arisen after June 1999. The following example illustrates this.

*Mr A complained to us, in August 2001, that he had accrued substantial arrears as a result of delays and errors on the part of the CSA. We found that a delayed periodic case check, calculated in April 2000, increased his maintenance liability from nil to £72.62 a week with effect from September 1999. A revision to this assessment was undertaken in November 2000, which resulted in it increasing again, to £105.49 a week. The assessment was later revised to £13.53 a week with effect from April 2000, but the delays in reassessment resulted in the accrual of substantial arrears. The CSA was unable to consider this debt for deferment, as the effective date of the assessment was after 1 June 1999.*

In our last report the Independent Case Examiner raised concerns about the cessation of the scheme. She felt that a consolatory payment may be inadequate redress for people in similar situations and the problems encountered may have a knock-on effect on the continuity of maintenance payments, causing unnecessary hardship for the families involved. Whilst the CSA has taken active steps to deal with these situations in ways which mitigate this, we are pleased to report that the deferred debt scheme is currently under review and we await the outcome.

**Levels of financial redress/adjustment in ICE cases:** During the reporting year, our representations to the CSA on behalf of our clients resulted in the award of significant amounts of financial redress or adjustment. These included:

- consolatory payments totalling **£101,506**;
- financial loss payments totalling **£114,235**;
- collection of maintenance arrears amounting to **£120,259** was deferred or suspended;
- advance payments totalling **£214,221**;
- refunds of maintenance totalling **£35,570**; and
- interest totalling **£23,576**, to reflect loss of the use of monies (in respect of advance payments and refunds).

During the reporting year, the ICE had cause to write to the CSA's Chief Executive to raise concerns regarding the CSA's consideration of ICE recommendations relating to compensation. In a number of instances, despite the fact that our investigation had clearly revealed shortcomings on the part of the CSA, compensation was not awarded or investigating officers found it necessary to resubmit requests.

The ICE recommended that where an investigation has been completed by this office, with a finding of CSA maladministration, the CSA take our reports into consideration when considering the question of financial redress. We are pleased that the CSA has accepted this recommendation.

It was against this background that we have consulted with the CSA and the Department for Work and Pensions, to identify ways in which we can streamline our procedures in order to inform and facilitate the CSA's decision making process in respect of financial redress. Although CSA staff must follow the appropriate guidelines, if a refusal is made an explanation will be given to our office.

*Mr B complained that the CSA had disclosed his home address to his ex-wife in an appeal submission, despite his request for this information to be withheld. Following this disclosure, Mr B and his family suffered harassment and were forced to move home, firstly to temporary accommodation and then to a permanent residence.*

*The CSA accepted that it had breached confidentiality and we asked that a letter of apology be issued, consideration be given to an award of a consolatory payment for gross inconvenience, severe distress and for the embarrassment the breach had caused. We also asked for consideration of compensation for the financial costs Mr B incurred in moving home twice.*

*The CSA awarded £200 for gross inconvenience, £300 for gross embarrassment, £1,000 for severe distress and £700 compensation for removal costs.*

*We approached the CSA again because the compensation for removal costs did not take account of the first move to a temporary address and we asked for this cost of £300 to be reimbursed. The CSA agreed and awarded £300 in full. The CSA also agreed to our request to look at ongoing financial loss as Mr B had moved to a property at a higher rent. We also asked and received an undertaking for Mr B's address to be withheld from the CSA and for him to be able to report changes to his housing costs without giving the CSA the actual address to which the costs related. His case was also marked 'sensitive' and was password protected.*

*At the time Mr B's complaint was closed by this office, he had been awarded compensation of £2,700 with enquiries continuing into his ongoing financial loss.*

*"Thank you for your efforts on behalf of my constituent. Your report was comprehensive, well presented and most professional."*

MP response to ICE report

### 3.8 Annual budget

Actual costs	2000/01	2001/02
Staffing costs	£1,092,999	£1,412,285
Non-staff	£83,088	£211,480
<b>Total</b>	<b>£1,176,087</b>	<b>£1,623,765</b>

*"Not 100% satisfied that ICE is independent of the CSA."*

ICE complainant.

In previous years, this office was funded via the CSA. This may have led to a perception that we were not independent. It is hoped that any such concerns will be alleviated following arrangements for funding to be directed via the Department for Work and Pensions, Children and Housing Directorate with effect from April 2002.



## 4 The Independent Case Examiner's overview of CSA service

Many complaints we investigate catalogue a history of difficulties which go back many years and reflect the problems experienced as a result of the CSA's failings in the past.

Nowadays the CSA has a better record for the quality of its service. Naturally, this has resulted in higher levels of customer satisfaction and this is to be welcomed. I was particularly impressed with the CSA's achievement of eight prestigious Charter Mark Awards this year. The staff presented with these awards show a clear commitment to customer service and an enthusiasm for improvement, which I have also seen mirrored in different business units throughout the CSA.

There is a real sense of excitement and a determination at all levels of the CSA to make a success of the CSR (which are referred to in greater detail in Section 9 of this report). However, when things go wrong, or even when customers think that they have, it is equally important that they can rely on the CSA to respond to them with courtesy and treat their complaints seriously. When problems arise they must be dealt with openly and in language that everyone can understand. The CSA is rightly expected to own up to mistakes and to try to resolve matters in as helpful a way as possible.

Whilst the CSA has made tremendous strides to improve its service in recent years, there remains a significant gap between rhetoric and reality in this important area. On occasion, every organisation faces criticism and complaints. The true measure of its commitment to customer service is demonstrated by the transparent and customer-friendly procedures that underpin its response. In simple terms, it must be open to criticism and not defensive, and welcome complaints and actively seek to learn from them, in order to prevent others from facing similar problems in the future. As ICE, I have tried to contribute to that process.



The key issues to emerge from this year's report relate to CSA failings in respect of its communications with clients, enforcement procedures and its complaints handling. Many of the concerns we have identified relate to the way in which the CSA communicates with its customers, both in the way in which customers' expectations are managed and the failures on the part of the CSA to honour commitments (see Section 5 of this report).

The report illustrates the importance of effective case handling and case progression, particularly in the context of the enforcement examples set out in Section 6. The requirement for this will certainly not be diminished by the introduction of the CSR. Nor will the requirement for the CSA to provide the means by which customer complaints can be dealt with within a clear and well publicised framework, understood by clients and staff alike.

Unfortunately the evidence we have seen suggests that this is not currently in place. A clear and straightforward process must be coupled with the required level of vigour in identifying the issue of a complaint and exploring ways in which it might be resolved. The need for improvement in this area is illustrated by the number of complaints which we accept for investigation, and are able to resolve to the clients' satisfaction without recourse to an investigation.

On my visits to CSA business units and in my meetings with senior executives, I have been impressed by a willingness to acknowledge this problem and to take steps to put things right. I have been able to speak with a cross-section of CSA staff, who share this concern and will welcome improvements to procedures.

Many business units have given me examples of good practice and Senior Resolution Managers, a welcome addition to the CSA's response to customer service, have shared evidence of positive responses to the information gained from customer complaints and criticism. (Examples are given later in this report.)

In previous years we have provided information about the proportion of our caseload, which related to each of the CSA's six business units. A better indicator of the quality of complaints handling is the number of complaints that flow to ICE. For example, in past years the Eastern Business Unit has provided a

*"CSA has done the best job possible given the circumstances."*

*"Staff have a very difficult job and they HAVE to follow procedures."*

Comments from CSA staff.

*"I cannot express fully how much I owe you, you have dealt with the case politely, thoroughly and with such empathy, that a simple thank you is not enough."*

*"Thank you so much for all your help ... this payment has changed our lives."*

Extracts, from letters of thanks received by the CSA.

disproportionate amount of our caseload. I am pleased to report that a more proactive approach to complaints handling has resulted in a marked decrease in the proportion of referrals we have received from its clients this year.

Given the key role of staff in delivering the standard of service the CSA aspires to, this report also highlights the necessity of improving and targeting training to enable people to meet client expectations.

Finally, it is important to remember the majority of cases in which the CSA gets it right. Many customers express real gratitude for the efforts of CSA staff up and down the country, who are prepared to go the extra mile for clients.



## 5 Communicating with clients

### 5.1 CSA service standards

The CSA sets internal targets in respect of a range of service standards. These are published to clients and stakeholder groups. We use these to judge whether a customer of the CSA has received the service they are entitled to expect.

Where the service provided to a client falls short of this, we look for evidence that the CSA has recognised the potential for complaint, by acknowledging its maladministration, offering a timely apology and considering what can be done to put matters right and, if appropriate, to provide financial redress.

### 5.2 Managing expectations

The importance of effective communication with customers cannot be overstated. This is particularly so, as the CSA interacts with two distinct groups of people, whose interests and objectives do not always coincide. Unfortunately, the number of complaints referred to this office clearly demonstrates that this is an area which is often neglected.

We know from general feedback and from our complaint referrals that some clients perceive the CSA as unhelpful and antagonistic in its approach. Much could be done to change this perception if people's expectations are effectively managed and staff respond to clients' information needs, as they arise.



One of the key themes that emerges from the complaints we see is the CSA's failure to make it clear, from the outset, what clients can reasonably expect of it. Clients should be left in no doubt about the CSA's role in assessing and securing child maintenance payments. Messages to customers about the progress of their case, whether written or verbal, need to be clear, consistent and informative. CSA customers should know, or be able to find out with ease, what stage their case is at and what they can realistically expect to happen next. In particular, they should be informed about what action will be taken should they or the other parent not co-operate with the CSA.

The following examples illustrate the types of complaints that are generated when the CSA fails to explain its role clearly, gives incorrect information, or fails to ensure that people are kept apprised of developments.

*Mr C was a NRP who complained that he was given incorrect advice by the CSA when he was told to send a letter, signed by himself and his ex-wife, requesting case closure. We found that he had made a private agreement with his ex-wife for the payment of maintenance, despite the fact that she was receiving a prescribed social security benefit. He was given misleading information by the CSA on two occasions and this led him to believe that his case was to be closed. Meanwhile, the CSA received advice from his ex-wife that she did not want the case closed. The CSA failed to advise Mr C of the position and several months went by without him hearing anything at all. The first communication he received to indicate that his case was still open was a significant bill for arrears.*

*Mrs D's complaints concerned the CSA's failure to enforce maintenance payments and to keep her updated on the progress of her case. Our investigation revealed numerous instances when the CSA failed to return Mrs D's calls or reply to her letters. Even following her complaint to this office there were instances when the CSA failed to return her calls. We were particularly concerned that, having given an undertaking to provide monthly updates on the progress of her case, the Agency failed to honour this commitment.*

**5.3 Managing exceptions** Any organisation as large as the CSA requires standard processes and procedures for dealing with particular issues or situations. However, there will always be clients whose circumstances do not fit neatly into these procedures. Unfortunately, we see too many cases where the CSA's inability to identify such exceptions and deal with them appropriately causes unnecessary problems. The inevitable result of this CSA maladministration is customer complaints. The following example illustrates this.



ICE Senior Management Team

*Mr E complained that, having disputed paternity at a local office interview in 1995, he heard nothing from the CSA until June 2001 when he received an arrears notification for nearly £15,000. Following receipt of the arrears notification, Mr E raised the issue of disputed paternity with the CSA, and was advised to pursue the matter through the courts. Our investigation revealed that the notes of the local office interview, which had taken place in 1995, were poor and failed to record whether Mr E had then disputed paternity. Following investigation by this office the CSA agreed to arrange and pay for DNA testing and to defer the collection of arrears until the matter had been resolved.*

In response to our recommendations the CSA has taken steps to introduce a checking procedure which should prevent problems relating to the unexpected arrival of large bills for arrears.

Whilst most clients of the CSA have seen a recent and welcome improvement in the quality and speed of the service they receive, it is important to address the needs of clients whose circumstances fall outside the normal range. People are entitled to a satisfactory level of service, even though their circumstances may require a greater degree of consideration on the part of the CSA, as illustrated by the following example:

*Ms F applied for maintenance in July 1996, but despite assurances that her case was being processed no maintenance was collected. Enquiries from Ms F's solicitor were ignored. In April 2000 the CSA admitted to her MP that very little had been done to progress her case. The inaction and delay had been exacerbated by the loss of Ms F's file. It was not until September 2000 that the NRP attended an interview and completed a maintenance enquiry form. Assessments backdated to 1996 were calculated in October 2000. Following her MP's involvement, the CSA awarded compensation totalling £170.*

*Before the assessments were calculated, Ms F had told the CSA that the NRP was planning to go abroad and this would place him outside the CSA's jurisdiction. No effort was made to arrange payments until shortly before he left the country and, in the event, no maintenance was collected. Ms F was dissatisfied with the way in which her maintenance application had been handled and complained to this office. At this point the CSA reconsidered the amount of the compensation award and paid a further £60. As a result of our investigation, the CSA accepted that Ms F had lost the opportunity to receive maintenance and awarded a compensation payment for financial loss of £13,903.09 plus £1,408.30 interest. A further consolatory payment of £300 was awarded for gross inconvenience.*

## 5.4 Conducting business by telephone



The CSA's policy of conducting business by telephone has been welcomed by many clients as a speedier and more customer-friendly approach to its service. However, it is not without its problems. We receive many complaints from clients who claim to have been given inaccurate or misleading telephone advice. Unfortunately, these complaints present particular difficulties from an investigative viewpoint. This is primarily because telephone records generally fail to offer a full, or sometimes any, account of the discussion which has taken place. As a result, we can find it difficult to reach a firm conclusion in respect of these complaints, given the lack of objective evidence to substantiate the claims. This is intrinsically unfair, if caused by poor administrative practice on the part of the CSA. The difficulties involved in investigating complaints about telephone advice are illustrated by the following example:

*Ms G complained that the CSA failed to keep her informed of case developments and often provided conflicting information. Our investigation revealed that Ms G made a number of requests to be kept informed on the progress of her application, despite which the CSA failed to do so. In a letter to her MP, the Parliamentary Business Unit Manager acknowledged the CSA's failure to keep her informed in writing but implied that it had kept her apprised of the situation by telephone. Ms G subsequently pointed out, quite correctly, that any telephone contact had been instigated by her rather than the CSA. We were unable to reach a firm conclusion on what, if any, information she had received, as the CSA's telephone records were brief and failed to provide specific details of conversations.*

While we would not wish to discourage the CSA from dealing with customers by telephone, it is easy to see how problems can arise. The advice clients require regarding child maintenance matters may be complex and wide ranging. Without a written record of the information they have been given, which can be provided if necessary, there can be scope for misunderstanding and confusion. This has been raised in discussion with senior managers by ICE over several years.

There is, of course, one area where the CSA's willingness to deal with clients by telephone is essential and that is in the matter of complaints. Most people complain by telephone and rightly expect their complaints to be given equal weight to those made in writing. An insistence that complaints are committed to paper often means that those who do not feel able to do this for a variety of reasons,



Jodi Berg in discussion with the ICE Initial Action Team

can be severely disadvantaged. It also means that the CSA loses the opportunity to learn from significant groups of customers what problems they face in dealing with the CSA and how services can be improved to meet their needs.

It is not easy to complain to a public body. Many people are unwilling to do so and can be easily put off if procedures are lengthy and complex. As a consequence, it is often the case that those who manage to pursue their complaints through the review procedures and eventually to this office are determined, articulate and well educated. We are concerned to ensure that all those with cause for complaint are treated fairly. We are pleased to note that a telephone complaints trial has recently been concluded and evaluated by the CSA and it is intended to roll this out across the CSA. The ICE welcomes the CSA's future commitment to respond positively to customer comments and complaints, regardless of how they are made.

### 5.5 Honouring Commitments

Nothing is more likely to cause complaint than a failure to honour commitments to individual clients. This can be fundamental in shaping a customer's perceptions of the CSA's service.

For example, if clients are led to believe that certain action will be taken by a specific date and the date passes without this happening and without warning or explanation, the individual will not only be disappointed, but their view of the CSA's commitment to customer service will have been shattered. This can also be the result of a simple failure to return telephone calls, where an assurance has been given that this will happen. The result for the client can be irritation, anger, frustration, worry and panic.

*"Many thanks for your letter of 21 July 2001. It was refreshing to receive correspondence that was honest and professional."*

Extract from letter of thanks to ICE.

*In investigating Mrs H's complaint, we found that the CSA failed to respond to letters and telephone calls over a significant period. Of particular concern was the fact there were numerous instances when requests from Mrs H for a return call to update her on the progress of her case were ignored. We found that the CSA had no formal procedure in place to deal with return calls to clients. We therefore recommended the introduction of a system to ensure that a reasonable number of attempts are made to return calls, at different times of the day, prior to providing the client with a written response/update, as necessary.*



## 6 Enforcement

The issue of enforcement, particularly in respect of the self-employed, has been a recurring theme of previous Annual Reports. These reports acknowledged the difficulties faced by the CSA in securing co-operation and compliance from some within this particular client group. This remains a cause for concern.

In our last Annual Report, we welcomed the introduction of tougher enforcement and information-gathering powers, which make it an offence to refuse to provide information and grant the CSA access to information held by the Inland Revenue. We also welcomed the production of a revised enforcement guide for staff, which explains the methods of enforcement available to the CSA. Unfortunately, we continue to see cases, which suggest that the CSA has yet to put these powers to the most effective use. Until it does so, we see no reason to conclude that the difficulties the CSA faces with this particular group of clients will diminish.

Our investigations reveal numerous instances where non-resident parents, who wish to avoid their responsibilities to their children, have capitalised on what is clearly perceived as the CSA's weakness in this area. The result has been delays in the collection of maintenance and, all too often, the failure to collect any maintenance at all. In such cases, it has been disappointing to find that the CSA has rarely tackled enforcement in a systematic and consistent manner. The CSA has the means of doing this by applying penalty actions along an escalating scale. However, the CSA's response has often been sporadic and piecemeal. We frequently find that the powers now available to the CSA have not been deployed, or that if they have, their effectiveness has been minimised by flawed implementation of established procedures. The following examples illustrate these shortcomings:



Jodi Berg and ICE Case Director  
Phil Latus

*Mrs J applied for child maintenance in September 1993 and a maintenance enquiry form was sent to the NRP the next day. The form was not returned but no further action was taken for five months. The NRP did not co-operate but an interim assessment was not imposed until August 1994 (effective from June 1994). Although Mrs J enquired about progress on several occasions, little action was taken between March 1997 and May 1999. At Mrs J's prompting, the CSA started tracing action to establish the NRP's address and employment details. Mrs J had supplied a possible address and contact telephone numbers for him as early as May 1999, but it took the CSA until September 1999 to act on this information. By using telephone numbers supplied by Mrs J, the CSA spoke to the NRP, but failed to confirm his address. Employment details had been obtained but he had left his job before a Deduction from Earnings Order (DEO) could collect any maintenance.*

*The CSA took limited tracing action to try to find out about his new employment but the address supplied by Mrs J was not visited until November 2000. In fact, due to a clerical error, correspondence had been sent to a different address. Eventually, a court summons was issued for a liability order hearing in April 2001. Although the non-resident parent had previously telephoned the CSA to discuss the liability order, he persuaded the court presenting officer that he had not been told of the intention to apply for the order. This officer was unaware of the previous telephone call and agreed to the withdrawal of the court case. The non-resident parent is no longer at the address and the CSA's tracing action continues. At the conclusion of our investigation no maintenance had been collected. Since the arrears are regarded by the CSA as recoverable, Mrs J is not entitled to payment in respect of financial loss. Over eight years after her application for maintenance, Mrs J was awarded a total of £280 in compensation.*

In response to this and similar cases, the CSA is introducing a number of initiatives including rewriting procedures and briefing staff to ensure that tracing action is conducted thoroughly.



*Mrs K applied for maintenance in April 1996 but it took the Agency eight months to send the non-resident parent a maintenance enquiry form. The form was not returned and seven months elapsed before an interim assessment was imposed. This was followed by a further five months before enforcement action started. A liability order was granted in March 1998 but the case was not referred to the bailiffs until five months later. When bailiff action was unsuccessful the CSA considered committal proceedings. It took the CSA six months to conduct the necessary checks, which were completed in June 1999. However, it failed to follow its own guidance and inform Mrs K of the intention to take committal action. Following the authorisation of committal action, it took the CSA eleven months to notify Mrs K. By this time the non-resident parent was receiving benefit and proceedings were halted.*

*Nothing further happened until Mrs K contacted the CSA in January 2001 to ask for action to be taken as the non-resident parent had ceased claiming benefit. However, he left his employment in May 2001 before a DEO could be imposed. Following representations from Mrs K's MP, enforcement action resumed. It is seven years since Mrs K made her application for maintenance. No maintenance has yet been collected but Mrs K has been given an assurance that the CSA will now use all means at its disposal to enforce payment. Since the arrears are deemed recoverable, Mrs K is not entitled to compensation in respect of financial loss. Following our investigation Mrs K was awarded a total of £170 in compensation.*

The CSA clearly needs to define people's expectations regarding the management of such enforcement cases. Parents with care should be made aware from the outset that such cases have, historically, been more difficult to progress. Non-resident parents should be left in no doubt as to the CSA's resolve to use its powers of enforcement to the maximum. It can only demonstrate this by following established procedures in a logical, sequential order wherever possible and by keeping both parties updated about the process at every stage. Neither party should be left in any doubt of the consequences of failure to comply, or of the CSA's commitment to impose penalties, rather than simply to threaten to do so. A failure to follow through on a threatened course of action only serves to reinforce a belief that the CSA is not serious in its intentions to secure compliance.

These poor expectations of the CSA were highlighted when a non-resident parent complained to this office about the speed at which enforcement action was taken in his particular case. It was his understanding that this usually took in the region of three years and he felt that the CSA was picking him out for particularly harsh treatment. The perception that the CSA is, generally speaking, neither prompt nor efficient in these matters is particularly unfortunate. Nevertheless, it is fair to recognise that even when deployed appropriately, the sanctions available to the CSA are not always successful in ensuring that maintenance is paid. The ICE has raised this issue with the CSA on a number of occasions. She has asked the CSA to give prompt consideration to how it can make best use of the enforcement powers available to it, to ensure the effective, consistent and timely management of cases.

In dealing with cases of this kind, the importance of having timely access to relevant information held by other government departments is paramount. This is particularly true of information relating to a non-resident parent's change of circumstances, which may be held by the Benefits Agency and the Inland Revenue. This information can be critical to an assessment, or to the pursuit and collection of arrears. Similarly, information held by the DVLA can be vital to assist the Agency in tracing non-resident parents. Clearly, if the CSA is to maximise its success in dealing with these difficult cases, it must work co-operatively and effectively with other government bodies within the bounds of legislation.

*"Keep up the good work. Improve public awareness of the service you offer – I suffered years of frustration in my dealings with the CSA before I found out that I could complain to you."*

Extract from ICE customer satisfaction survey.

This has been the subject of a recommendation by the ICE, which the CSA has accepted. The CSA has already established communication channels with other agencies, to facilitate the flow of information. Whilst success in this area depends upon the co-operation of other agencies, it could have a significant impact on the CSA's ability to secure maintenance for children of some elusive non-resident parents.



## 7 Complaints handling

### 7.1 Listening to and learning from customers

The ability of an organisation to recognise and learn from its mistakes is paramount, if it is to improve the quality of service it delivers to its customers. Complaints are a particularly valuable source of customer feedback, which provides a wealth of information for any organisation prepared to look critically at its services in the context of what its customers have to say.

The cases which this office accepts for investigation represent only a small percentage of the CSA's overall caseload. They do, nevertheless, provide a valuable insight into the way in which the CSA conducts business and, in particular, into the effectiveness of its complaints handling procedures.

### 7.2 Complaints handling within the CSA

One of the key tasks of this office is to hold the CSA to account for the quality of its complaints handling. Following her appointment in August 2001, the ICE indicated to the CSA that she would be taking a close interest in the way in which it handles complaints. Unfortunately, from the evidence seen to date, the indications are that the CSA does not have a structured and consistent procedure for handling complaints from customers, which is clearly understood by everyone.

The Cabinet Office, 'Service First', guidance on "How to deal with complaints" offers public bodies guidance in this important area of customer care. It requires that procedures are written in clear language and are simple and straightforward to operate. It makes it clear that information provided for the public and instructions for staff need to include all the stages of investigation and review, and to set out clearly at what point a complaint should go to the next stage.

Whilst some of the CSA's literature suggests that it has a structured approach to complaints handling, original good intentions have been overtaken by events, perhaps due to the number and complexity of complaints received. This has caused the CSA

to find new solutions and introduce various initiatives and procedures over time. This has led to confusion for clients and staff alike.

Many of our customers describe their frustration at not being able to progress their complaint through the organisation in any logical way. They are often engaged in repeated interaction with one officer/team and, despite the best of intentions, this does not always resolve the points at issue. Others are passed from pillar to post for months and sometimes years, before referring their complaints to this office. In cases that we see, people are seldom offered a clear response that indicates that their complaints have been addressed and advice on what to do next if they remain dissatisfied.

*"The CSA's response to any form of complaint is to pass it to another department, as no one is prepared to accept that they have made a mistake. Because of this, the complainant will never receive a satisfactory response. I have absolutely no confidence in the CSA's ability to get things right first time, or put them right if they get them wrong."*

CSA complainant

All clients who wish to pursue their complaints should be able to do so and 'signposting' to the next stage of review is essential if this is to happen. The CSA is committed to providing information about our service to everyone who complains to the Chief Executive (the final internal stage of review). Over the past two years this has happened in 80 per cent and 82 per cent of cases respectively. We were pleased to note the Chief Executive's commitment to achieve this in every case in the coming year.

Senior CSA managers have also acknowledged the need to take a fresh look at this whole area. As a result, some time ago the CSA embarked on a thorough review of its arrangements for handling complaints. The ICE has also been offered full assurances that streamlined complaints handling arrangements will be introduced in this financial year. In his letter to her, the Chief Executive said, "I am committed to establishing a professional, efficient and sensitive Child Support service. It is my belief that a key element of this is a first rate complaints handling service". She welcomes this commitment.

It is fair to say that there are already numerous pockets of excellence within the CSA. The ICE is keen to see it establish the mechanisms necessary to encourage staff to share this good practice and the lessons learned from complaints within business units and across the CSA as a whole. The collation of information on all complaints received and the proportion of these that progress to the next tier would give a better indication of the success of front-line staff in satisfying customer concerns.

We hope that changes in information gathering and feedback systems will prove a boost to staff morale and give grounds for customer confidence. However, until the CSA develops a means of measuring performance in this area, the only information regarding the CSA's success in resolving complaints comes from our findings.

### 7.3 Offering timely and appropriate redress

In last year's Annual Report we reported a significant increase in the number of cases in which redress was being instigated by the CSA, rather than by the client or this office. In addition we reported a rise in the number of cases where we found that, in considering financial redress, the CSA had taken account of all the relevant facts. It is pleasing to note that these trends have continued during the reporting year.



Whilst we welcome the considerable efforts made by the CSA to resolve clients' complaints following their acceptance for investigation by this office, its failure to do so beforehand is regrettable. The CSA must guard against the development of a culture whereby clients' complaints are only taken seriously once they have progressed to independent review. Its objective must be to resolve problems as soon as possible and as close to the original point of contact as possible.

We will continue to make every effort to facilitate the speedy resolution of complaints, for the benefit of clients. Notwithstanding this, it is disappointing to see so many cases where resolution should have been achieved before referral to this office. Given that prior to referral of complaints to this office, clients must have received a reply from, or on behalf of the CSA Chief Executive, in the preceding six months, we can only conclude that internal investigations into complaints are not always as thorough as is necessary. The ICE has recommended that the CSA takes steps to address this issue.

A further concern has been the reluctance on the part of the CSA to explore appropriate ways of resolving complaints in cases before they reach the ICE's office where CSA maladministration is apparent, as the following examples illustrate:



*Mr L disagreed with the amount of arrears for which he was liable. He became unemployed in January 1995 and notified the CSA of this. He did not receive the review form issued by the CSA and, since it was not returned, the CSA took no follow up action. Meanwhile, Mr L's former partner advised him that she was closing the case with the CSA. Mr L, therefore, saw no reason to report any further changes to his circumstances. He heard nothing further from the CSA until June 1999, some four and a half years later, when he received notification that he owed substantial arrears. We found that during the intervening period the CSA had taken very little action on the case, and had no contact from the parent with care. Mr L accepted that arrears were due, but asked that they be accurately calculated to reflect all the changes to his circumstances. He subsequently received an arrears demand for £13,218. Following his complaint to this office, further reassessments were undertaken to reflect a period of unemployment, reducing the arrears to £12,738.91, of which the CSA agreed to defer £10,902.41. The complaint was resolved to the client's satisfaction without recourse to an investigation.*

*Mrs M complained that the CSA had agreed to pay her deferred debt compensation amounting to £1745.09, 52 weeks after the same amount was deferred from the NRP's account. The case was closed before 52 weeks elapsed and the CSA refused to pay the deferred debt compensation. Following our representations, the CSA paid £1,745.09 in deferred debt compensation. The complaint was resolved without recourse to an investigation.*

*Mr N wrote to the CSA twice in February 2001, requesting an explanation of certain actions taken on his case. He did not receive a reply and on 10 August 2001 he wrote to us to complain. His complaint could not be accepted at that time, as he had not received a reply from the CSA's Chief Executive. A copy of his complaint was therefore sent to the CSA the same week, in order for Mr N's concerns to be addressed.*



*The CSA asked Mr N to provide copies of his letters of February 2001, and these were received by the CSA on 28 August 2001. However, as Mr N did not receive a reply within six weeks, he returned to our office on 15 October and his complaint was accepted.*

*Following his approach to this office, the CSA wrote to Mr N on 17 October 2001, and he agreed that the letter was an adequate explanation of the issues he raised. Following our representations, the CSA awarded a £50 consolatory payment for inconvenience. The complaint was resolved without recourse to an investigation.*

The CSA is currently introducing a complaints improvement programme which will address the issue of how it can provide timely and appropriate redress, to satisfactorily resolve clients' complaints, thus avoiding the need for their escalation. The introduction of resolution planning, following the model of this office, should enable the CSA to focus on every means of redress at its disposal. As part of this process, rather than a target for responding to complaints within a specified timescale, the CSA will have an operational business target for resolving clients' complaints within 20 days of receipt. We welcome this initiative.

Key to the process of resolving complaints is early agreement with the clients as to the exact nature of their complaint, and the course of action they regard as necessary in order to resolve it. Without this shared understanding, the process of resolution may become confused or entrenched.

The following example illustrates the importance of defining what the client actually wants in order to resolve their complaint, and emphasises the point that this is not always money:

*Mrs O complained that she was not receiving payment of regular maintenance on the monthly due date, in accordance with a DEO. She said she wanted to receive payments directly from the NRP, rather than via the CSA. In response to our representations the CSA explained that the NRP's employer had until the 19th of each month to make payment in respect of the preceding month. It agreed to routinely contact the NRP's employer if payment had not been received on the due date. The CSA also explained that arrears of maintenance were owed to the Secretary of State, but that it would consider changing the method of payment if agreement were reached with regard to the repayment of Secretary of State arrears. These responses resolved the complaint.*



In the example below, the opportunity to resolve the complaint was clearly missed prior to referral to this office:

*Mr P, an NRP, complained that, without prior notification or knowledge of the CSA's involvement, a deduction from earnings order had been imposed. Following this, he was advised in January 2001 that he owed maintenance arrears of £21,000. Having questioned the arrears, Mr P was advised that they had accrued as a result of an Interim Maintenance Assessment (IMA) imposed for non-compliance. When he complained to this office, it became apparent that a maintenance enquiry form had been sent to Mr P in 1993, but to an incorrect address. The IMA was therefore invalid and Mr P was not liable to pay the arrears. In fact, Mr P's liability did not commence until January 2001, the date on which a maintenance enquiry form was issued to his correct address.*

#### 7.4 Recording and monitoring trends

*"The officer who handled my case was very helpful and kept me completely informed as to how the investigation was going. She always telephoned me when she said she would."*

Extract from ICE customer satisfaction survey.

If the information generated as a result of our investigations is to be used to full effect by the CSA, there is a need to ensure that it can be sensibly compared to the information the CSA collects about the complaints it receives.

Currently, we record details of the trends and details of the complaint following investigation, since the client's original complaint may not clarify all of the issues. The CSA records details of the original written complaint, but not emerging issues. We know from experience that there can be a significant difference between the two. This issue will form part of our ongoing discussions with the CSA regarding its development of complaints handling and supporting information systems.

#### 7.5 Preparation of staff

Following her appointment in August 2001, the ICE undertook a programme of visits to the CSA's six business units. This presented her with the opportunity to talk to staff at the front-line, about their experiences and perceptions of working in the CSA. She found these visits both informative and thought provoking, and was particularly impressed by the strong commitment amongst CSA staff to contribute to the valuable process of securing maintenance for the benefit of children. The quality of the service depends upon the ability of staff to carry out their important role in a courteous, efficient and effective manner.

**Comments from CSA staff:**

*"We are only human, we need to manage customer expectations."*

*"Some clients think that theirs is the only case that we have to deal with – we wish that were so, and we could provide the service they want."*

*"The existing formula is so complex as to be unworkable."*

There is no doubt that the sensitive nature of the CSA's work often requires staff to cope with demanding and stressful situations when dealing with customers. Over the years, this task has been made more difficult by some public perceptions regarding the value of the CSA's role. Whilst it is anticipated that the CSR (which we discuss in greater detail later in this report), will simplify the process of assessment, they will not remove the need for staff to be trained and fully supported in the sensitive role they are required to fulfil.

Feedback from staff suggests that, at present, the training falls short of that which is required. We found that too few staff, who are required to engage with customers, who may be under stress and have the potential to react negatively to what has to be said, are trained to handle such situations. Training in handling difficult situations, negotiation skills and complaints handling are necessary for anyone dealing with customers on a regular basis.

A genuine commitment on the part of the CSA to improving the quality of the service it provides to its customers should be demonstrated by its commitment to enabling its staff to do so, through its training programme. We are, therefore, pleased to note that the CSA is devoting considerable resources to staff training in the coming year and we hope to be able to report headway being made as time goes on. We are particularly keen to see consistent and focused training for all customer service staff. We are exploring with the CSA ways in which the experience of this office can be used to help this endeavour.

On a cautionary note, whilst we welcome the CSA emphasis on its objective of assessing and collecting maintenance for the benefit of children, it is important that, in achieving this, NRPs are not perceived or treated in any negative way. The issue of bias in favour of the PWC is one which is often raised with this office. Such allegations can result from the manner in which a client has been spoken to and they are inevitably difficult to substantiate.

*"ICE should have more power to decide appropriate compensation, as an independent assessment can be made, and not an ill-informed view made by the organisation who are in the wrong. The ICE provided an exceptional service. Thanks to all."*

Extract from a client's letter of thanks.

This makes it all the more important that customers are dealt with as individuals with unique circumstances and experiences. Failure to do so could result in an inherent organisational bias, which could have a profound and detrimental impact on the CSA's ability to provide the quality of customer service, to which it aspires.



## 8 Making a difference to the service clients receive

Whilst this office performs an essential function in securing redress for individual clients, we also play a fundamental role in highlighting systemic weaknesses, or failings. We do this with a view to facilitating or informing improvements to the CSA's operational processes and procedures. This is achieved through:

- systemic recommendations that have their origins in issues highlighted as a result of a particular case, some of which have been referred to earlier in this report;
- participation in and contribution to CSA-wide initiatives, such as the Complaints Improvement Programme, and Customer Material Testing Workshops;
- the recent innovation of the ICE's half yearly attendance at CSA Board meetings;
- the ICE raising examples of issues or problems, which she regards as having wider implications for the CSA.

In these ways the ICE can offer quality assurance to the CSA in respect of the service it provides to the public. Despite some concerns that systemic recommendations were not being considered as seriously as necessary, having raised these concerns with the Chief Executive, there is now a clear mechanism for progressing systemic recommendations, which will ensure that they are considered at the highest CSA level and given operational priority.

The ICE draws on the case examples she sees to raise concerns regarding general systemic issues. The intention is to assist the CSA in identifying the issue, rather than seeking to prescribe the solution. This provides the CSA with the opportunity to comment on the general issue and provide information as to what action will be taken to address it.

The CSA's own data on the complaints it receives, coupled with that which results from action taken by this office, provides a wealth of information about the quality of service provided by the CSA to its customers. Following her appointment, the ICE asked the CSA's business units what lessons were being learned from complaints to improve customer service. The responses we received provide evidence that this information is used to improve and develop the quality of service provided to customers. As the following examples illustrate:

*The appointment of a dedicated officer to analyse and evaluate complaints, tasked with producing quarterly reports for feedback to the business teams, which identify problem areas and make recommendations for action.*

*The compilation of a thorough review of complaints for 2000/01, which is to be used as a management tool to target individual areas of improvement, as well as providing an overview of the challenges faced. In addition, following problems identified in last year's ICE Annual Report in respect of the self-employed, a working group has been established to compile an action plan to improve the business unit's overall performance in dealing with this group of clients.*

*Incorporating case histories and lessons to be learned from ICE cases into the following internal training sessions; customer service workshops (which introduce basic principles and procedures to all staff); and training days for all customer service managers.*

The appointment, during the reporting year, of a Senior Resolution Manager within each business unit, tasked with facilitating the resolution of high profile complaints is welcomed. There is already evidence to suggest that Senior Resolution Managers have been able to play a key role in resolving a number of problematic or contentious cases. However, there is no current evidence of a CSA-wide approach to learning from complaints. Instead, good practice is confined to pockets within individual business units. The result is that each business unit is attempting to address the question of how to use complaints to improve customer service, when many of the solutions may in fact be generic to the CSA. We are working with the CSA to facilitate the sharing of good practice.

*"Nothing has changed since the report was issued. CSA still get things wrong, and maintenance is still not collected."*

Comment made in response to an ICE customer satisfaction survey.



## 9 Child Support Reforms

Despite recently announced delays, the CSA is planning to introduce the Child Support Reforms (CSR) as soon as the technology allows. The intention of CSR is to put children's needs first, in the provision of a streamlined, customer-friendly service. One of its key features is the introduction of a revised method of calculating the maintenance assessment. A NRP's liability will be assessed by applying a set percentage to their net income, based on the number of children involved. The assessment of existing cases, in accordance with the revised maintenance formula, may be phased in over a period of time.

Whilst the changes to the maintenance formula have been broadly welcomed, some people will have to pay more, others will receive less. In last year's Annual Report we highlighted our fear that if the CSA did not introduce effective mechanisms for notifying clients of the changes in advance of their implementation and for dealing with complaints or queries that arise as a result of change to an individual's case, this could have a profound impact upon the operational effectiveness of the CSA's business. We are pleased to report that the CSA has made strenuous efforts to achieve these objectives.

There is no doubt that the CSA has a significant task ahead of it, as it prepares to transfer the existing caseload to the new assessment formula. Its success in managing this process will no doubt be a matter on which we will want to comment in due course. The CSA clearly needs to ensure that the benefits of delivering CSR are not overshadowed by the potential pitfalls of the transitional process.

From the customer's point of view, such benefits are likely to take the form of reduced waiting times, resulting from a much simplified assessment process, which requires far less information to inform the calculation of an assessment. This will be coupled with a clearer understanding of the basis for the calculation and, potentially, a

reduction in the demand for reviews, which can lead to delays in the enforcement process. Given that the potential benefits could have a profound impact on two of the three areas which generate most complaints, namely delay and error, there are clearly opportunities for the CSA to reduce the number of these complaints.

Whilst the new scheme will provide the basis for improvement, it will not address many of the problems illustrated by the complaints reaching this office, without a real emphasis being placed on customer service.

**New scheme:** The primary aim of the new scheme is to facilitate the prompt and regular flow of maintenance to the children involved. In order to achieve this goal the whole process will be much simpler and significantly fewer pieces of information will be required to establish a maintenance assessment. Evidence from complaints suggests that many delays and errors are a direct result of the difficulties associated with collecting and updating the 100 or more facts currently required. The new scheme is expected to be both faster and less prone to error. The complexity of the current scheme has also given rise to complaints born of a lack of understanding on the part of customers, their representatives and CSA staff. A more transparent, less complex scheme has the potential to benefit everyone involved.

**New organisational structure:** Hitherto, the CSA has organised its work in a series of specialist groups, each handling a part of the process. As a result, customers have experienced real problems when responsibility is transferred from one group to the next. As part of the implementation of the CSR, the CSA has developed a team approach to service delivery. The simpler scheme will allow the CSA to train its staff to undertake a wider range of duties thus reducing the occasions when responsibility needs to be transferred to specialist officers. In addition, in response to previous ICE reports, the CSA has introduced front-line staff dedicated to responding to complaints.



**Handling exceptions:** Whilst it is to be hoped that the new system will meet the needs of most customers, there are always exceptions to the rule. Many such problems are found in cases where uncooperative non-resident parents intentionally make it difficult for the CSA to establish a confident maintenance assessment or to enforce compliance. Complaints we see reflect delays, a lack of direction and a reluctance to take action in accordance with CSA guidance. The new IT provides management information, which will enable the CSA to deal with such cases in a focused and proactive manner.

**Variations:** The Variations scheme is being introduced as part of the Child Support Reforms and replaces the existing Departures scheme. Under the current scheme, an application for Departure cannot be accepted until a maintenance assessment is notified and in force. In contrast, applications for Variations can be accepted before the maintenance calculation process has been completed. However, circumstances giving rise to a Variation are more limited than those relating to Departures and, for example, do not include housing or travel to work costs. Nevertheless, people who can benefit from a Variation will need to know about this if the CSA is not to face future challenges and regular maintenance is not to be put at risk.

The CSA expects customers to provide sufficient information, either on the phone or in writing, to alert staff to the facts that might make a Variation appropriate. We are concerned that this may not happen in every appropriate case and this issue has been raised with the CSA.

Although not specifically referred to on the new forms, there will be an explanatory leaflet about Variations and it would be helpful and appropriate for this to accompany notifications of assessment. As we understand it, a Variations leaflet will not be issued unsolicited to all clients as it will not be relevant in the majority of cases, although Variations will be mentioned in leaflets that are issued to accompany the application and enquiry forms. Once the Child Support reforms are introduced we will monitor our complaints referrals in order to ensure that customers do not encounter problems in this important area.



**Ongoing challenges:** Previous reports by the ICE have emphasised that CSR is not a panacea for all of the problems CSA customers have endured over the past nine years. There are aspects of the CSA's service that will not be improved by the CSR. Better case management and the use of other legislative changes have the potential to have a beneficial affect on these matters, but we suspect that they will be a feature of complaints even after CSR is fully implemented. We will continue to monitor trends in order to focus the CSA's efforts to improve its service on the identified needs of customers.

**ICE and CSR:** We are hopeful that customers of the CSA will see an improvement and that they will experience a faster, more accurate, more transparent service. If this is the case, expectations will rise and what is perceived to be a greatly improved service by today's standards will soon become the norm. Experience from other organisations suggests that complaints will still emerge and, inevitably, a proportion of these will require investigation by an independent review service.

During the preparation for CSR the CSA has to undertake a considerable amount of work to ensure that cases can be transferred to the new system and scheme. In doing so it will raise issues with customers who may wish to challenge its actions.

There will be other clients who are concerned about the personal impact of the reforms and want to resist the imposition of the new assessment. Such clients may also choose to pursue complaints about current and/or past issues. We anticipate that a significant number of complaints will concern issues that relate to legislation and will be outside the remit of the ICE.

We have been working with the CSA to identify how the implementation of the CSR is likely to impact upon our service. We are preparing to respond to any increase in referrals by recruiting and training staff and adjusting our own procedures to accommodate the work.

*"Very good service. Some positive actions were taken by the CSA as a result of them knowing of ICE's involvement."*

Extract from ICE customer satisfaction survey.



## 10

# Concluding remarks from the Independent Case Examiner

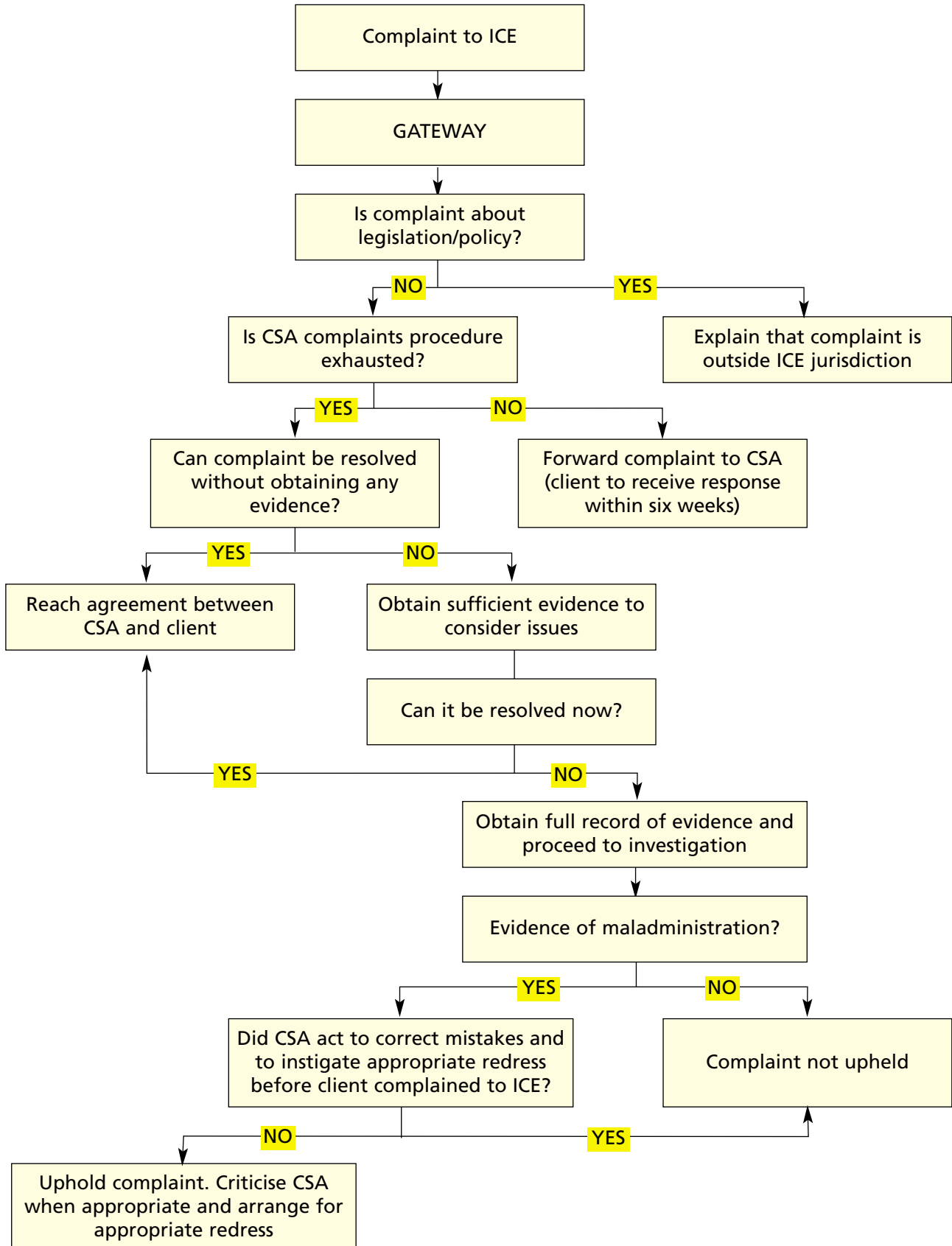
This reporting year has been one in which my office has experienced considerable change in personnel and procedures, and with the introduction of a new database. We will be looking to build on these changes in the coming year, by seeking to improve the quality of service we provide to our clients.

In terms of the CSA's performance, it has been a period in which we have observed a greater recognition of the importance of resolving customer complaints, both within its own procedures and in its response to those referred to my office. In the coming year, we hope to see an increase in the number of complaints the CSA resolves prior to our involvement. I also expect clients to be routinely advised about how they can take matters further, if they are not satisfied with the CSA's response.

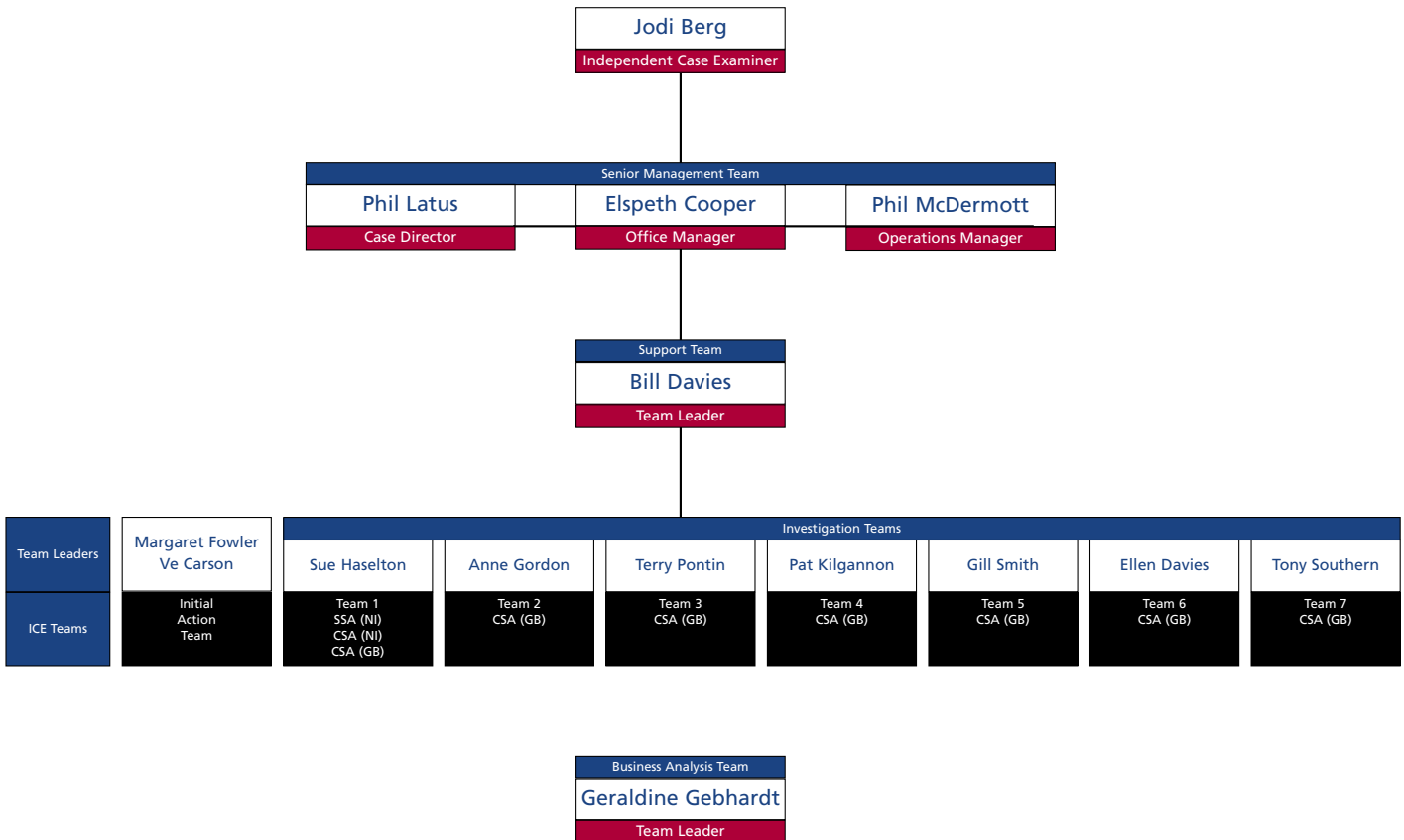
I am optimistic that, if the CSA takes the opportunity to enhance the quality of its communications and interactions with its clients, there can be a real improvement in customer satisfaction and confidence. This issue takes on even greater significance with the impending introduction of the CSR.

From the evidence I have seen, there is certainly a strong desire on the part of CSA staff to provide high quality customer service. I hope to see that the significant investment the CSA is making in staff training results in increases both to staff confidence and client satisfaction.

# Annex 1 The life cycle of a complaint



# Annex 2 Organisation chart



Left to right: Pat Kilgannon, Elspeth Cooper, Sue Haselton, Anne Gordon, Gill Smith, Bill Davies, Phil McDermott, Ellen Davies, Geraldine Gebhardt, Margaret Fowler, Terry Pontin, Ve Carson

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The Office of the Independent Case Examiner  
PO BOX 155  
Chester  
CH99 9SA

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Minicom: 0151 801 8888  
Fax: 0151 801 8825  
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*'Judging the issues by not taking sides'*