



Independent Case Examiner
for the Social Security Agency
and the Northern Ireland Child
Support Agency

Annual Report
2002/03

Judging the issues by
not taking sides

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Abbreviations

EMP	Examining Medical Practitioner
ICE	Independent Case Examiner
IT	Information Technology
MLA	Member of the Legislative Assembly
MP	Member of Parliament
NICSA	Northern Ireland Child Support Agency
SSA	Social Security Agency

Foreword

Jodi Berg was appointed as the Independent Case Examiner in October 2002. She investigates complaints made about the work of the Child Support Agency and the Social Security Agency.

Mrs Berg is also the Independent Complaints Reviewer for the Land Registry, the Charity Commission, the National Archives and the Housing Corporation. Mrs Berg is a solicitor with extensive management experience in both the private and public sectors and is a Fellow of the Chartered Institute of Arbitrators.

The Independent Case Examiner is not part of the management of either the Child Support Agency or the Social Security Agency. The Independent Case Examiner's service is free.



Who is the Independent Case Examiner?

Jodi Berg is the Independent Case Examiner for the Child Support Agency and the Social Security Agency. She was appointed to investigate complaints about how the Agencies work, but is not a civil servant. Mrs Berg is also the Independent Complaints Reviewer for the Land Registry, the National Archives, the Charity Commission and the Housing Corporation. Mrs Berg 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 second Annual Report as the Independent Case Examiner for the Social Security Agency (SSA) and the Northern Ireland Child Support Agency (NICSA) following my permanent appointment to the post in October 2002.

As people have become more assertive of their rights to prompt, efficient and courteous public services, public bodies face increasing scrutiny over the quality of service they provide. People who turn to my office do so because they want an unbiased but informed view of problems they have encountered. We are both thorough and robust in our approach to this task so that people can have complete confidence that we will deal with their complaints in a professional, open-minded and impartial manner. We welcome contact from anyone who needs our help, whether to ask for general information and advice or to refer their complaints for independent review.

My role is to consider specific complaints and, where appropriate, to make recommendations aimed both at putting matters right for the customer and improving the quality of service given to others in the future. Both the SSA and NICSA are committed to accepting and acting upon my recommendations. I am pleased to report that both Agencies have responded positively to all of the recommendations that I have made in the reporting year, both those aimed at providing redress for individual customers and those that are systemic in nature.

As Independent Case Examiner, I have focused my attention on the way in which the Agencies respond to customer complaints and the lessons that can be learned from them. I rely on the Agencies to recognise and respond appropriately to dissatisfaction, facilitating a customer's access to this office, should the need arise. I welcome the fact that both Agencies have done this effectively in the vast majority of cases during the year. In general, I find that both Agencies offer a very good quality of service to their customers. However, in common with other public bodies, they are not without critics and do not always meet the high standards to which they aspire.

The SSA has continued to maintain a very high standard when dealing with complaints from its customers. Its proactive response to recommendations that I have made demonstrates its determination to take on board lessons arising from complaints, both on an individual and a generic basis. The SSA is also currently reviewing its complaint handling procedures in conjunction with its partner organisations, the Department for Employment and Learning and the Inland Revenue. The review is focusing on, amongst other issues, redress, learning from complaints and how to deal with complaints about more than one of the organisations.

The SSA is also involved in a number of other service initiatives including Jobs and Benefits, payment modernisation, centralised pensions offices and closer working with the Department for Employment and Learning and the Northern Ireland Housing Executive. It is also reviewing how it handles those complaints referred to its Chief Executive. I have no doubt that, in addition to these initiatives, independent review can continue to make a valuable contribution to the improvement of its customer service.

In the case of the NICSA, the fact that most Agency customers have no choice as to whether they use the service makes it particularly vulnerable to criticism. It has also been clear for some years that there were fundamental problems associated with the existing Child Support maintenance formula and so the introduction of the Child Support Reforms on 3rd March 2003 has been widely welcomed. Inevitably, there will be teething problems associated with the implementation of the Reforms but I believe that the NICSA has a strong foundation on which to build public confidence in its ability to deliver maintenance to children, through the provision of a first rate service to its customers.

There is no doubt that the coming year will present many challenges for the NICSA as it seeks to implement the reformed Child Support arrangements. Key to negotiating these challenges is the effectiveness of the NICSA's communication with its customers and the way in which it deals with expressions of dissatisfaction (complaints), which result.

Over the course of the year, I have had a number of meetings with senior officers in both Agencies, including their Chief Executives. I pay tribute to them and to their staff for their commitment to the principles of independent review and the facilitative way in which they work with my office.

This year, the ICE Team has introduced changes to process, which have resulted in a faster turnaround of cases and the presentation of reports to clients and the Agency, which are clear and easy to read. These reports are the basis of recommendations, which aim to provide redress for individual customers and to assist the Agencies by identifying areas of weakness in its service. It is important to remember however that my office sees only a very small proportion of all the cases the Agencies deal with, and that very many people have positive experiences of dealing with them. My staff and I look forward to continuing to work with the Agencies, in seeking to ensure that even greater numbers of its customers receive the high standard of service to which they are entitled. I know from my visits to both SSA and NICSA offices, staff are eager to provide nothing less.

The enthusiasm and hard work of the ICE team has been key to the success we have achieved this year. Only 8 of our clients had not received my report on their complaints about the Agencies at the end of the reporting year. Ably led by the Case Director, Phil Latus and the Operations Director, Elspeth Cooper, the ICE service exemplifies best practice. Our dedicated Northern Ireland team have worked hard to ensure that clients receive a very high quality of service. My thanks go to them and to every member of the ICE team.

This report describes the ICE service and the progress that has been made in the last year. It also provides brief anonymised summaries of some of the complaints that have been referred to me. I hope that you will find it interesting and informative.



1. The Independent Case Examiner

The Independent Case Examiner's Office investigates complaints from clients of the Child Support Agency (Great Britain), the Northern Ireland Child Support Agency and the Northern Ireland Social Security Agency. This report focuses on the service provided to those clients of the Northern Ireland Child Support Agency and the Northern Ireland Social Security Agency who complained to the Independent Case Examiner. We have produced a separate report, which concentrates on the service provided to clients of the Child Support Agency (Great Britain). Copies can be obtained by contacting our office at the address shown below:

The Independent Case Examiner's Office
PO Box 1245
Belfast
BT2 7DF

Telephone: 0845 606 0777

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

1.1 Independence

We provide a free, impartial complaints review and resolution service, which aims to resolve complaints for individual Agency customers and to make a positive difference to the service clients receive. The service we provide is entirely independent from both Agencies. It is located in Liverpool.

Our service is available to customers who have exhausted an Agency's own complaints procedure but remain dissatisfied with the response and/or redress provided. Our role is to consider complaints about maladministration. We are unable to investigate complaints:

- which have not been referred within six months of the Agency's final response;
- that have not received the Agency's final response;
- concerning matters of law or Government policy;
- which have or are being investigated by the Assembly Ombudsman.

Once we accept a complaint, we establish whether there is scope for resolving the complaint without the need for investigation, given that this generally represents a speedier outcome for the client. This will usually involve contacting the relevant Agency to establish whether an agreed course of action can be reached. If this is possible, a report of the agreement will then be prepared for the benefit of the client and the relevant Agency.



In the event that this cannot be achieved to the satisfaction of the client, an investigation will be undertaken and a report of our findings will be prepared for the information of the client and the Agency. If appropriate, it will include recommendations about putting matters right. Such recommendations can include:

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

The nature of the business conducted by ICE is such that it is helpful if initial contact is in writing to help us identify and record details of the complaint. However, we will try to accommodate the needs of complainants who prefer to contact and deal with us in other ways. The final report is also in writing, although all other communications, can, if the client wishes, be conducted by telephone. Clients using the service can appoint a named representative to deal with ICE on their behalf, should they wish to do so.

The Independent Case Examiner can also make a difference to an Agency's performance through systemic recommendations. Such recommendations highlight areas where improvement in an Agency's operational processes and procedures will have a positive impact on the experience of users.

"I am very satisfied with the outcome in my case, and would like to thank the investigating officer for her swift action to resolve my complaint."

Extract from Customer Satisfaction Survey.

1.2 Accountability

Customer Satisfaction: We are committed to providing our clients with a first class service, both in terms of quality and response times. In doing so, we aim to "judge the issues without taking sides". We encourage feedback from our clients on the quality of service we provide through customer satisfaction surveys. This data, in addition to that provided as a result of complaints about our service, is analysed and wherever possible acted upon. In the coming year, our commitment to providing a first class service will be demonstrated and tested, as we seek to achieve Charter Mark Accreditation.

“I cannot praise my investigating officer enough – she was very helpful. I was so glad of her intervention with the Child Support Agency – a job well done!”

Extract: from Customer Satisfaction Survey.

During the reporting year we issued satisfaction questionnaires to most clients whose cases had been accepted for investigation. Across the work of the office, we had a response rate of 44.93%. The responses we received were analysed to identify areas where improvement might be necessary.

The tables below offer a summary of the feedback we received. It is our aim to improve the standard of service we provide year on year. We are pleased to report increased satisfaction in the following areas:

Rising satisfaction levels	Performance	
	2001/2002	2002/2003
Aspect of service		
Overall satisfaction with our service	83%	86%
Satisfaction regarding our independence	74%	78%
Correspondence clear and easy to understand	77%	87%

Nevertheless, we have been disappointed that a reduced level of satisfaction has been recorded in some areas, as detailed below. The customer satisfaction data is generated and analysed on a quarterly basis. In the event that a reduced level of satisfaction is recorded, the data is reviewed by the management team to establish what corrective action is required, particularly in respect of staff training. We shall be working hard to ensure we see an improvement in these areas in the coming year.

Reducing satisfaction levels	Performance	
	2001/2002	2002/2003
Aspect of service		
Correspondence received as promised	87%	84%
Kept informed of progress	78%	73%
Advised what would happen, following initial contact	89%	82%

Service Standards: Our Office Charter sets out our service standards and target response times and is issued to clients when we acknowledge receipt of their complaint. Our performance in respect of our targets for our SSA and NICSA cases is outlined below.

Target	Performance on NI Cases
Acknowledge letters asking ICE to investigate complaints within two working days of receipt	100%
Respond to client correspondence within 10 working days of receipt	95.5%
Respond to telephone calls within 7 rings	96.9%
Complete 90% of our gateway checks - from receipt of complaint to formal acceptance or rejection of complaint - within 10 days	93.6%
Remind clients of their right to approach the Ombudsman, as appropriate if they are dissatisfied with the outcome of our investigation	100%
Clear cases accepted for investigation within an average of 34 weeks (average clearance time shown)	30.71

We are pleased to report that we have met all of our service standards. We will be working hard over the next year to ensure that we not only meet our targets, but also improve our general performance.

Complaints about our service: We recognise that complaints about our service provide valuable information about our clients' experiences, and our success in meeting their expectations. As in previous years, we continue to undertake a quarterly analysis of the complaints we receive in ICE, which allows us to identify and learn from our mistakes or failings, and to rectify any shortcomings in procedures. Of the complaints we received in the office, 95.5% were acknowledged within two working days and 98.5% received a full or holding reply within ten days.

Only two of the complaints we received about our service during the reporting year were from clients in Northern Ireland. If having exhausted our internal complaints procedure, clients in Northern Ireland remain dissatisfied with the service we have provided to them, they can raise their concerns with the Permanent Secretary of the Department for Social Development. During the reporting period, none of our clients have found it necessary to complain to the Permanent Secretary.

"May I once again thank you for the detail and commitment you have put into my case."

NICSA Complainant



Comebacks: Where we do not uphold part or all of a client's complaint, it is not uncommon for people to challenge this decision. This is entirely understandable and we respond to every contact of this kind, to try and set people's minds at rest about the reasons for our decisions.

In these cases, we advise clients that it is open to them to ask a Member of the Legislative Assembly (MLA) to refer their complaint to the Assembly Ombudsman.

1.3 Making a difference to the service clients receive

In addition to making a difference to individual Agency customers, the Independent Case Examiner also plays a vital role in working with the Agencies to identify areas of systemic weakness, and in seeking to resolve such weaknesses through appropriate customer focused solutions. This is achieved through:

- systemic recommendations arising from issues highlighted during investigation of individual cases;
- visits to offices in both Agencies during which the Case Examiner speaks with staff at every level of the organisations;
- the cultivation of effective working relations with complaints handling staff in the Agencies;
- involvement in initiatives to improve customer service in the Agencies;
- meeting stakeholder groups;
- participation in and contribution to initiatives, such as the complaints improvement programme, and the Customer Material Testing Workshops;
- attendance at and presentations to Agency Board meetings;
- attendance at the Child Support Agency's Standards Committee;
- regular meetings with Agency Chief Executives and senior managers.

We also receive numerous telephone enquiries from customers of the Agencies, some of whom do not know how to take forward their concerns about the way in which their case has been handled. Many customers are unsure of when they can ask this office to become involved, and have yet to exhaust the internal complaints procedure. Other customers need direction to other routes of redress, such as the Appeals Service or the Information Commissioner. The advice and direction we provide, both on the telephone and by way of supporting documentation, is often essential to enable people to take matters further.

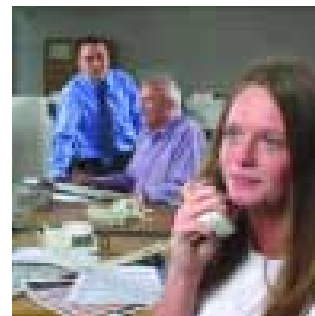


The Independent Case Examiner also looks for evidence from both Agencies that demonstrates their ability to learn from the issues highlighted by our reports. In this way, the experiences of individual clients can be used to inform management decisions. This is essential if clients are to feel that taking the time and trouble to complain has made a difference.

We are pleased to note that both Agencies have demonstrated to us during the reporting period that they are using our report findings to improve the service provided to their customers. For example, the NICSA has advised us that it has amended its procedures regarding "top-up" payments in response to the findings in one of our reports. "Top-up" payments may be awarded by a court under Section 8 of the Child Support Act 1991 in addition to child maintenance for school fees, the extra costs incurred by children with disabilities, or because the non-resident parent has a high income. In the case of the SSA, in response to the Case Examiner's recommendation, the Agency is to draw up standards for Examining Medical Practitioners who undertake medical examinations on its behalf.



2. The Northern Ireland Child Support Agency



The Northern Ireland Child Support Agency (NICSA) is an executive agency of the Department for Social Development. Its business is to arrange and collect, where applicable, child maintenance on behalf of children whose parents live apart.

To deliver its service to the people of Northern Ireland, it employs 477 staff in either its Belfast Headquarters (Belfast (NI) Centre), or in its field offices across Northern Ireland.

In addition, the NICSA has a partnership with the Child Support Agency of Great Britain, under which it administers the same service to clients in Eastern England, although this report focuses on the service provided to clients in Northern Ireland.

2.1 Raising awareness

In past Annual Reports, we have highlighted how this office has sought to raise awareness about our service. We welcomed the Agency's undertaking to 'signpost' its clients to this office and have monitored its performance in this area during this reporting year. Although three of the cases accepted for review during this year had not been signposted to this office, we are pleased to report that the Agency is generally honouring its undertaking.

The small percentage of complaints we have received from clients of this Agency also suggests that it is providing a satisfactory response to most of the complaints it receives.

During the year, the Independent Case Examiner and our Case Director visited the Northern Ireland Business Unit and had the opportunity to speak to complaint handling and front-line staff about providing services to parents. The overwhelming impression gained is that people realise how important it is to do a good job and to facilitate the flow of money to support children. However, the Agency has found the constraints of the legislation and IT system to be difficult to administer and this has not helped staff to meet the needs of users of the service. In addition, they face mounting demands on their time in respect of meeting challenging targets set by the Minister with responsibility for Social Development in Northern Ireland.

There is a real sense of excitement about the Child Support Reforms and a genuine desire to use the opportunities provided by the Reforms to raise standards and to increase levels of customer satisfaction.

2.2 Cases received

The Agency's caseload on 31 March 2003 was 33,000 cases. Between 1 April 2002 and 31 March 2003 the NICSA received 490 complaints, 98 of which were addressed to its Chief Executive.

During 2002/2003, we received 25 complaint referrals about the Agency. This represents a small increase in referrals from 22 in the previous year and reverses the trend of the previous year. Only one of these cases was referred by a Member of the Northern Ireland Legislative Assembly. The number received represents only 0.076% of the Belfast (NI) Centre's live load. By any measure, this is a very small percentage indeed, which contrasts very favourably with the numbers of referrals received in respect of other Child Support Agency Centres. This business unit has the lowest referral rate to ICE by a considerable margin and this speaks well for the service generally offered to Northern Ireland clients.

We were unable to accept 10 of the cases referred during the year for investigation. Two cases concerned legislation and in the other eight cases, the complainant had yet to exhaust the Agency's internal complaints process, namely to have received a reply from or on behalf of the Chief Executive in the preceding 6 months.

When we refuse a complaint because the client has not exhausted the internal complaints procedure, we refer their letter of complaint to the Agency for reply. If, after six weeks, it has not responded to the client we will accept the complaint for investigation without further ado. There were no cases accepted under this criterion during the year.

Cases brought forward at 31.3.2002	12
Received during 2002/03	25
Total	37
Not accepted: Not appropriate to this office	2
Not accepted: Not dealt with at NICSA Chief Executive level	8
Cleared by resolution	3
Cleared by investigation report	17
Complaint withdrawn by client	1
Total	31
Cases carried forward at 31.3.2003	6

The following table shows the percentage of men and women who referred cases that we accepted for investigation during the year, and the percentage of those that are the parent with care and non-resident parent.

Gender	Parent with Care	Non-Resident Parent
Female	40%	0%
Male	0%	60%



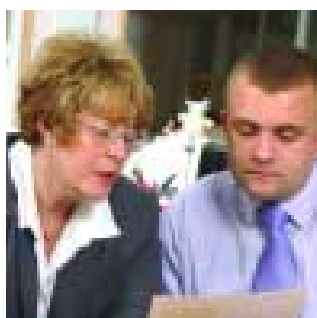
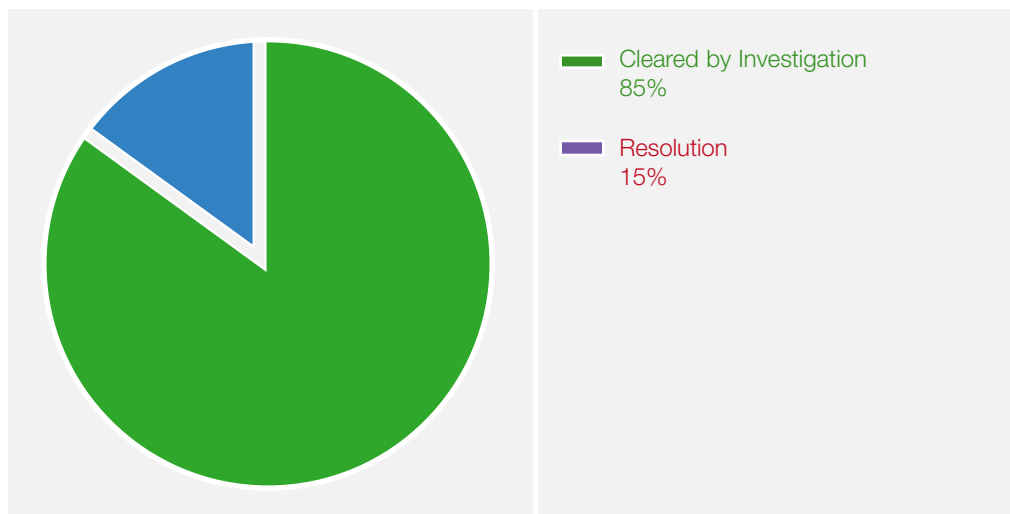
2.3 Case completion

By far the swiftest method of settling a complaint is through negotiation and resolution, as described earlier in this report. This will always be our first approach. Nevertheless there are a number of cases which do not lend themselves to this approach. This might be, for example, because of the complexity of the issues involved or because the client is dissatisfied with the steps offered by the Agency to put things right. If we establish that there is no opportunity to resolve the complaint, an investigation is undertaken.

During 2002/2003, only three complaints about the Agency were resolved and, in contrast, we investigated 17 complaints. During the reporting year we have provided information to the Agency about the action taken to resolve these cases. This reflects the Agency's proactive response to complaints.

In most cases, the Agency has tried to put matters right, before the client complained to us. The small number of clients that have complained to us during the past year have tended to be exceptional cases, which required an investigation.

	1999/2000	2000/2001	2001/2002	2002/2003
Total cleared	6	3	9	20
Cleared by resolution	6 (100%)	1 (33.3%)	7 (77.8%)	3 (15%)
Cleared by investigation report	0 (0%)	2 (66.7%)	2 (22.2%)	17 (85%)



Our aim is to clear cases “within an average of 34 weeks”. During 2002/2003 the average time it took us to clear complaints about this Agency was 39 weeks. Whilst we are disappointed with this, it was a direct result of focussing considerable resources on dealing with the oldest cases across our caseload, which led to a short-term decline in our average clearance time.

2.4 What we found

In last year’s Annual Report we heralded a change in the way in which we express our findings. ICE will not uphold a complaint if, at the time it is accepted for investigation, we find that the Agency has already fully addressed the complaint and appropriate redress has been provided, offered or instigated. Our findings, in respect of those cases we investigated are detailed below.

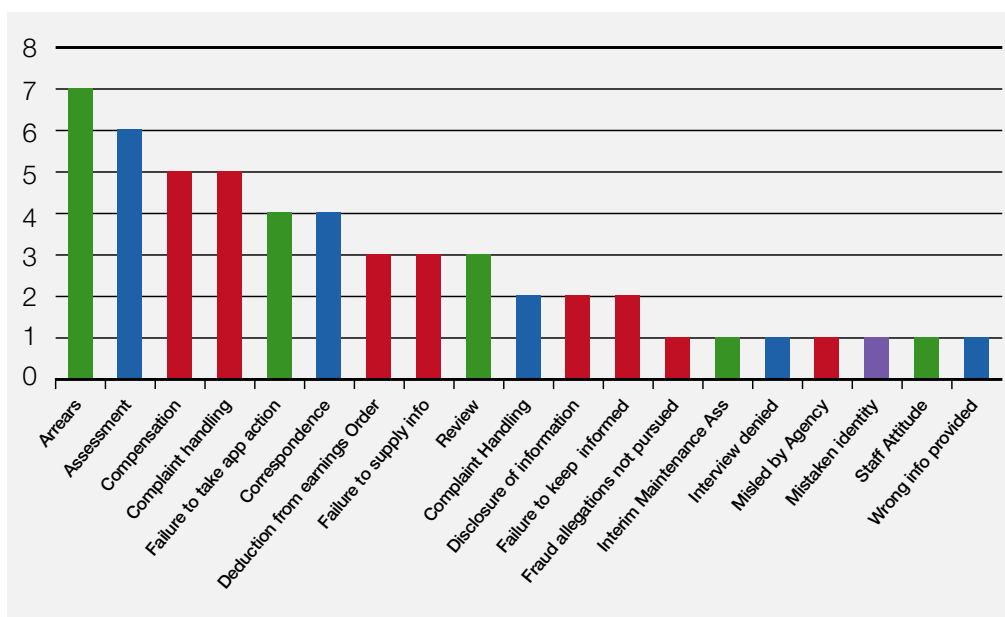
Investigation report cases	2002/2003
Fully upheld	5
Partially upheld	7
Not upheld	5
Total	17

Although it is disappointing for the Agency and its clients that a significant number of the complaints that we investigated were upheld or partially upheld, it is encouraging that 5 cases were not upheld. In addition, in another 4, the majority of the points of concern were not upheld.

The majority of the complaints we accept for investigation comprise of a number of allegations of maladministration, which often pertain to entirely different issues or events. In this reporting year, we have for the first time, captured information on the number of allegations of maladministration contained within each case we cleared during the reporting year. On average, there were 2.65 elements in each case.

The most common areas of complaints during 2002/2003 involved:

- arrears;
- assessment;
- compensation; and,
- failure to take appropriate action.

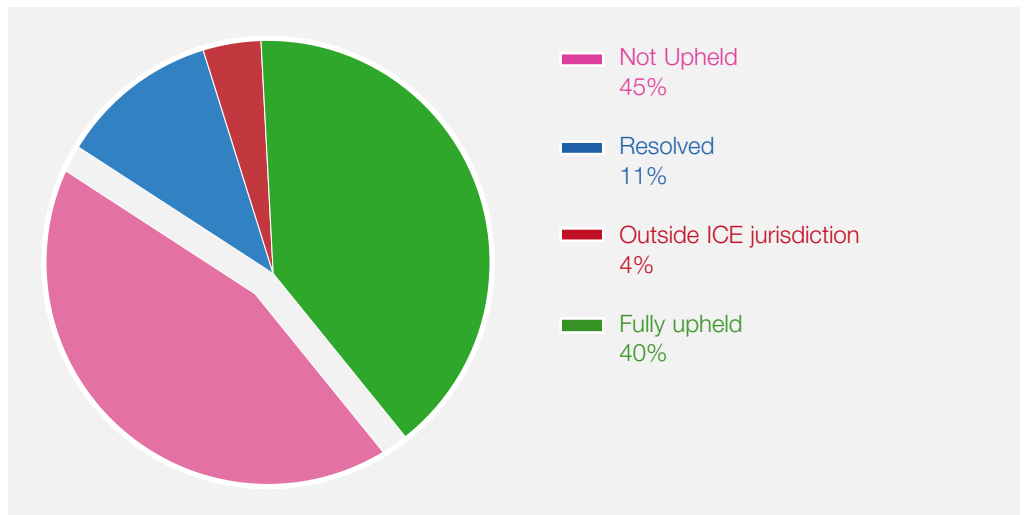


Our investigation reports now express our findings in respect of each element of the client’s complaint. This provides the client and the Agency with a clear indication of how it dealt with the different issues.

During the reporting year, the 20 cases we cleared contained 53 elements of complaint, 6 of which were resolved, 21 of which were fully upheld, 24 of which were not upheld and 2 of which were outside our jurisdiction.

“May I say from the outset that I consider this to be a detailed and comprehensive report and would thank both you and your staff for the time and effort you have put into its preparation.”

NICSA Complainant



2.5 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 failure. Details of the type of recommendations we made during the reporting year are outlined below.

Financial redress: Financial redress is certainly not the only solution when things go wrong, indeed, the earlier a complaint is addressed the less likely it is that the Agency will be required to provide compensation. That said, the consideration of financial redress forms a significant aspect of our work. Whilst we are unable to direct the Agency as to the specific amount of compensation that should be awarded, we can consider whether it has had regard to all the relevant facts in deciding on the question of compensation.

Deferred Debt: The scheme, which is operated in accordance with the Child Support (Temporary Compensation Payment Scheme) Regulations (Northern Ireland) 2001, allows the Agency to choose not to collect arrears which have arisen as a result of its delay in completing an initial maintenance assessment or a review in cases with an effective date of on or before 1 June 1999 (unless the review was a periodic review, in which case the effective date must be on or before 6 December 1998). The scheme was of limited duration, on the assumption that the introduction of the Decision Making and Appeal procedures (effective from 1 June 1999) minimised review delays.

In previous Annual Reports we raised concerns regarding the proposed cessation of the Child Support Agency’s deferred debt scheme with effect from April 2002. We are, therefore, pleased that it has now been extended to 2005.

Levels of financial redress in ICE cases: As in previous years, our case specific recommendations have again resulted in financial redress being awarded to a number of individual clients. This redress included:

2002/03	£
Consolatory	1,400.00
Maintenance arrears deferred or suspended	197.56
Interest payments	244.64
Total	1,842.20

2.6 Complaint handling by the Northern Ireland Child Support Agency

In our last Annual Report, we commented on the number of cases that we resolved after the client had exhausted the Agency’s internal complaints procedures. We said that it was regrettable that the Agency failed to grasp the opportunity to resolve client’s complaints before they contacted ICE and that it should guard against the development of a culture whereby clients’ complaints are only taken seriously once they have progressed as far as this office. The Agency also recognised that this must be seen, in the main, as a failure on the part of its internal complaints procedures.

During the reporting year, we have sought evidence that information contained in our previous report has been understood, accepted and acted upon. During the year, whilst we cleared 17 cases by way of a full investigation report, only 3 cases were resolved. This suggests that the Agency is addressing clients’ concerns before they contact ICE and those complaints that are progressed are either complex or intractable complaints that are not amenable to resolution.

We were pleased to note that several complaints which were referred back to the Agency did not subsequently return to this office. Although we were disappointed that one complainant did write to us again, this suggests that in most cases, the Agency took the opportunity to put matters right. We also welcome the fact that the Agency now records all complaints, including those made by telephone.



Complaints handling in cases investigated by ICE: In cases we investigate we routinely comment on the quality of the Agency's complaint handling. Where this falls short of the required standard, we ask it to recognise this by an apology or, where it is so poor as to amount to maladministration, to consider awarding a consolatory payment. Although we have found the handling of complaints to be satisfactory in most cases, regrettably, we have also criticised the way in which several complaints were progressed, as the following examples illustrate:

Mr A: In Mr A's case we were critical of the quality of some Agency responses. We also noted that, when his MP wrote on his behalf to complain about the way his case had been handled, a response was not issued for over a month. We asked the Agency to take this delay into account when considering a consolatory payment for the way in which correspondence had been handled.

Mr B: In Mr B's case, the Agency did not take sufficient steps to resolve his concerns at an early stage. In our report, we criticised the failure to fully explore the issues he raised or to consider the full range of redress before he complained to ICE. The Agency accepted our recommendation to consider awarding a consolatory payment for the inconvenience this caused.

Whilst it is disappointing that some clients' complaints were not addressed early on after initial contact with the Agency, it is only fair to acknowledge that the retrospective nature of the investigative process has an effect on current findings. As such, improvements in the reporting year resulting from the Agency's introduction of changes to complaints handling have not usually been reflected in our investigation report findings this year.

As a result of our ongoing discussions with the Child Support Agency, it is now using a similar system of categorisation as ICE, to record and monitor the subject of complaint. This facilitates more meaningful monitoring and recording of trends and allows this office and the Child Support Agency itself to reflect on the lessons learned from this in the coming year.

Complaints Improvement Programme: In last year's Annual Report, we welcomed the introduction of the Agency's complaints improvement programme, the aim of which was to identify ways to provide timely and appropriate redress in response to clients' complaints, thereby avoiding the need for their escalation. The main achievement of the programme was the introduction of resolution planning by dedicated complaints officers, mirroring a technique which has been successfully deployed by ICE for some considerable time.

The success of resolution planning hinges on three important factors: firstly the early acknowledgement and clarification of the exact nature of the complaint; information from the client as to what they would like to see achieved by way of redress; and an indication the client is satisfied with the action that has been agreed.

The Independent Case Examiner has taken a keen interest in the resolution planning process and has raised concerns about the circular nature of resolution planning described by staff. This means that in the event that resolution attempts fail, efforts to resolve the complaint continue, without the client being told how to escalate their complaint if they are not satisfied with the response they have received. It is important to bear in mind that resolution cannot be achieved without the agreement of the client.

Clients who want to progress their complaint should be able to do so, and 'signposting' to the next stage of review is essential if this is to be achieved. Customers should not have to engage in repeated interactions with the same officer or team, however well intentioned, in an attempt to progress their complaint. We are pleased to record that this has not occurred in NICSAs cases that we have investigated.

In response to concerns raised by the Independent Case Examiner, the Child Support Agency in GB has introduced a change to its complaints system, whereby clients whose complaints cannot be resolved are clearly advised to approach the appropriate Area Director for response. In the event that they are not content with the response they receive, they will then be directed to the Chief Executive.

The NICSAs are currently monitoring the effectiveness of this approach and considering the options for escalating complaints from its own customers. It is to be hoped that decisions will be made quickly, in order to ensure that customers and staff alike are entirely clear about the steps to be taken should people wish to take complaints further.

2.7 Adherence to legislation and procedures

It has long been acknowledged that the Child Support Agency has historically operated within an extremely complex statutory and procedural framework that is largely incomprehensible to the average person. As such, it is not surprising that many complaints have their origins in the failure to either correctly interpret or apply procedures and legislation, as illustrated by the examples detailed below.

"I would like to take this opportunity to thank you for your involvement in my complaint against the Child Support Agency and for providing me with a detailed report into your findings..... I felt that this was at long last the light at the end of the tunnel."

NICSAs Complainant

Mr C: Mr C complained, amongst other issues, that he overpaid maintenance after his daughter left school. During our investigation, we noted that his daughter had reached the age of nineteen prior to leaving school, but had not been excluded from the liability for maintenance until over eight months later. Under Child Support legislation a child is defined as being under the age of nineteen and therefore Mr C's daughter should have been excluded from her nineteenth birthday.

We asked the NICSA about its procedures and it accepted that the child should have been excluded from the assessment from her nineteenth birthday. It advised that there are automatic prompts on the computer system to alert a case officer to the fact that she should be excluded. Whilst we are satisfied that appropriate mechanisms were in place to prompt action, clearly in this case, they were not sufficient to ensure that action was taken.

This complaint was upheld and at our request, the Agency revised the maintenance liability to exclude Mr C's daughter from her nineteenth birthday and agreed to deduct any excess maintenance paid from the outstanding arrears. It also agreed to issue an apology and to consider awarding Mr C a consolatory payment for the inconvenience its maladministration had caused.

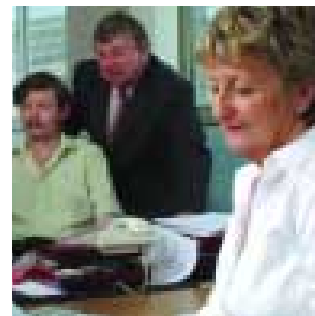
Mr D: Mr D complained that information that he had provided about 'top-up' payments he had made under a court order was ignored. When dealing with his concerns, we noted that the Agency maintained that this was a matter for the courts and failed to take the 'top-up' payments into account. At our request however, the Agency sought further advice on this matter and subsequently confirmed that, providing the parent with care confirmed that she had received them, the 'top-up' payments could be taken into account.

As the parent with care subsequently confirmed that she had received them, we asked the Agency to deduct the 'top-up' payments from the outstanding arrears and to consider awarding a consolatory payment and a compensatory payment towards communication costs.

We also recommended immediate action to raise the level of awareness about these 'top-up' payments, particularly amongst staff in its assessment and enforcement teams.

The Agency subsequently issued a payment of £300.00 to Mr D and is making arrangements to raise awareness about this issue in Child Support Agency business units in Great Britain.

Upon investigation of cases, which involve the inappropriate application of legislation or procedures, we often find that the main error has been identified



and rectified prior to referral to this office. However, disappointingly the Agency has not always explored the need for redress in recognition of the consequences of its failure, from the client's perspective.

We acknowledge that no system, which is reliant upon an individual's interpretation of legislation or procedures will be infallible. However, we believe that the NICSA's complaints process should reasonably be able to detect and address instances where legislation or procedure have not been correctly applied, prior to cases reaching ICE. This includes consideration of appropriate redress, in addition to rectification of an error.

Unfortunately, in the case examples detailed above, the NICSA's failure to properly address the complaints prior to referral to this office appears to stem from its failure to thoroughly investigate the issues being raised by the client. The result was that the relevant issues or areas for redress were only given full and due consideration following referral to this office. This is unacceptable from the client's point of view and disadvantaged those who did not have the stamina or capacity to pursue the matter to the next stage. In the coming year we shall be looking for evidence that case examples of the sort referred to earlier are afforded appropriate consideration within the Agency's own complaints handling procedure.

The examples shown above reflect instances where the Agency had not explored what should have happened. It assumed that those responsible for taking action know what is required within the legislation/guidance. When we explore this further, we can on occasion find Agency action which is not sanctioned by either.

2.8 Compliance and Enforcement

In last year's Annual Report we reflected on the continuing difficulties faced in achieving compliance. This issue has continued to form a significant proportion of the complaints that we receive from Child Support Agency clients in Great Britain. The Independent Case Examiner is therefore pleased to note that only one of the Northern Ireland cases that we investigated this reporting year included a complaint about compliance.

However, we only receive a small proportion of the complaints made to the Child Support Agency and we, therefore, welcome the news that it has instigated a root and branch review of its enforcement capability. The Independent Case Examiner has been consulted by the Child Support Agency in relation to the review. There are two key assumptions, which have featured in the Child Support Agency's consideration of this issue. Firstly, following the introduction of Child Support Reforms (specifically the simplification of the

maintenance assessment formula) the focus of the Child Support Agency will shift from assessment to collection. Secondly, an acknowledgment that effective enforcement action is essential to support the Government's target to reduce child poverty. The aim of the review has been to secure an overall improvement in the effectiveness of enforcement action conducted by the Child Support Agency, and to ensure that staff know what is expected of them and are equipped to fulfil these expectations.

Amongst other things, the review has resulted in a revised operational policy in respect of debt enforcement, guidance to staff on the enforcement of debt and court presentation, and a training needs analysis for staff involved in enforcement work. From the customer's perspective, there has also been a review of customer information to ensure that it is consistent with the revised policy and procedures. We are optimistic that the outcome of this comprehensive review will be implemented in a manner that reduces the level of avoidable non-compliance. We would anticipate that in the long term this should lead to a shift in the expectations of both parties regarding the enforcement process and, if it is perceived as meaningful, a better rate of compliance.

2.9 Child Support Reforms

Last year we reported that the delayed Child Support Reforms would be introduced as soon as technology allowed. We are pleased that the Reforms became operational in respect of all new cases with effect from 3rd March 2003. The timetable for the conversion of existing cases to the new rules has yet to be announced.

During the initial period of implementation we will monitor the effect the Reforms have on the Agency's internal complaints procedure and any subsequent impact on our referral rate. The Agency has advised that reactive migration (the transfer of existing cases onto the new IT system, resulting from its 'link' to a new case) may generate an increase in complaint referrals to ICE in the short term.

We have already started to receive complaints from clients in Great Britain, which are related to people's expectations of the Child Support Reforms.

We are pleased to observe the efforts the Agency has made to keep existing clients informed of progress in respect of the Reforms. In doing so, it has sought to apply the principles of effective client communications, by issuing timely and clear information bulletins on the progress of plans to implement the Reforms and its timetable for doing so. This gave information to customers about how they could obtain further information, should they wish to do so.

We believe that this initiative has made a significant contribution to managing people's expectations with regard to the implementation of the Reforms. It will also give customers a degree of assurance that the transitional process is being managed effectively. The challenge will be to continue this dialogue with customers and to deliver the reformed service with minimal disruption and inconvenience.

The Agency currently has 33,000 live cases. A significant proportion of people involved in these cases will see changes to their assessment or liability as a result of the Child Support Reforms. The Agency's response to questions about this and other related issues will determine the overall acceptance by clients of the changes they face. In turn, this will affect how many people choose to seek the help of a third party, for example an MLA, the Assembly Ombudsman and this office.

The Case Examiner has engaged in discussions with the Agency about the implementation and effect of the Reforms. The Agency has expressed a welcome determination to meet any problems head on and deal with them in a proactive manner. At the heart of its policy is its wish to be customer focused, dealing with customer driven activity as a priority. We will comment on any effect the Child Support Reforms have had on our casework in next year's report.

2.10 Digest of casework

This is an overview of some of the cases that we dealt with during the reporting year. Each summary concentrates on the central issues rather than the whole complaint and outcome.

Ms E: Ms E complained that the Agency's offer of £250.00 in compensation for the mishandling of her case was unacceptable. Although we were content that in making the decision, the Agency had regard to all the relevant facts of the case, we found that it had also issued a payment of £2,260.45 to Ms E for compensation for actual financial loss. Consequently, we asked that it calculate and pay interest on this sum in recognition of the loss of use of the money and a further payment of £244.64 was subsequently issued to the client.

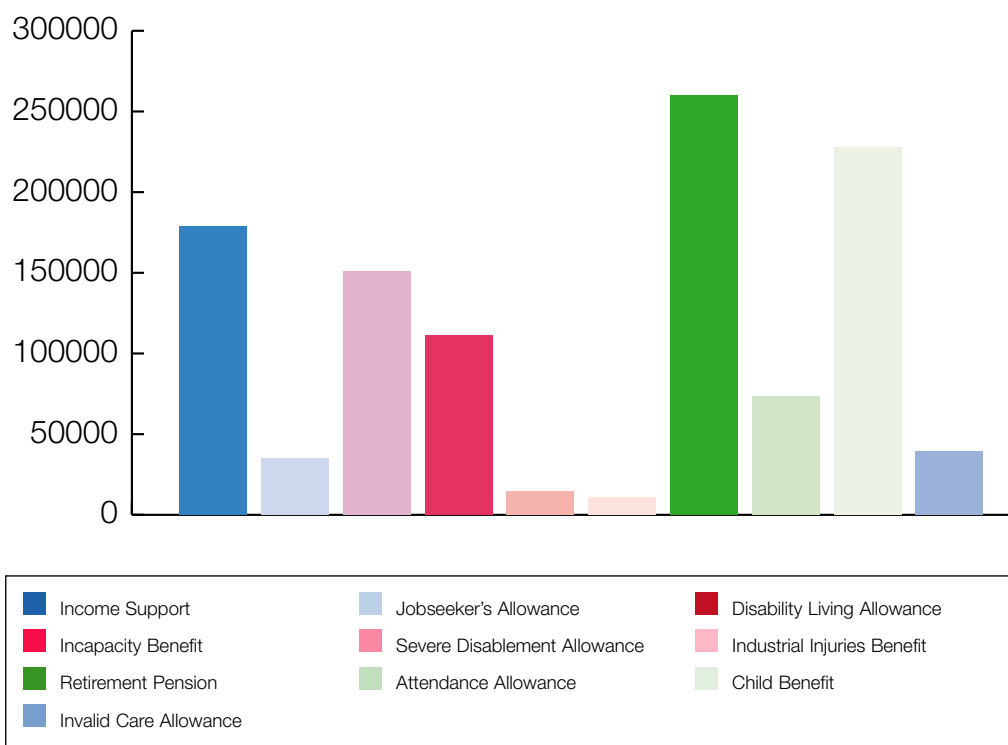
Ms F: Ms F complained that the Agency made mistakes in the way it handled her ex-partner's redundancy and, as a result, she lost out on maintenance payments that should have been collected at the time. We found that the Agency failed to investigate whether or not the non-resident parent had received severance pay, and it was only after Ms F raised this matter that verification was sought. The Agency should have investigated this matter earlier than it did and the service Ms F received therefore fell below the standard she was entitled to expect. We upheld this element of her complaint and recommended that the Agency consider awarding her a consolatory payment for the inconvenience caused.

Mr G: One of Mr G's complaints was that it took the Agency over two years to complete a review of his maintenance liability, following his change of address. Although we found that the Agency did delay in progressing the case, we were pleased to see that prior to his complaint to this office, the Agency had acknowledged and apologised for the delays and had awarded Mr G a consolatory payment of £100.00. Although his complaint was justified we considered the Agency's response to be both proportionate and appropriate and did not feel it is necessary to make any further recommendations. In addition, as the Agency provided this response before Mr G complained to the Independent Case Examiner we did not uphold his complaint.

Ms H complained that she was not offered an interview regarding her failure to make an application for child maintenance before a Reduced Benefit Direction was imposed on her Income Support claim. However, we found that the Agency had written to her twice to try arrange an interview to discuss her reasons for not applying for maintenance. There was no evidence that she had contacted the Agency about this and her complaint was therefore not upheld.

3. The Northern Ireland Social Security Agency

Since 1 April 2000, the Independent Case Examiner has investigated complaints about the Northern Ireland Social Security Agency (SSA), an executive agency of the Department for Social Development. The SSA was established on 1 July 1991. Its main business is to assess and pay the full range of social security benefits and to give advice, information and assistance to approximately 650,000 customers and potential customers in Northern Ireland. The Social Security Agency is the first benefit agency in the U.K. to introduce an independent complaint review service for the benefit of its customers.



Benefit	Live load at March 2003
Income Support	178,705
Jobseeker's Allowance	35,166
Disability Living Allowance	150,792
Incapacity Benefit	111,025
Severe Disablement Allowance	14,830
Industrial Injuries Benefit	10,950
Retirement Pension	259,882
Attendance Allowance	73,297
Child Benefit	228,075
Invalid Care Allowance	39,495



3.1 Raising awareness

The SSA has been providing information about the Independent Case Examiner service in responses to complainants from the Chief Executive since the establishment of the scheme. During the first year, we received 15 complaints about the SSA. This increased to 19 in the second year and to 22 in our third year. This relates to a tiny proportion of the SSA's business and a very small proportion of complaints received from its customers, most of which are resolved by the SSA without the need for referral to ICE.

We try in various ways to raise awareness about our service, so that it can be accessed easily by all those who may need it. We invited a number of the SSA's stakeholder groups to the launch of our Annual Report in 2002 and an interview with the Independent Case Examiner was broadcast on local radio.

During the year, the Independent Case Examiner, our Case Director and one of our Team Leaders met staff and managers from across the business. They saw at first-hand the SSA's arrangements for receiving and handling complaints and the pride its staff take in seeking to resolve the issues raised. They also met a wide range of clients and stakeholder groups. Speaking to customers and representatives from the voluntary organisations in the field, they were told that SSA staff are helpful and courteous and that they offer a professional service.

On occasion, we also receive telephone enquiries from customers of the SSA, some of whom do not know how to take forward their concerns about the way in which their case has been handled. The advice provided, both on the

“Thank you for your letter which contains a very detailed and comprehensive report in regard to my complaints..... I thank you and your staff who have been excellent whenever I have tried to contact the office.”

telephone and by way of supporting documentation, outlining the scope of the service we provide is therefore essential in enabling people to take matters further.

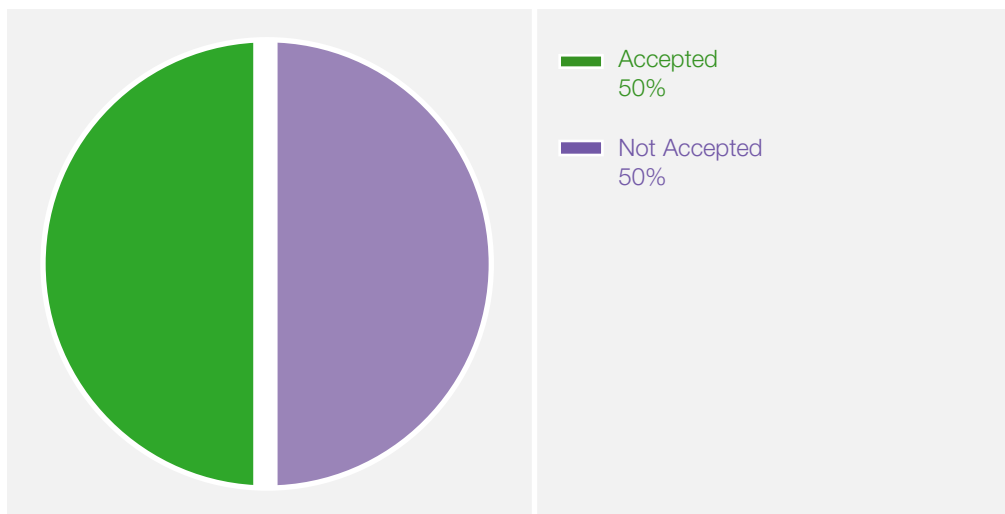
The cases reaching this office provide an insight into the actions taken by the SSA to respond to complaints. They demonstrate that the structured process described in SSA literature, which informs customers about how to complain, is being followed. Customers’ complaints are recognised early on, they are addressed and people are informed about our service.

3.2 Cases received

In the 2002/2003 business year we received 22 cases, 11 of which were accepted for investigation (compared with 19 and 12 respectively in the 2001/2002 business year). Only two of the cases we received were referred by Members of the Northern Ireland Legislative Assembly.

SSA Complainant





Pie chart of complaints accepted/not accepted for investigation.

The SSA received 1,098 complaints in its Districts/Divisions and a further 354 complaints were made to its Chief Executive in the 2002/2003 business year. The 11 complaints accepted for investigation by this office represents only 0.76% of the total number of complaints received by the SSA. As these figures show, complaints to this office are exceptional.

Of the 11 cases that we were unable to accept for investigation:

- 7 were not appropriate to this office, because they concerned Social Security legislation;
- 3 were cases where the complainant had yet to exhaust the SSA's internal complaints process, namely to have received a reply, from or on behalf of, the SSA's Chief Executive in the preceding 6 months. These complaints were referred back to the SSA and the clients did not subsequently return to our office. This suggests that the SSA took the opportunity to put matters right;
- 1 was not accepted because it concerned the medical opinion of one of the SSA's Examining Medical Practitioners. Although we can investigate the actions of Examining Medical Practitioners, we cannot comment on their medical opinion.

In the event that we are unable to accept a complaint for investigation, because the client has not exhausted the SSA's internal complaints procedures, we forward their correspondence to the SSA for reply.



Julie Lunt
Service Liaison Manager

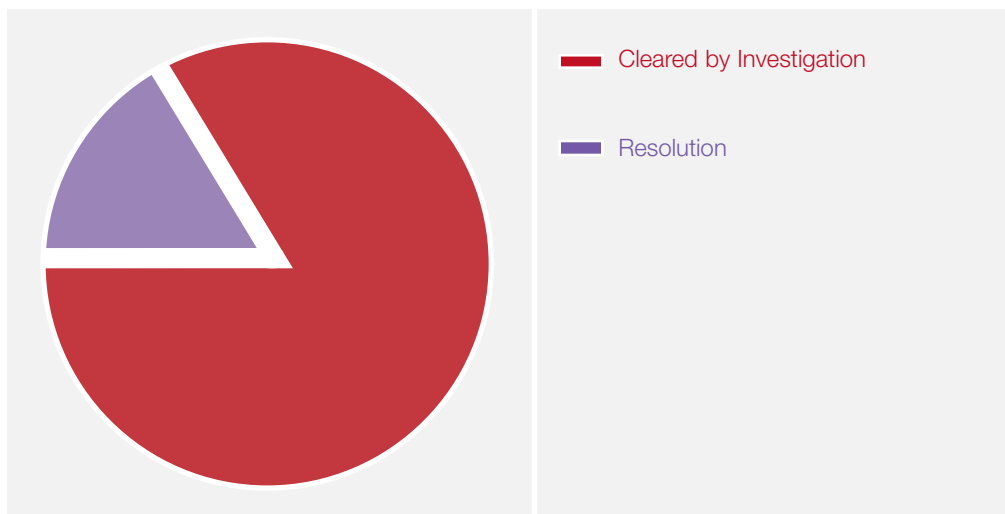
In doing so, we give the SSA six weeks in which to respond. Should the SSA fail to provide the client with a response within the specified period, we will accept the complaint for investigation without further reference to the SSA. We have yet to accept a case for investigation under this criterion.

3.3 Case completion

Once a case is accepted by this office, we establish whether there is scope for resolving the client's complaint before completing an investigation. If this cannot be achieved to the satisfaction of the client, an investigation will be undertaken.

Only two complaints about the SSA were cleared by resolution during the reporting period. In most cases, the SSA has made strenuous efforts to put matters right, before the client complained to us. The small number of the SSA's clients that do refer complaints to ICE demonstrate that this happens only in exceptional cases. These usually require an investigation. It is pleasing to note that all but the very small number of cases referred to ICE, are resolved within the confines of the SSA's internal complaints procedure.

	2001/2002	2002/2003
Cases brought forward from previous year	5	4
Total received	19	22
Not accepted for investigation	7	11
Withdrawn	0	1
Cleared by resolution	1	2
Cleared by investigation report	12	10
Number outstanding at the year end	4	2



“You and your department have left no stone unturned. I am astounded by the amount of detail within the report and the professionalism of your findings.”

SSA Complainant

Our target for clearing cases is ‘within an average of 34 weeks’. We are pleased to report that during the 2002/2003 business year, our average clearance time for complaints received from clients of the Northern Ireland SSA was 17.3 weeks. This excellent turn-around of cases would not have been possible without the active co-operation of the SSA and we are pleased to acknowledge this proactive response to our investigations.

3.4 What we found

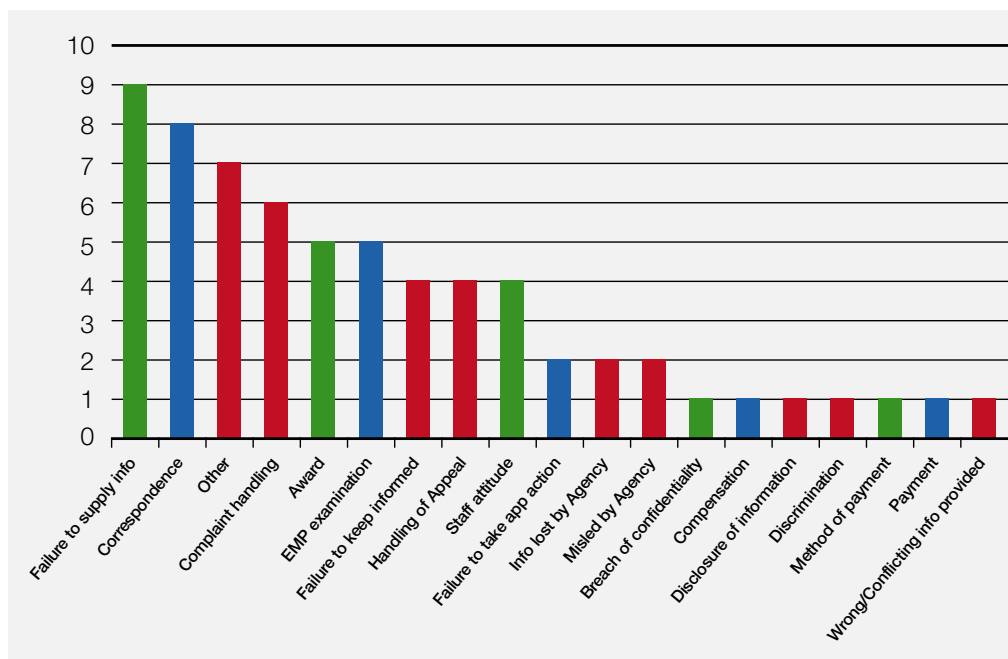
In last year’s Annual Report we heralded a change in the way in which we express our findings. ICE will not uphold a complaint if, at the time it is accepted for investigation, we find that the SSA has already fully addressed the complaint and appropriate redress has been provided, offered or instigated. Although we fully upheld only one case, this year as last we have partially upheld a significant proportion of the complaints we investigated, as illustrated in the table below. Although this is disappointing for the SSA and its customers, it should be noted that in some cases, only minor elements of the complaint were upheld. We are also pleased to report that four cases were not upheld.

Investigation report Cases				
	2001/2002		2002/2003	
Findings	No. of cases	%	No. of cases	%
Full upheld	3	25	1	10
Partially upheld	7	58	5	50
Not upheld	2	17	4	40
Total	12	100	10	100

The majority of the complaints we accept for investigation comprise a number of allegations of maladministration, which often pertain to entirely different issues or events. In this reporting year, we have for the first time, captured information on the number allegations of maladministration contained within each case we cleared during the reporting year. On average, there were 5.4 elements in each case. This is far more than is usual across our caseload and demonstrates the complexity of these particular cases.

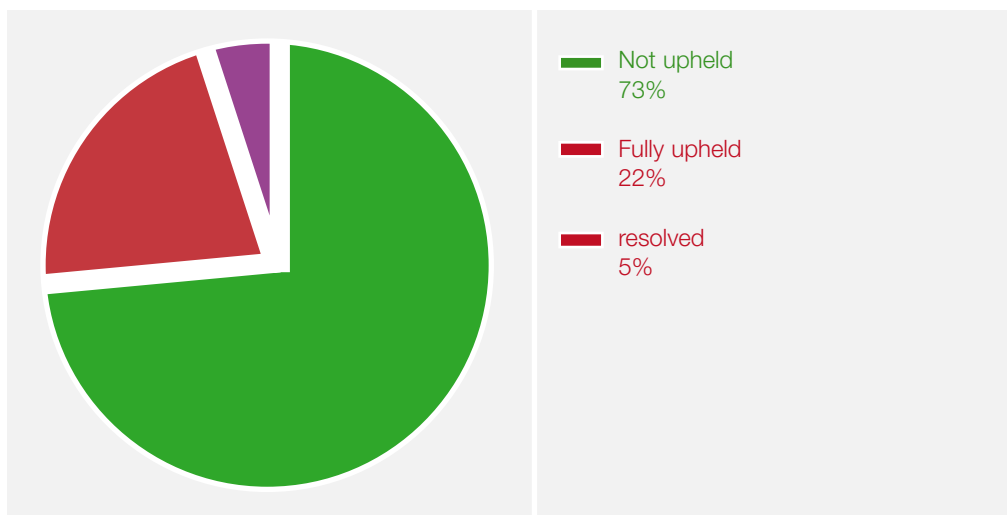
The most common areas of complaints during 2002/2003 involved:

- failure to supply information;
- correspondence; and
- complaint handling.



Our investigation reports now express our findings in respect of each element of the client's complaint. This provides the client and the SSA with a clear indication of how it dealt with the different issues.

During the reporting year, the 12 cases we cleared contained 65 elements of complaint, 3 of which were resolved, 14 of which were fully upheld and 48 of which were not upheld.



3.5 Redress

If we find that maladministration has occurred, we may ask the Agency to issue an apology and/or financial redress to the client. Whilst we are unable to direct the SSA as to the amount of compensation a client should receive, given that such payments are made in accordance with guidance produced by the Department for Social Development (formerly the Department of Health and Social Services), we are able to consider whether, in awarding compensation, the SSA has had regard to all the relevant facts. During the business year 2002/2003, we asked the SSA to consider awarding consolatory or compensatory payments to several of its clients who had complained to us. We are pleased to report that the SSA subsequently awarded consolatory and compensatory payments totalling some £1,349.02. At our request, it also agreed not to pursue an overpayment of £1,628.95 that it had raised against a customer.

3.6 Complaint handling by the Social Security Agency

In those cases that we investigate we now routinely comment on the quality of the SSA's complaints handling. In the majority of cases we investigated during the year, the SSA adhered to its internal complaints handling procedures and its responses invariably explained how complainants could take matters forward. Given the nature of its work and the potential for complaints, I still consider that the SSA can be regarded as a model for the way in which similar organisations should respond to complaints.

This is not to say that the SSA always gets it right, and an example of this is shown below:

Mr I: In Mr I's case, we found that the SSA had not followed the procedures outlined in its leaflet "**Making a complaint**", as it had not issued a response or a holding reply to him within ten working days of acknowledging his letter of complaint. At our request, a Senior Manager wrote to Mr I to apologise for this.

The fact that the SSA records all complaints demonstrates its commitment to taking account of feedback from its customers. The complaints we have received from its clients have concerned both complex and sensitive issues. Some have required in-depth investigations that have taken several months to complete. In a number of cases, the main elements of the complaint were not upheld. We have also seen cases in which it is apparent that the SSA has tried to resolve matters before the client has complained to us. We consider that, in some instances, our investigations provide reassurance for SSA staff that they have done everything possible to resolve the complaint.

Mr J: One of Mr J's complaints was that the SSA's Chief Executive's Office had mishandled his complaint. Although we found that there had been a delay in dealing with the complaint, the SSA had acknowledged this and had issued a consolatory payment of £200.00 before Mr J had complained to us. Although Mr J's complaint to the SSA was justified, we were satisfied that the SSA had taken reasonable and proportionate steps to resolve matters and provide Mr J with redress.

On occasions, we have received complaints from SSA customers about the behaviour of a named member of staff. In these cases, we are not able to comment on any disciplinary action taken, but we can and do seek evidence that the SSA has adhered to its disciplinary procedures as shown in the following example:



Mr K: Mr K complained about discriminatory treatment by a member of the SSA's staff. He also said that an officer had threatened him and had informed him that he would never receive Incapacity Benefit again.

The SSA has clearly defined arrangements for responding to specific complaints about the behaviour of named members of staff. We investigated the action taken by the SSA in Mr K's case. We were satisfied that it had adhered to its procedures and looked into matters thoroughly. As a result, we did not make any recommendations in respect of his complaint.

During the reporting period, we also received two complaints from SSA clients about overpayments they had incurred:

Mr L: Mr L had been awarded Income Support at a reduced rate whilst he pursued his appeal against the decision that he was not incapable of work under the all work test for Incapacity Benefit. The decision was upheld by an Appeal Tribunal, but Mr L advised us that he did not receive notification of this decision and he continued to cash his Income Support order book. However, he was only entitled to Income Support whilst his appeal was outstanding and, consequently, he incurred an overpayment of £1,628.95. Mr L subsequently claimed Jobseeker's Allowance and this was awarded at a rate higher than the Income Support he had previously received.

During our investigation we discovered that, in another case, there had been a Judicial Review in which an overpayment had been raised in similar circumstances. It was decided that, although the claimant should not have received Income Support for the relevant period, as he would have received at least the same amount in Jobseeker's Allowance, there was no actual loss to the SSA and it would be unjust to pursue recovery. The SSA accepted our request that it waive the overpayment and consider awarding a special payment for the difference between the Income Support and Jobseeker's Allowance.

Mr M: Mr M incurred an overpayment in similar circumstances, but had already repaid the overpayment before he contacted ICE. In this case, we asked the SSA to consider awarding him a compensatory payment for the amount of the overpayment. We also asked the SSA for an assurance that there are now procedures in place to ensure that the appropriate Social Security Office is immediately informed of the Appeal Tribunal's decision in such cases.

3.7 Complaints about Examining Medical Practitioners

A common theme in the complaints we have received from the SSA's customers has been the handling of medical examinations by Examining Medical Practitioners (EMPs). In fact, although it is not within our remit to comment on complaints about medical opinion, of the 10 cases we investigated, 5 included complaints about EMPs.

Several of the complaints we investigated concerned comments allegedly made by EMPs whilst undertaking examinations on behalf of the SSA. The Case Examiner has taken an interest in the procedures in place to conduct investigations into such allegations. She also acknowledges the sensitive nature of EMPs' work and the difficult situations in which doctors can be placed in carrying this out.

The SSA has instigated a review into the way in which such cases are handled and the code of practice which sets out the expected standards for Examining Medical Practitioners providing services on behalf of the SSA.

This review will seek to identify ways to support doctors in their important tasks and to improve customer satisfaction levels. We will take a continuing interest in this area of the SSA's work.

Miss N: Miss N complained that an EMP did not fully examine her daughter and that he made inappropriate comments to her. She also said that a medical attendant entered the room after the examination had started because her daughter was crying.

We explained to Miss N that the doctor was not obliged to carry out a full examination of her daughter. There was no objective evidence about her allegations, which were strenuously denied. The complaint was not upheld.

Mrs O: Mrs O complained that although an Examining Medical Practitioner stated in his medical report that she said that she could walk 200 metres with her stick at her own pace, she did not make this statement. She also said that she was not given the opportunity to read the statement in a Disability Living Allowance medical report and it was not read back to her. Finally she complained that the Examining Medical Practitioner's version of events was accepted over hers.

Mrs O had ticked the box on the form to confirm that she had read the statement and there was no objective evidence to support her allegation that she was not given the opportunity to do so. Our investigation also showed that the SSA conducted further enquiries into Mrs O's complaint and, accordingly, it was not a matter of simply accepting the Examining Medical Practitioner's word in preference to hers. Her complaint was not upheld.

3.8 Service initiatives

The SSA is currently reviewing its complaint handling procedures in conjunction with its partner organisations, the Department for Employment and Learning and the Inland Revenue. The review is focusing on, amongst other issues, redress, learning from complaints and how to deal with complaints about more than one of the organisations.

The SSA is also involved in a number of other service initiatives including payment modernisation, centralised pensions offices and closer working with the Northern Ireland Housing Executive. There are also now a number of Jobs and Benefits Offices at which the SSA and the Department for Employment and Learning deliver an integrated work focused service to job seekers. The SSA is currently reviewing how it handles those complaints referred to its Chief Executive. The Independent Cases Examiner welcomes these initiatives and the SSA's efforts to improve the service it provides to its customers.

3.9 Digest of casework

This is an overview of some of the cases that we dealt with during the reporting year. Each summary concentrates on the central issues rather than the whole complaint and outcome.

Mr P: One of Mr P's complaints was that the notification sent to his daughter regarding the decision made on her Income Support claim was incomplete. We examined the notification and found that it did not explain the decision that had actually been given, namely that his daughter was no longer entitled to housing costs. The SSA accepted our recommendation to consider awarding her a consolatory payment for gross inconvenience and subsequently issued a payment for £75.00 to her.

Mr Q: Mr Q complained that, when dealing with his claim for Income Support, the SSA used the bank statements for his business for a purpose for which it had not obtained permission. He said that the SSA should have requested permission before using the bank statements to calculate his gross receipts and allowable expenses. However, we found that the Agency had acted within its guidelines and consequently, the complaint was not upheld.

Mr R: Mr R complained that the SSA delayed in considering medical certificates that he submitted for his claim for Incapacity Benefit. We found that the SSA did delay in considering his claim after it received the certificates and that the Agency service fell below the standard he was entitled to expect and amounted to maladministration. Although the Agency had acknowledged the complaint and advised Mr R that it would consider awarding him a consolatory payment for gross inconvenience, the good intentions floundered when the commitment to consider a consolatory payment failed to materialise. Consequently, we upheld this element of his complaint and recommended that the Agency take urgent steps to honour the undertakings made by a senior manager and advise him of its decision regarding the consolatory payment. We also recommend that it consider making a further consolatory payment for the inconvenience caused by the unreasonable delay in completing this action.

Annex A
The Independent Case Examiner's Office: Organisation Chart

Independent Case Examiner
Jodi Berg

Senior Management Team

Case Director Phil Latus	Office Manager Elsbeth Cooper	Planning Manager Phil McDermott	Operations Manager Margaret Fowler
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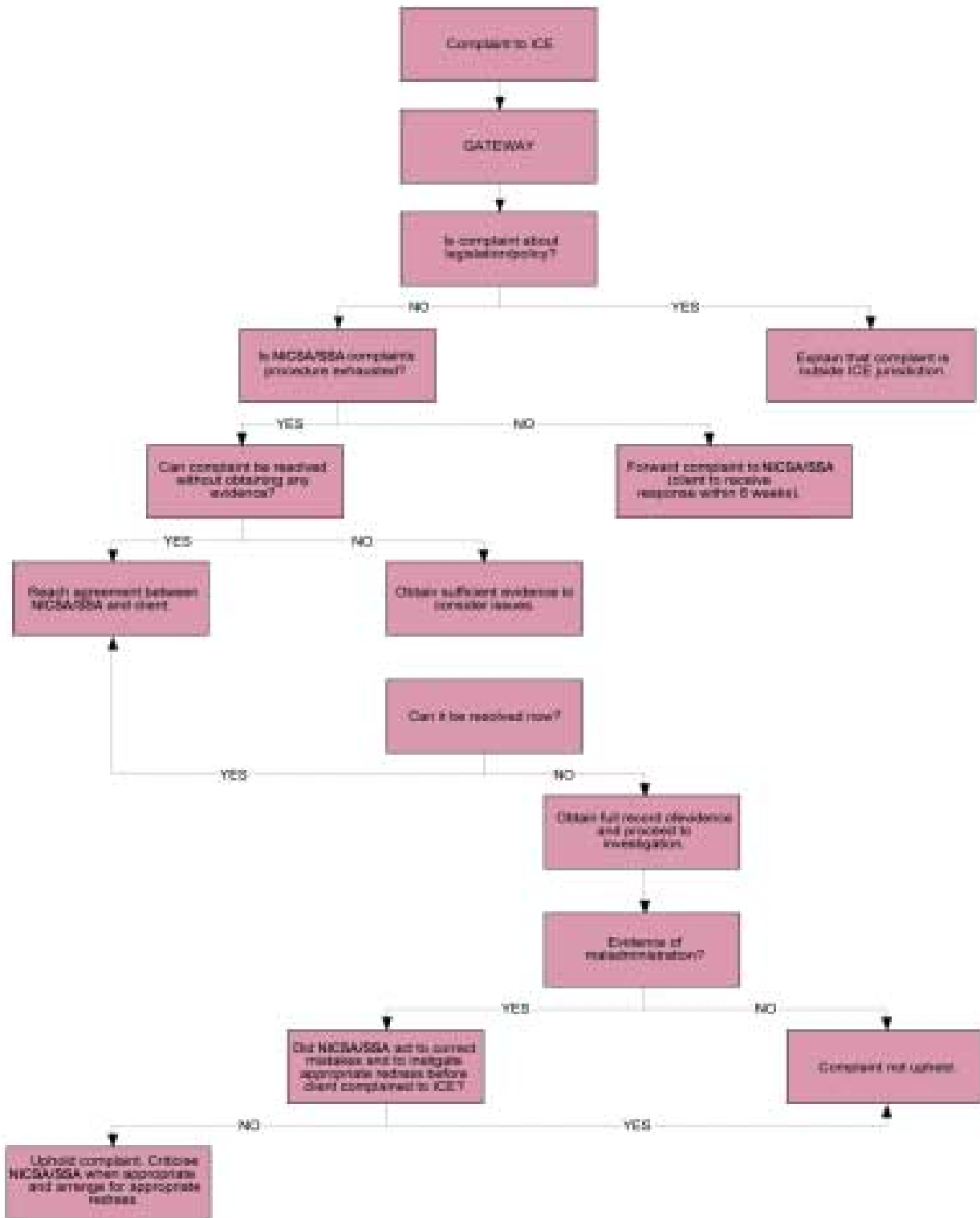
Senior Management Support Team
Bill Davies/Kathy Hoerty

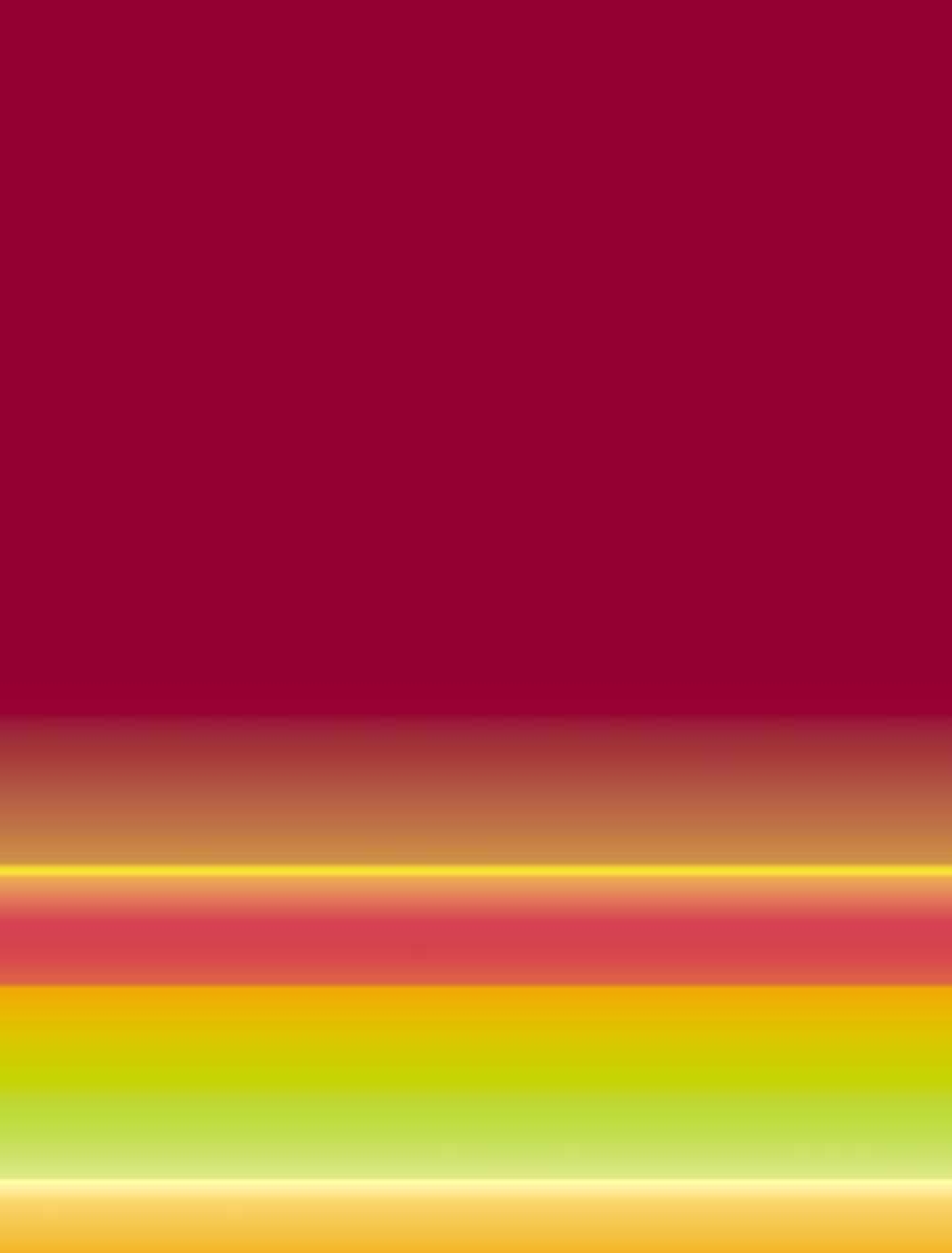
Investigation Teams										
ICE Teams	Initial Action Team	Team 1 SSA [NI] CSA [NI] CSA [GB]	Team 2 CSA [GB]	Team 3 CSA [GB]	Team 4 CSA [GB]	Team 5 CSA [GB]	Team 6 CSA [GB]	Team 7 CSA [GB]	Team 8 CSA [GB]	Team 9 CSA [GB]
Team Leaders	Ve Carson & Dave Watson	Sue Haselton	Chris Lewis	Terry Pontin	Pat Kilgannon	Carron Simpson	Ellen Davies	Tony Southern	Amanda Crosbie	Jeanette Griffiths

Office Support Team Leader
Geraldine Gebhardt

Service Liason Manager
Julie Lunt

Annex B
Life cycle of a complaint in the Independent Case Examiner's Office





Copies of the Annual Report can be obtained from:

The Office of the Independent Case Examiner
PO BOX 1245
Belfast
BT2 7DF

Telephone: 0151 801 8800
Minicom: 0151 801 8888
Fax: 0151 801 8825
E-mail: ice@ukgov.demon.co.uk

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

Telephone calls can also be made at local call rate on: 0845 606 0777

This report is also available, on request, in Braille or audio version.

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