

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

Annual Report 2003/04

Judging the issues by
not taking sides



Independent
Case Examiner

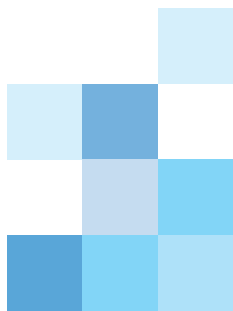




Jodi Berg

Jodi Berg was appointed as the Independent Case Examiner in October 2002. She investigates complaints made about the work of the Social Security Agency and the Child Support Agency. The Independent Case Examiner is not part of the management of either Agency. The Independent Case Examiner's service is free.

Mrs Berg is also the Independent Complaints Reviewer for Land Registry, the Charity Commission, the National Archives 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.



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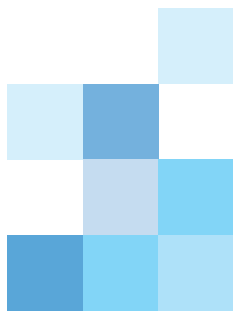
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Abbreviations

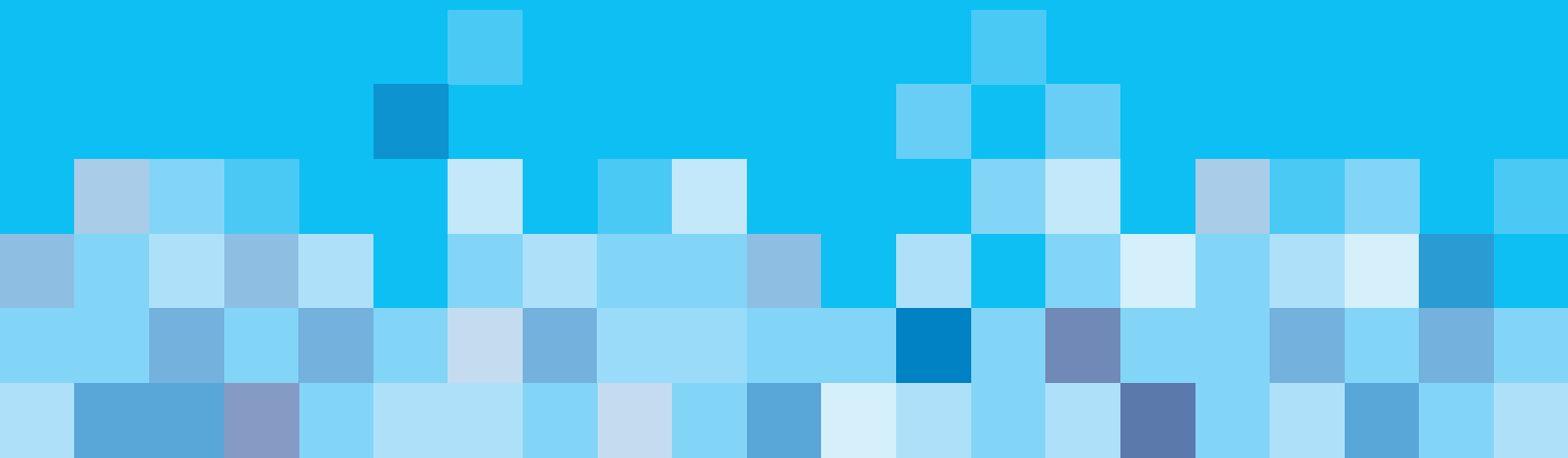
DEO	Deduction from Earnings Order
DLA	Disability Living Allowance
EMP	Examining Medical Practitioner
IB	Incapacity Benefit
ICA	Invalid Care Allowance
ICE	Independent Case Examiner's Office
IIB	Industrial Injuries Benefit
IS	Income Support
JSA	Jobseeker's Allowance
MP	Member of Parliament
NICSA	Northern Ireland Child Support Agency
SSA	Social Security Agency



Foreword

I am pleased to present my third Annual Report as Independent Case Examiner for the Social Security Agency (SSA) and the Northern Ireland Child Support Agency (NICSA).

People turn to my office for an independent and impartial view of the service they have received. My role is to resolve complaints by agreement or, failing this, by investigation and decision. Where I find that people have not received the service to which they are entitled, I can make recommendations aimed at putting matters right. I can also suggest improvements to procedures so that similar problems do not recur.





I am pleased to acknowledge the open and productive working relationship that my office has with both Agencies. The process of independent review is the established final step of their complaints procedures and people are routinely advised about this service in responses from or on behalf of the Agencies' Chief Executives. For the SSA this resulted in the referral of 27 complaints and for NICSA 40 referrals in the reporting year. This was a small increase for each Agency.

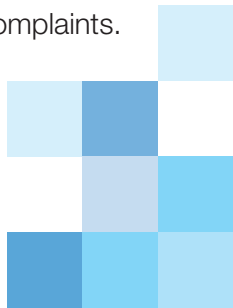
Most people want us to deal with their complaints as quickly as possible and, despite the increase in our work, this year we were able to reduce our average completion times to just under 14 weeks. We could not do this without the active co-operation of the Agencies in giving us the information and evidence we require within agreed timescales. I am grateful to the SSA's Customer Services Unit and its Support Units and the NICSA's ICE Liaison Team for continuing to do so, despite the increase in work.

I maintain regular and constructive dialogue with Senior Managers, which allows us to discuss problems that I see and how things could be improved. This has continued through a year of considerable managerial change, during which new Chief Executives were appointed for each Agency. I have already had an opportunity to meet with Mr Gerry Keenan for SSA and Mr Barney McGahan for NICSA and I have no doubt that our good working relationships of the past will continue.

During the year I made a number of visits to the Agencies to meet with staff and Senior Managers and I was impressed with the commitment shown towards providing a high quality of service and responding positively to complaints that arise.

The Social Security Agency has accepted all of my recommendations for personal redress to customers and the great majority of recommendations for process change. It has been able to offer clear evidence of learning from complaints I have investigated, using this information to inform management decisions and improve service delivery.

It has also been carrying out a review of its complaints process in the light of the closer working arrangements it now has with the Inland Revenue and the Department for Employment and Learning. It is particularly important that people receive a similar quality of response from Government, regardless of where a problem arose. I am pleased to learn that the Agency will be piloting a joint response to complaints with the Inland Revenue this year. It also plans a number of welcome initiatives to inform customers what standards of service they can expect from the Agency and to improve its response to complaints. I welcome these initiatives.



Turning to the Northern Ireland Child Support Agency, I am pleased to report that the Agency continues to resolve the majority of complaints internally, so that few people have needed to refer matters to me. The Agency responded positively to all of my recommendations during the reporting year.

The implementation of the Child Support Reforms, which came into effect in March 2003, is now well underway. The optimism with which the Reforms were greeted has been dampened by the difficulties that have subsequently emerged. This is disappointing for the Agency and its staff, but even more so for parents who rely on the Agency's service to help them make ends meet. I am aware that the Agency has received a considerable number of complaints, which serve as an early warning of problems which require urgent action. In particular, applications have been subject to lengthy delays and problems with the computer system have meant that payments received by the Agency have not always been sent out to parents with care promptly. I am continuing to raise these matters with the Agency on a regular basis.

My report also highlights areas where improvements in complaints resolution at an earlier stage would be of real benefit. This would empower staff to deal with complaints quickly and thoroughly, leading both to enhanced customer satisfaction and more job satisfaction for Agency staff.

My own office has continued to attract praise from complainants. I am particularly pleased to report that we were one of only twelve organisations chosen to be considered by the Cabinet Office under the revised Charter Mark criteria. We achieved Charter Mark accreditation in October 2003. This is a tribute to the enthusiasm and commitment of my staff and reflects our determination to provide a first rate service. As always, my Case Director Phil Latus and Operations Director, Elspeth Cooper have made an invaluable contribution and I thank them for their ongoing support.

This report describes the service we provide and the progress made during the reporting year. It includes anonymised summaries of some of the complaints that we have reviewed. Finally it reflects on the Agencies' progress in some key areas of concern.

I hope you find it interesting.

Jodi Berg
Independent Case Examiner

1.

The Independent Case Examiner

The Independent Case Examiner's Office investigates complaints from customers of the Child Support Agency (Great Britain), the Northern Ireland Child Support Agency and the Northern Ireland Social Security Agency. This report focuses on our service to customers of the Northern Ireland Social Security Agency and the Northern Ireland Child Support Agency who complained to the Independent Case Examiner during the reporting year. A separate report is published about our service for customers of the Child Support Agency (Great Britain). Copies of all our publications 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 Independent complaints review

When people feel that an Agency has given them poor service and they are not happy with the response to their complaints, they can ask us to look into the matter. We are independent and objective in the way we do this. We try to resolve complaints by agreement. Where this cannot be achieved, we investigate the complaint and reach a decision on how it should be resolved.

As well as resolving complaints for individual Agency customers, we try to make a positive difference to the service people receive in the future by recommending improvements in procedures.

People are normally advised to contact us by the Agencies in the final response to their complaints. There is no need to go through a sponsor or third party, such as a Member of Parliament or a Member of the Legislative Assembly.

Although we can look into complaints about the way a case has been handled or a client has been treated, 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 Northern Ireland Ombudsman.

This office is entirely independent from both Agencies and is located in Liverpool. Our service is free to Agency customers.

1.2 How complaints are handled

Accessibility

People can contact us by telephone, in writing or on-line (ICE@ukgov.demon.co.uk). A minicom service is available and people can also use a local call rate number. Translation services are available on request and we can provide copies of our publications in Braille or audio version.



It is helpful if initial contact is in writing to help us identify and record details of the complaint. To assist people with this, our leaflets, **“The Independent Case Examiner’s Office – Our service and standards”** include forms on which a client can record details of their complaint. A separate leaflet is available for each Agency. An electronic version of the form is available on our website at www.ind-case-exam.org.uk. However, this is not the only way in which we accept referrals and we will do our best to facilitate access for people who find it easier to deal with us in other ways.

Our final report is in writing, although we can also issue an audio version if necessary. Clients using the service can appoint a named representative to deal with ICE on their behalf.

Advice and assistance

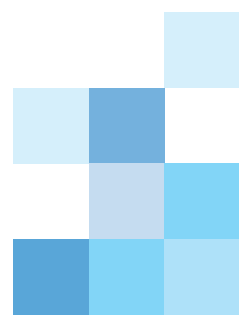
We receive numerous telephone enquiries from customers of the Agencies, some of whom do not know how to take forward their concerns about the way in which their case has been handled.

Many customers are unsure of when they can ask this office to become involved and have not yet been through the Agency’s own complaints procedure. Other customers need direction to other routes of redress, such as the Appeals Service or the Information Commissioner. We offer telephone advice and published information to help people to take matters further.

Procedure

When a complaint is referred to this office, we check whether the Agency has been given a chance to consider it properly or whether it concerns a matter that falls within our remit. This is called our gateway process.

Once we accept a complaint, we establish whether it is possible to resolve matters to the satisfaction of all concerned. To do so, we discuss the complaint with the client and identify what they require the Agency to do to put matters right. We then contact the relevant Agency to establish whether it will agree a course of action that will satisfy the client. We prefer to reach an agreement, as this settles things more quickly for everyone concerned and provides the basis for the development of a better relationship between the customer and the Agency. A written report of the agreement is issued to both parties.





Where agreement cannot be reached, a thorough investigation is undertaken. We judge the Agency's actions against its published Charter Standards, codes of practice and internal instructions to staff. On conclusion of our investigation, a report of the Independent Case Examiner's findings is sent to the client and copied to the Agency. The report explains the background to the complaint, the reasons for the Case Examiner's conclusions and any recommendations about what the Agency should do to put matters right. Recommendations can include:

- an apology;
- an explanation;
- an assurance;
- specific case action; and
- financial redress.



The confidence that clients have in independent review is crucial to the success of our service.

1.3 Working with the Agencies to improve customer service

In addition to making a difference for individual Agency customers, the Independent Case Examiner also plays a vital role in working with the Agencies to identify areas of service which need to be improved. This is achieved through:

- systemic recommendations arising from the investigation of individual cases, where the Case Examiner highlights improvements required in an Agency's operational procedures;
- visits to offices in both Agencies, during which the Case Examiner speaks with a wide cross-section of staff and managers;
- effective working relations with complaints handling staff in the Agencies;
- offering informed comment on the Agencies' customer service initiatives, leaflets and forms;
- meeting stakeholder groups;
- attendance at the Child Support Agency's Standards Committee;
- attendance at the Child Support Agency's stakeholder forum;
- regular meetings with Agency Chief Executives and Senior Managers.

"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."

SSA Complainant

1.4 Making a Difference

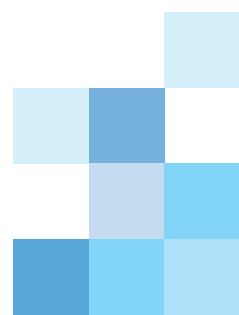
The recommendations contained in our investigation reports identify the redress that should be made to individual Agency customers who have not received an appropriate level of service. Our experience enables us to judge what redress is appropriate to the circumstances and whether the Agency has already done all that it could and should to put matters right.

Whether the Case Examiner recommends an apology or something more, the Agencies are committed to implementing her recommendations within the timeframe specified in her reports. Where they are unable or unwilling to accept her recommendations, they must give a written explanation for this to the Case Examiner and the customer. Any such cases are reported in our Annual Reports.

The Independent Case Examiner can also recommend changes in practice and procedures that may result in improved customer service. In this way, the unfortunate experiences of individual clients can be used to help others. Acceptance of systemic recommendations demonstrates an Agency's ability and willingness to learn from the issues highlighted by our reports. This is essential if clients are to feel that taking the time and trouble to complain has made a difference, and the Agencies are to take proper advantage of the lessons that can be learned from complaints.

We are pleased to note that the Agencies have demonstrated to us during the reporting period that they are using our report findings to inform management decisions and improve the service provided to their customers. Examples of steps taken to address issues the Independent Case Examiner has raised are listed below:

- ICE recommended that the Social Security Agency arrange for each local office to provide details of help and advice centres that customers could contact within its catchment area. To achieve this, the Agency has agreed a set of protocols with the Advice Service Alliance. The Alliance has agreed to provide the Agency with lists of its member organisations and advisor details for distribution to local offices and branches.
- The Social Security Agency issued a bulletin to remind staff of the procedures for dealing with cases in which an Examining Medical Practitioner has identified that there are exceptional circumstances.



"I don't think you could improve your already excellent service."

SSA Complainant

1.5 Our Standards of Service

Service Standards: Our leaflets, "**The Independent Case Examiner's Office – Our service and standards**" describe the level of service people can expect from us. They are issued to clients when we acknowledge receipt of their complaint and include details of contact we will make and our target response times. Our performance in dealing with complaints about 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	100%
Respond to telephone calls within 7 rings	97.9%
Complete 90% of our gateway checks – from receipt of complaint to formal acceptance or rejection of complaint – within 10 days	100%
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)	13.76 weeks

We are pleased to report that we have met all of our service standards. Last year our average completion time for our SSA and NICSA cases was 30.71 weeks. We have reduced this to less than half that time this year, achieving case clearance in an average of 13.76 weeks. Despite this considerable achievement, we are not complacent and we will be working hard over the next year to ensure that we maintain this performance.

This success would not have been possible without the co-operation of the Agencies and we would like to thank their staff for their help in dealing with our enquiries in a speedy manner. We will be reviewing our internal speed of action targets in the coming year.

“Your personnel
are fantastic.
They simplified
a very complex case
to a positive end.”

Extract from Customer
Satisfaction Survey.

1.6 Customer Satisfaction

We measure what people think about our service through analysis of their responses to our customer satisfaction surveys. In addition, during the coming year, we plan to engage with clients more directly by establishing a client forum, at which current and former clients will be asked to comment on a range of issues relating to the quality of our service.

We value the comments provided by our clients, whether complimentary or critical. We want to encourage as many people as possible to provide feedback and so we issue customer satisfaction surveys to everyone following closure of their case. Across the work of the office, our response rate for the year was 47.45%. The data we gather in response to this exercise, in addition to that provided from complaints about our service, is analysed and wherever possible, acted upon.

We enjoy high levels of customer satisfaction with the service we provide, as illustrated by the following results:

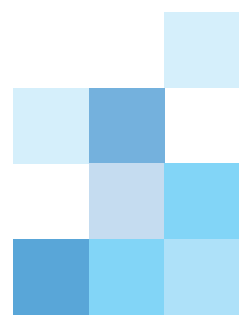
- 95% of clients said they were satisfied with the telephone service provided;
- 96% of clients considered that their complaint was handled confidentially;
- 85% of clients were satisfied with the overall service provided.

Complaints about our service: We record any expression of dissatisfaction about our service, whether written or verbal, as a complaint. Complaints offer valuable insight into the expectations of our clients and our success in meeting them.

We are pleased to report that we did not receive any complaints about our service from clients in Northern Ireland during the year.

Comebacks: In cases where we do not uphold part or all of the client’s complaint, some people wish to challenge our 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.

We also remind clients that it is open to them to ask a Member of Parliament to refer their complaint to the Northern Ireland Ombudsman.



“This is a brilliant service to the public. Sometimes bodies don’t or won’t give the customer a fair decision.....they listen to you much better than the customer and give a decision that they may not have given the customer in the first instance.”

SSA Complainant

Charter Mark: ICE was one of only twelve organisations selected by the Cabinet Office to participate in piloting the revised Charter Mark standards. We were delighted to receive recognition of our achievements in October 2003, in the form of Charter Mark accreditation.

1.7 Raising Awareness

In past Annual Reports, we have described the steps taken to publicise our service to staff and customers in the Agencies. Both Agencies undertake to ‘signpost’ customers to the Independent Case Examiner when issuing responses to complaints. We monitor whether this happens during the reporting year.

We are pleased to report that in the cases we accepted for investigation, all of our clients had been advised to contact the Independent Case Examiner if they remained unhappy with the response issued from or on behalf of the Chief Executive. The Agencies also give information to customers about our role in their leaflets and on their websites.

It is important that frontline Agency staff understand how our service fits in with the complaints procedure, if they are to give appropriate advice to customers. During the year, the Independent Case Examiner, our Case Director and our Service Liaison Manager made a number of visits to both Agencies to raise awareness about our service. They met staff from the Social Security Agency’s Customer Services Unit and a number of its Customer Representative Groups.

We welcome contact with the Agencies’ stakeholder groups. We are pleased to respond to questions about the services we provide and those upon which we report.

2.

The 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 Agency 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.

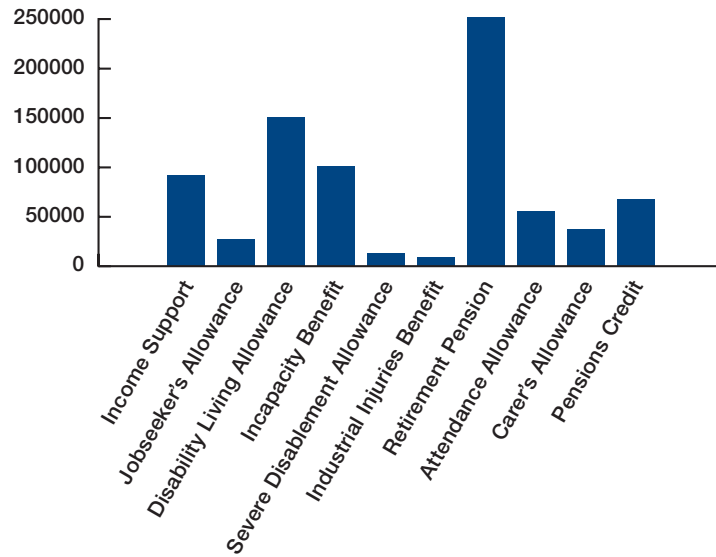
The Agency works in partnership with others, such as the Department for Employment and Learning, the Inland Revenue and the Child Support Agency, to ensure that a full range of services is provided to those who need help getting back to work and meeting their financial commitments.



"You and your department have left no stone unturned in regard to the investigation and I am astounded to the amount of detail and professionalism of the report and your findings."

SSA Complainant

Benefits dealt with by the SSA and live loads at March 2004.

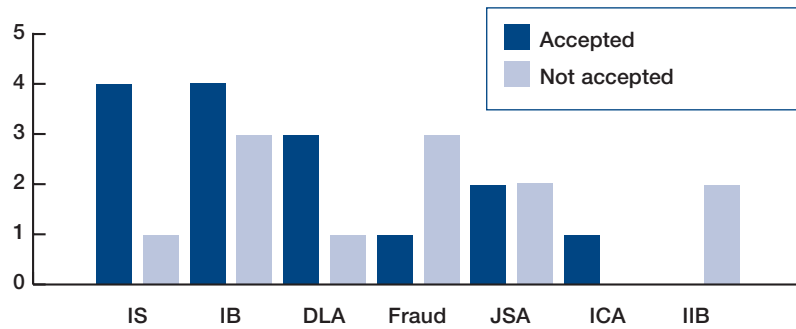


The Social Security Agency is the only benefit agency in the U.K. to introduce an independent complaint review service for the benefit of its customers.

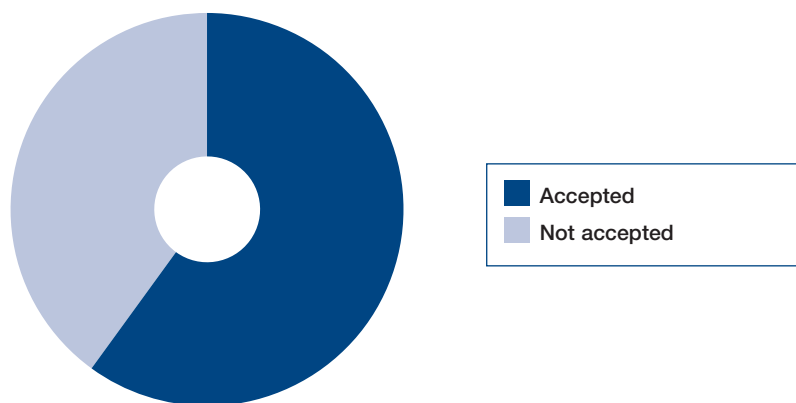
2.1 Cases received

The number of complaints we receive about the Social Security Agency has slightly increased this year. In the 2003/2004 business year we received 27 cases, 15 of which were accepted for investigation (compared with 22 received and 11 accepted for investigation in the 2002/2003 business year). 3 of the cases we received were referred by Members of the Northern Ireland Legislative Assembly.

Complaints received/accepted for investigation by benefit or area of complaint.



Complaints accepted/not accepted for investigation.





The SSA received 1,322 complaints in its Districts/Divisions and a further 830 complaints were made to its Chief Executive in the 2003/2004 business year. The 15 complaints accepted for investigation by this office represents only 0.7% of the total number of complaints received by the Agency. These figures demonstrate that it is rare for people to find it necessary to refer complaints to the Independent Case Examiner's office and in most cases the Agency resolves complaints satisfactorily.

Of the 12 cases that we were unable to accept for investigation:

- 10 were cases where the complainant had yet to give the Agency a full opportunity to respond to their complaint. As such, they had not received a reply from, or on behalf of, the Agency's Chief Executive in the preceding 6 months. These complaints were referred back to the Agency;
- 1 was outside of our jurisdiction, because it concerned Social Security legislation;
- 1 was not accepted because it concerned Data Protection Act issues. Such complaints are dealt with by the Information Commissioner's Office and the client was advised of how to contact that office.

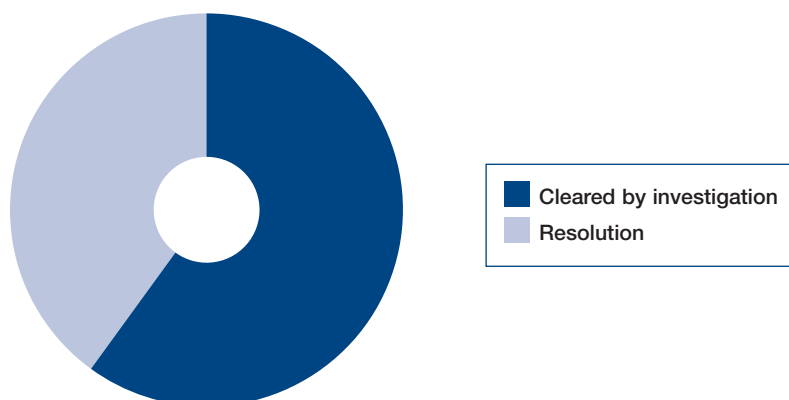
When we do not accept a complaint for investigation, because the client has not had a final response from the Agency, we forward their correspondence to the Agency for reply. We allow the Agency 6 weeks in which to deal with the complaint and satisfy the customer by their actions. We invite people to return to us, if they do not receive a response or if they are dissatisfied with the steps that the Agency has taken. Following this period, we are able to accept the complaint for investigation without further reference to the Agency. We are pleased to report that no-one found it necessary to ask us to do so in the reporting year.

2.2 Case completion

Once we accept a case, we establish whether there is scope for resolving the client's complaint without recourse to an investigation.

Of the 15 complaints accepted during the year, 5 were resolved to the client's satisfaction without the need for further action on our part. In most cases, we find that the Agency tries to put matters right before the client complains to us. However, we resolved 2 complaints by asking the Agency to ensure that the outstanding decisions on customers' claims were made urgently. It was disappointing that these fairly straightforward issues had not been resolved before people needed to refer their complaint to ICE.

Cases Cleared	2002/2003	2003/2004
Cases brought forward from previous year	4	2
Total received	22	27
Not accepted for investigation	11	12
Withdrawn	1	1
Cleared by resolution	2	5
Cleared by investigation report	10	9
Number outstanding at the year end	2	2



"I have today received a copy of your most thorough and comprehensively considered investigation in regard to my complaint about the SSA. May I immediately offer you my personal thanks and gratitude for your excellent work in investigating this matter and the forthright and concise manner in which you have presented your findings."

SSA Complainant

Our target for clearing cases is "within an average of 34 weeks". We are pleased to report that during the 2003/2004 business year, the average clearance time for complaints received about the Social Security Agency was 12 weeks. This compares favourably with the previous year when it took us an average of 17.3 weeks.

This could not be achieved without the co-operation of the Agency. We are pleased to report that the Agency makes every effort to offer comprehensive and timely responses to our enquiries, and this enhances the speed of service that we can give to our mutual clients.

2.3 What we found

In determining whether to uphold a complaint, we consider what action was taken by the Agency before it was referred to our service. The Case Examiner will not uphold a complaint if she finds that by the time it is accepted for investigation, the Agency has already fully addressed the issues that have been raised and appropriate redress has been provided, offered or instigated.

Although the Case Examiner fully upheld only 1 case during the reporting year, we have again partially upheld a significant proportion of complaints we investigated this year. Although this is disappointing, it should be noted that in 4 of these cases, only minor elements of the complaint were upheld. We are pleased to report that 3 cases were not upheld.

Investigation Report Cases	2002/2003		2003/2004	
	No of cases	%	No of cases	%
Fully upheld	1	10	1	11
Partially upheld	5	50	5	56
Not upheld	4	40	3	33
Total	10	100	9	100

"Finally may I once again offer my sincere thanks for the sterling work you have produced in investigating my complaint and in compiling your most comprehensive report of your findings."

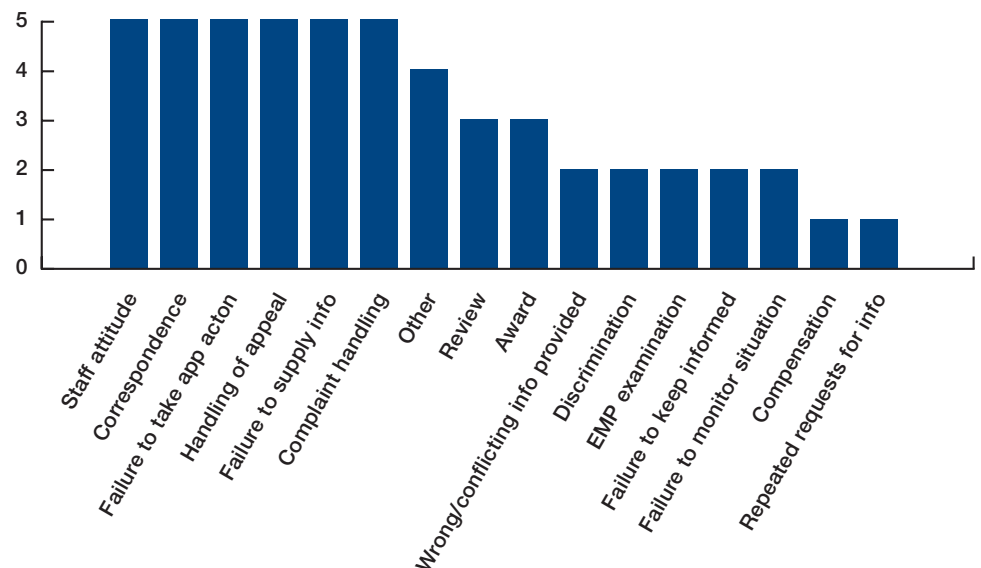
SSA Complainant

Most complaints we accept for investigation comprise a number of allegations of maladministration, which often pertain to entirely different issues or events. On average, there were 4 different points of complaint in each case we resolved or investigated during the year, demonstrating the complex nature of complaints referred to this office.

The most common problems complained about during 2003/2004 were:

- staff attitude (including complaints about the attitude of Examining Medical Practitioners and staff in Social Security Offices);
- correspondence;
- failure to take appropriate action;
- handling of an appeal;
- failure to supply information; and,
- complaint handling.

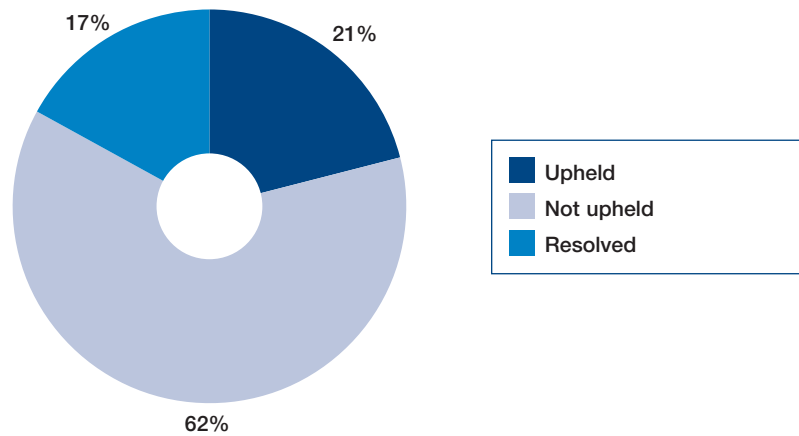
Areas of complaint.



Our investigation reports give the Independent Case Examiner's findings in respect of each element of a 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 14 cases we resolved or investigated contained 52 elements of complaint. 9 were resolved, 11 were upheld and 32 were not upheld.

ICE findings in respect of each element of complaint



Compared with the previous reporting year, we noted a small decrease in the percentage of elements of complaint not upheld, whilst the percentage resolved increased. It must be borne in mind that this relates to a small number of cases and the Agency merits recognition for the fact that the Independent Case Examiner upheld only 21% of the complaint elements we investigated.

"I was very pleased with the outcome of my complaint. I was very impressed about how much effort was put into it by you and your staff. For this I would like to extend my extreme gratitude."

SSA Complainant

2.4 Redress

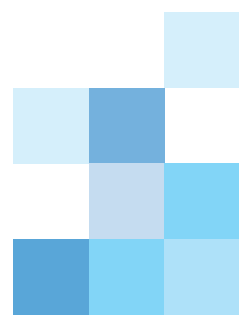
If we identify failings on the part of the Agency, our first priority is to secure commitment that it will put matters right. The Independent Case Examiner can also ask the Agency to issue an apology and/or financial redress to a client if we find that maladministration has occurred. We are unable to specify the amount of compensation a client should receive, as such payments are made in accordance with guidance produced by the Department for Social Development (formerly the Department of Health and Social Services). However, we are able to consider whether, in awarding compensation, the Agency had regard to all the relevant facts and acted reasonably.

During the business year 2003/2004, we asked the Agency to consider awarding consolatory or compensatory payments to 4 of its customers who had complained to us and payments were subsequently issued to all 4 customers.

2.5 Complaint handling by the Social Security Agency

In investigation reports, we comment on the quality of the Agency's complaints handling. Indeed, we received a number of complaints about this during the year. If failings are identified, the Independent Case Examiner can ask the Agency to recognise this by offering an apology. In serious cases of maladministration, she can recommend consideration of a consolatory payment.

The cases we have investigated show that the Agency deals with complaints in a structured and coherent manner. It adheres to the process outlined in its leaflet which informs customers about how to complain. It records complaints made by telephone and this demonstrates its commitment to taking account of customer feedback. Customers were normally advised how to progress their complaints and were invariably advised at the appropriate stage how to contact this office. The Agency's responses comprehensively addressed the complaints that had been made and were issued promptly. We also saw that on occasions, staff met customers to discuss their complaints.



However, the Agency does not always get it right, and some examples of cases where the Agency did not act in accordance with its procedures are shown below:

The Agency's "**Making a Complaint**" leaflet states that it will acknowledge a letter of complaint by return of post and will send a full response within 10 working days. It states that it will provide regular updates if it takes longer to deal with a complaint. In Mr A's case, the Agency failed to advise him that there would be a delay in responding to one of his complaints. Consequently, we recommended that a Senior Manager write to him to apologise for this.

One of Mr B's complaints was that the Agency failed to respond to some of his letters and failed to properly address complaints he made through his MP. The Agency had apologised for failing to respond to his letters before he complained to ICE but we found that his subsequent complaints could have been avoided if the correct action had been taken. Although the Agency made some effort to respond to the complaints, it failed to respond to every matter his MP raised. It also failed to acknowledge one of the MP's letters and then delayed in issuing a response. At our request, the Agency awarded Mr B a consolatory payment and a Senior Manager wrote to him to apologise for the failings we had identified.

Mrs C complained that the Agency had not fully addressed her queries in its responses. We examined Mrs C's letters and the Agency's replies. The Agency clearly did not address all of her queries, leaving her with the impression that the arguments she was making were being ignored. The Independent Case Examiner upheld her complaint and asked the Agency to consider awarding her a consolatory payment for the gross inconvenience caused by its persistent failure to answer her queries and to address her concerns. She also recommended that a Senior Manager write to her to apologise for the Agency's failings and to respond to issues that had not been addressed. In response to her report, the Agency issued a reminder to Senior Managers that they should address all of the issues in a letter of complaint.

When we receive complaints from Agency customers about the behaviour of a named member of staff, we investigate whether the Agency has adhered to its procedures and looked into matters properly. We are not able to comment on any disciplinary action taken.

In Mr D's case, the allegations he made about a member of staff were acknowledged and responded to promptly. An officer also met him to discuss the matter. The Agency has clearly defined arrangements for responding to specific complaints about the behaviour of named members of staff. We investigated the action taken in Mr D's case. The Independent Case Examiner found that the Agency had interviewed the officer concerned and was satisfied that it had adhered to its procedures.



2.6 Complaints about Examining Medical Practitioners

In last year's Annual Report, we commented on the number of complaints we had received from Agency customers about the conduct of medical examinations by Examining Medical Practitioners (EMPs). Although we are unable to comment on complaints about medical opinion, we continue to receive complaints about the behaviour or attitude of doctors. 4 of the 9 cases we investigated included complaints of this kind.

The Independent Case Examiner has continued to discuss the issues raised by these complaints with Senior Agency Managers.

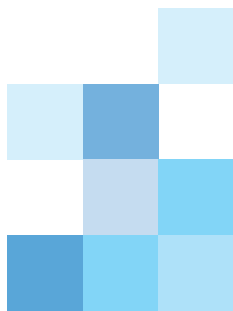
Mr E complained that the Examining Medical Practitioner who examined him at home was rude to him and his wife. He cited a number of examples to demonstrate why he found the doctor's general demeanour discourteous.

Although there was a disparity of view between Mr E and the doctor about what took place, there were several points of agreement. However, even where this was the case, a different significance was placed on events. For example, the doctor agreed that he walked around the room whilst Mr E's wife read her statement. Mr E thought this impatient and rude, but the doctor said that he did this to 'stretch his legs'.

In and of themselves, the complaints raised about the doctor were not serious but taken together they presented a picture of an interview which could have been conducted with a greater degree of sensitivity to Mr E and his wife.

Many of the concerns Mr E raised were matters of tone and perception. The Case Examiner commented that parties to any conversation or meeting can see things from very different perspectives and complaints of this nature are invariably difficult to investigate. Given the clear disagreement between Mr E and the doctor, she was unable to reach a firm conclusion on the merits of this complaint.

The Independent Case Examiner acknowledges the sensitive nature of this work and the difficult situations in which doctors can be placed in carrying out medical examinations. Nevertheless, doctors who undertake this work are highly qualified professionals who are well used to dealing with members of the public in the home environment. However, for customers these are awkward and potentially embarrassing situations, which require particularly sensitive handling.





Mr F complained that the Examining Medical Practitioner's medical report contained gross inaccuracies, discrepancies, contradictions and false statements. He also said that certain information was omitted from the report. We considered the evidence and found that there was an obvious disagreement between Mr F and the doctor over their conversation on the day. Mr F clearly considered that the medical report was not an accurate record of the examination.

Mr F's subsequent appeal was successful, giving some credence to the view that his situation was somewhat worse than that portrayed within the report. He sought to pursue his complaints despite the success of his appeal, and this too demonstrated that he felt a sense of injustice regarding what occurred.

Without corroborative evidence, the Independent Case Examiner was unable to reach a firm conclusion. However, she commented that it would have represented good customer service on the part of the Agency to have given early consideration to offering Mr F a further examination by a doctor who had no previous knowledge of his case.

2.7 Complaints about staff in Social Security Offices

3 of the complaints we received during the year were from Agency customers who complained about the behaviour of staff they met in Social Security Offices.

Mr G complained that his daughter was accused of giving false information during an interview with an Agency officer in a Social Security Office. The Agency had made an error when deciding Miss G's entitlement to Income Support and, consequently, she had been overpaid. In this respect, the service she received fell below the standard she was entitled to expect and amounted to maladministration.

The Agency had subsequently acknowledged its error. It was decided that the overpayment would not be recovered and, to this extent, Miss G benefited from the Agency error that occurred. We noted this as clear indication that the Agency accepted that she had not given false information. The Agency also considered whether Miss G was entitled to a consolatory payment but decided that this was not appropriate.

We found nothing in the record of the interview to suggest that Miss G was accused of giving false information and the Independent Case Examiner made no finding on this issue. She was satisfied that the Agency investigated this matter and that the complaint was discussed with the officer concerned.

Discussions between Agency staff and customers can be interpreted in very different ways by the people involved. Even the advice provided to customers in Social Security Offices has the potential to trigger complaints. The following example shows the sensitivities of some of the cases we investigate.

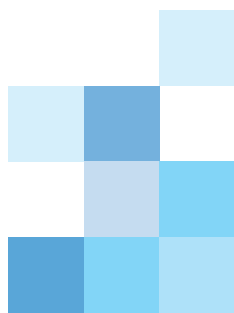
Mr H complained that a client advisor in a Social Security Office had advised him to contact a certain political party. He said that this amounted to political discrimination. Such complaints are serious, as all public bodies are required to act in an unbiased and non-discriminatory manner. The Independent Case Examiner found that the Agency investigated his concerns and that the officer in question was interviewed about the allegation.

The Agency advised us that client advisors in Social Security Offices are able to give customers information on a variety of Department of Employment and Learning offices and job clubs in their local area. The office in question also has links with all the local advice groups and public representatives, and staff know what alternative sources of independent advice are available to customers. Some local advice centres are run by political parties.

After considering the evidence the Independent Case Examiner was satisfied that the officer had advised Mr H of a number of advice sources that he could contact for further help and assistance, in line with the Agency's normal procedures. The political party's advice centre was mentioned, as it was the centre closest to the customer's home.

Although the complaint was not upheld, the Independent Case Examiner considered that it would be helpful if each Social Security Office could provide customers with a written list of sources of advice that they could contact within its catchment area. Given local sensitivities, this would serve to 'depersonalise' such information and prevent further complaints of a similar nature from arising. We recommended this action be considered. The Agency accepted the recommendation. It has subsequently advised that it has agreed protocols with the Advice Service Alliance, which will provide the Agency with lists of its member organisations and advisor details for distribution to local offices and branches.

Regrettably, Agency staff working in the frontline in Social Security Offices encounter unhappy and abusive customers from time to time. When this happens it is important that they remain professional and adhere to Agency policies and procedures.





Mr I complained that officers in a Social Security Office had been rude to him and that the Office Manager had threatened him. On investigation we discovered that Agency staff had been subjected to abuse from Mr I, and the Agency had subsequently decided that it would not deal with complaints from him unless they were made in writing. The Office Manager had written to Mr I to advise him of this.

The Independent Case Examiner found that it was not maladministrative for the Agency to ask that contact be made in writing in these circumstances. It was appropriate for the Agency to take this action to protect staff from abusive or threatening behaviour.

2.8 Service initiatives

The SSA has been involved in a number of customer service initiatives during the year. A review of the complaints process is ongoing in conjunction with the Inland Revenue and the Department for Employment and Learning. The Agency is planning to launch the revised complaints guide and a revised complaints leaflet along with its new Customer Charters in August 2004. It is also to pilot a process for joint responses with the Inland Revenue.

The Agency's Customer Services Unit has taken action to introduce an information system to facilitate more effective recording and tracking of complaints.

A review has been carried out of the Agency's Medical Support Services and the Agency has recently issued some 10,000 customer satisfaction surveys to customers who have had dealings with Medical Support Services. Consideration will be given to the information gleaned from these initiatives.

2.9 Digest of casework

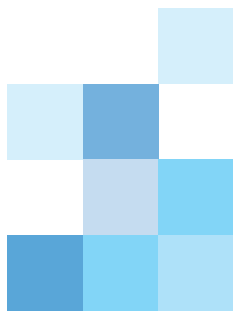
This is an overview of some of the cases that we dealt with during the reporting year. Each summary concentrates on the central issues rather than the whole complaint and outcome.

Appeal hearing was postponed twice

Mr J complained that his Incapacity Benefit appeal hearing was postponed twice. The Agency had asked for his appeal hearings to be postponed because it was awaiting further information from his Medical Consultant, which was relevant to the decision he was appealing against. The Appeal Tribunal agreed to postpone both hearings. When the information was received from the Medical Consultant, the Decision Maker decided that Mr J was entitled to Incapacity Benefit. This removed the need for an appeal hearing, as the decision appealed against had been revised in his favour.

The Independent Case Examiner noted that the Agency had only requested the postponement of the second appeal on the day before it was due to be heard. She considered that the Agency should have requested this earlier. This would have ensured that everyone was aware of the position in good time and no disappointment arose.

However, she accepted that it was appropriate for the Agency to request the postponement of the appeal hearing, rather than inconveniencing both Mr J and the Tribunal by requesting an adjournment at the hearing because it was awaiting further evidence. She noted that the Agency was already aware of the Consultant's position on Mr J's medical condition and that steps were already in progress to sort matters out. This complaint was not upheld.



Decision Makers did not attend appeal hearing

Mr K complained that the Agency refused to agree to his request that the officers who made the decisions on his claim attend his appeal hearing.

The Agency's guidance states that a Decision Maker may be represented at an appeal hearing by another person. Appellants do not have the right to demand the presence of an officer whose evidence is unfavourable to him or her.

The Independent Case Examiner found no maladministration in the fact that the Decision Makers did not attend Mr K's appeal hearing and did not uphold his complaint. However, she found that the reply issued in response to his complaint was unnecessarily technical. She recommended that a Senior Manager from the Agency write to him to apologise for this.

Some of the cases we have investigated have been about complex issues and have taken several months to complete. In other cases, we were able to resolve complaints without the need for substantial redress or corrective action.

Mishandled claims for DLA on behalf of children

Ms L complained that the Agency had mishandled her applications for Disability Living Allowance on behalf of her children. She also said that it had informed her that it was to consider awarding her a consolatory payment, but had yet to advise her of its decision on this. We contacted Ms L to discuss her complaint in more detail and it was agreed that in order to resolve matters, we would ask the Agency to make the outstanding decisions on her claims and advise her of its decision regarding the consolatory payment urgently. At our request, the Agency took this action and Ms L agreed that this was sufficient to resolve her complaint.

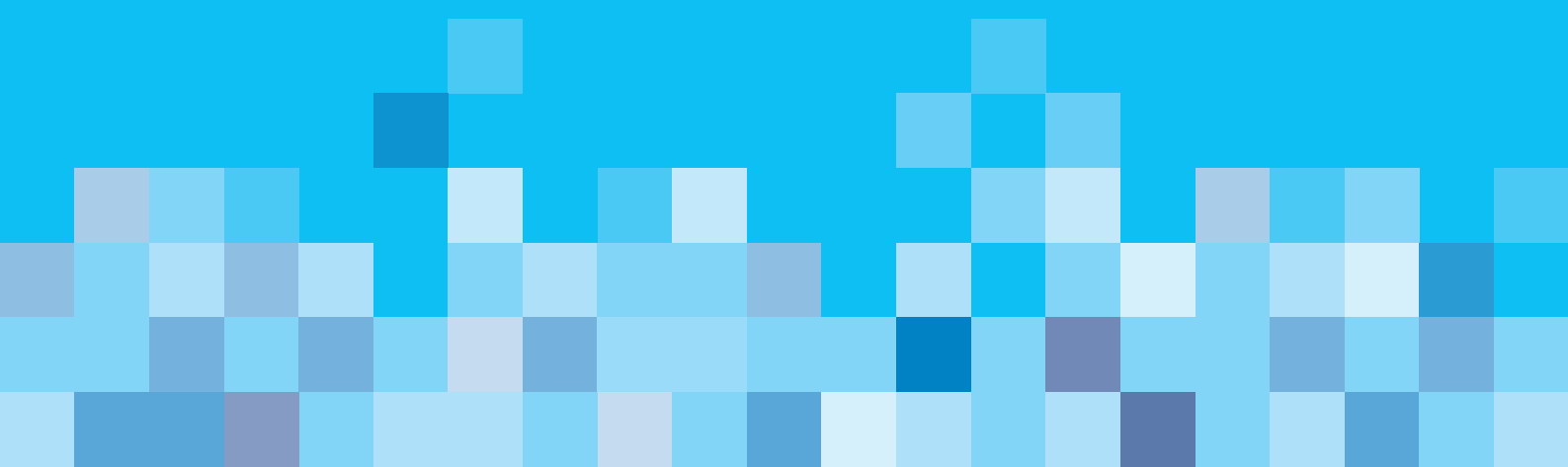
3.

The Northern Ireland Child Support Agency

The Northern Ireland Child Support Agency (NICSA) is an executive agency of the Department for Social Development. It is responsible for arranging and, where applicable, collecting child maintenance on behalf of children whose parents live apart.

It has 230 frontline operational staff in its Belfast Headquarters (Belfast (NI) Centre) and its field offices to deliver its service to the people of Northern Ireland.

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





3.1 Cases received

The Agency's caseload on 31 March 2004 was 33,000 cases. Between 1 April 2003 and 31 March 2004 the NICSA received 517 complaints, 152 of which were addressed to its Chief Executive.

During 2003/2004, there was an increase in the number of complaint referrals about the Agency. We received 40 complaints, 17 of which were accepted for investigation (compared with 25 received and 15 accepted for investigation in the 2002/2003 business year). Two of the cases were referred by Members of Parliament and another case was referred by a Member of the Northern Ireland Legislative Assembly. The number we accepted for investigation represents only 0.05% of the Belfast (NI) Centre's live load. Despite the small increase in the number of complaints received, this compares very favourably with the far greater number of complaints we receive about other Child Support Agency Centres.

Of the 23 cases received during the year that we were unable to accept for investigation:

- 18 were cases where the complainant had yet to give the Agency a full opportunity to respond to their complaint. As such, they had not received a reply from, or on behalf of, the Agency's Chief Executive in the preceding 6 months. These complaints were referred back to the Agency;
- 4 were not within our jurisdiction, because they concerned Child Support legislation;
- 1 was not accepted because the client did not respond to our requests for further information about their complaint.

When we do not accept a complaint for investigation, because the client has not had a final response from the Agency, we forward their correspondence to the Agency for reply. We allow the Agency 6 weeks in which to deal with the complaint and satisfy the customer by their actions. We invite people to return to us, if they do not receive a response or if they are dissatisfied with the steps that the Agency has taken. Following this period, we are able to accept the complaint for investigation without further reference to the Agency.

During the year, we passed 18 such letters to the Agency and only 2 complainants then asked us to investigate their complaints, because they remained unhappy after receiving the Agency's response. Their cases were accepted for investigation. This suggests that in most cases, the Agency took the opportunity to put matters right. This year we will be conducting a follow-up review of such cases to give assurance to the Agency that people are content with its responses.

Cases Cleared	
Cases brought forward from previous year	6
Total received	40
Not accepted for investigation	23
Withdrawn	2
Cleared by resolution	6
Cleared by investigation report	4
Number outstanding at year end	11

3.2 Case completion

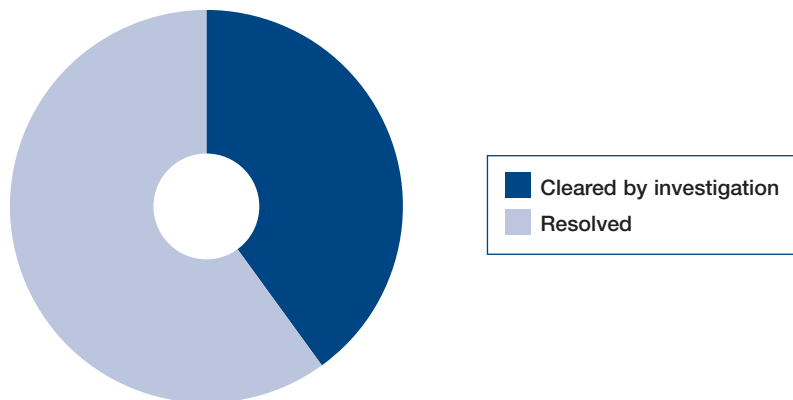
Although it is quicker to settle complaints through negotiation and conciliation, there are a number of cases that we are unable to deal with in this way. This might be because of the complexity of the issues involved, or because the client remains dissatisfied with the steps offered by the Agency to put things right, or because they want an independent view of what has happened to them. If conciliation is not successful, an investigation is undertaken.

During 2003/2004, 6 complaints about the Northern Ireland Child Support Agency were resolved and we investigated 4 complaints. This demonstrates the Agency's willingness to support our attempts to resolve complaints through conciliation. However, in some cases, it was disappointing that the Agency had failed to take the opportunity to resolve matters before the clients contacted us.

Several cases were outstanding at the end of the year, because they were not received until the closing months of the business year.



Comparison of resolution and investigation clearances					
	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004
Total cleared	6	3	9	20	10
Cleared by resolution	6 (100%)	1 (33.3%)	7 (77.8%)	3 (15%)	6 (60%)
Cleared by investigation report	0 (0%)	2 (66.7%)	2 (22.2%)	17 (85%)	4 (40%)



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. This year, we dramatically reduced clearance time to an average of 15.96 weeks. This was an excellent achievement which would not have been possible without the active co-operation of Agency staff in the ICE Liaison Team and Resolution Team.

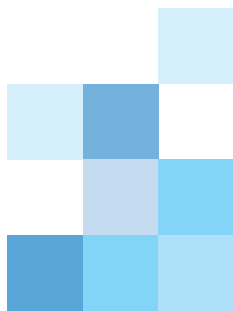
Given the speed with which we can address current referrals, our casework for Northern Ireland is up to date and this allows us to monitor the effectiveness of the Agency’s complaint handling processes in a more effective manner.

3.3 What we found

In determining whether to uphold a complaint, we consider what action was taken by the Agency before we received the complaint. The Independent Case Examiner will not uphold a complaint if, at the time it is accepted for investigation, she finds that the Agency has already fully addressed the complaint and appropriate redress has been provided, offered or instigated.

During the year, she fully upheld 1 of the cases we investigated, partially upheld 2 cases and did not uphold the other.

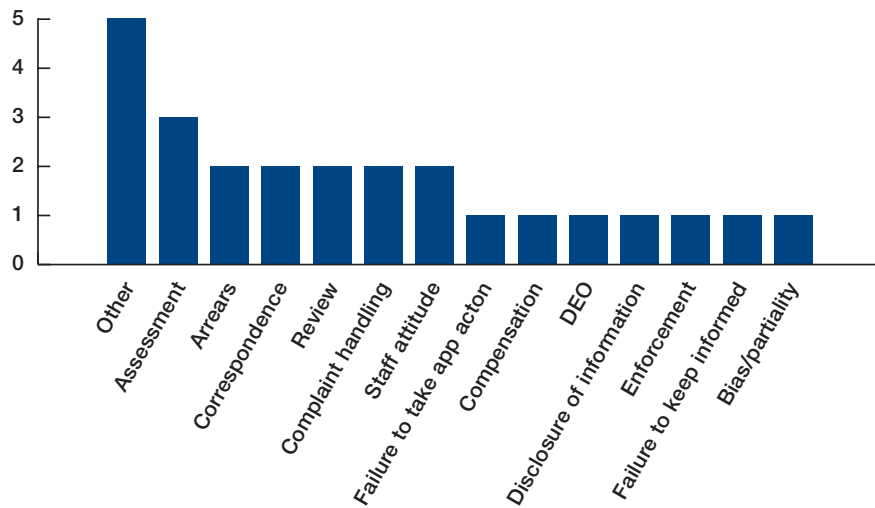
Findings	
Investigation report cases	2003/2004
Fully upheld	1
Partially upheld	2
Not upheld	1
Total	4



The majority of the complaints we accept comprise a number of allegations of maladministration, which often pertain to entirely different issues or events. In this reporting year, there were on average 2.5 allegations of maladministration contained within each case about this Agency.

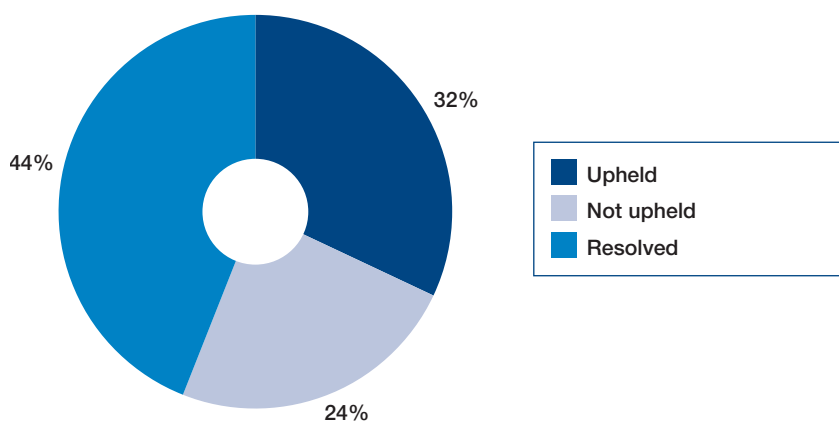
The most common service area causing complaints during 2003/2004 related to the calculation of the maintenance assessment.

Areas of complaint



Our investigation reports give our findings in respect of each element of a complaint. This provides both the client and the Agency with a clear indication of how each issue was dealt with.

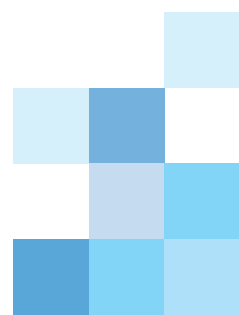
During the reporting year, the 10 cases we cleared contained 25 elements of complaint, 11 of which were resolved, 8 of which were upheld, and 6 of which were not upheld.



3.4 Redress

If we identify that the standard of service experienced by the client fell below that to which they were entitled, we ask the Agency to provide redress. This can take many forms, including an apology, an explanation of what has happened and why, consolatory payments in recognition of service failures and, where appropriate, compensation for actual financial loss.

Financial redress is not the only solution when things go wrong and prompt recognition and rectification of service failures can prevent the need for financial redress. That said, the Independent Case Examiner does regularly recommend the consideration of financial redress. She is unable to direct how much should be awarded, 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). However, she is able to consider whether, when making a decision about this, the Agency has had regard to all the relevant facts and has acted reasonably.



“Thank you for your comprehensive letter upholding my complaints against the service I received from the CSA. I can confirm that I have received an apology from a Senior Manager from the Agency, I have received £50 as compensatory payment towards communication costs and the CSA enforcements branch are now dealing with arrears of £415.64.”

NICSA Complainant

Details of the range of recommendations made during the reporting year are outlined below.

Apologies: If things have gone wrong it is incumbent upon the Agency to apologise. In every case that is fully or partially upheld, the Independent Case Examiner recommends that a Senior Agency Manager takes responsibility for the maladministration that has occurred and offers a personal apology for it.

Putting matters right: If we identify procedural failings on the part of the Agency, our first priority is to secure commitment from the Agency to put matters right.

Consolatory payments: In exceptional circumstances, the Agency can consider awarding a customer a consolatory payment, if its maladministration has had an adverse effect on the customer’s life by causing inconvenience or distress.

Actual Financial Loss: In certain circumstances, the Agency can make a payment to compensate a customer who, because of identifiable instances maladministration has suffered actual financial loss. This includes the loss of opportunity to obtain child maintenance or child maintenance premium.

Redress: Special Payments awarded to NICSA customers as a result of our recommendations	
2003/04	£
Consolatory	1,500.00
Financial loss	7,253.35
Total	8,753.35



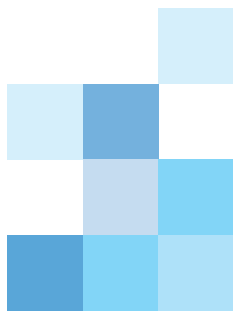
3.5 Complaint handling by the Northern Ireland Child Support Agency

In the cases we investigate, we routinely comment on the Agency's handling of the complaints. As shown in the following example, if this has fallen short of the required standard, the Independent Case Examiner asks the Agency to recognise this by offering an apology. Where its response was so poor as to amount to maladministration, she will recommend consideration of a consolatory payment.

Although the Agency met its published Charter Standard of providing responses within 10 working days, it failed to advise Ms M that she could apply for a departure from the standard method of assessment if she felt that the non-resident parent's lifestyle was inconsistent with his declared income. It also failed to advise her what avenues were open to her if she disagreed with the main assessment or was unhappy with the Agency's actions. Consequently, the Independent Case Examiner recommended that a Senior Manager write to her to apologise for the Agency's poor complaints handling.

It is important that the Agency has a structured approach to complaints handling, with the emphasis on resolving complaints to the customer's satisfaction at the earliest opportunity. In the following example, the Agency had adhered to its internal complaint handling procedures and had explored all avenues to try to resolve the complaints before the customer contacted us:

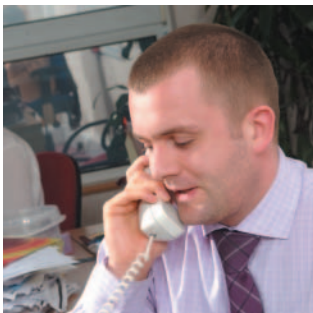
In Mr N's case, the Independent Case Examiner found that the Agency's handling of his complaint was satisfactory and that it provided detailed responses to both his and his MP's letters. It also wrote to him to provide information about its complaints procedures. At his request, the Agency then arranged a face-to-face meeting in a hotel close to his home. The Independent Case Examiner found that this was a satisfactory way to deal with matters.





The Child Support Agency also has guidance that sets out what action should be taken if a customer complains about the behaviour of named members of staff. The guidance states that complaints must be investigated thoroughly and, if the member of staff is exonerated, the complainant should be informed. If, on the other hand, the investigation reveals evidence of maladministration, the Agency must advise the complainant of this and consider appropriate redress. We are not able to comment on any disciplinary action taken against the member of staff.

Mr O sent several detailed letters of complaint to the Agency and we identified that it made some effort to address the issues he raised. That said, the Agency failed to investigate his complaint that a member of staff was inappropriately influencing the action on his case, until asked to do so by this office. The Independent Case Examiner asked that it issue an apology from a Senior Manager for this.



In last year's Annual Report we reported that the Agency was monitoring the effectiveness of the approach to complaint handling adopted by the Child Support Agency in Great Britain, whereby customers whose complaints could not be resolved were advised to first approach the appropriate Area Director and then the Chief Executive. The Agency advised us that it was considering the options for escalating complaints from its own customers.

The Independent Case Examiner was concerned to ensure that Agency customers and staff were clear about how complaints could be taken further. The Agency has since advised us that it has adopted a similar approach to that adopted by the Child Support Agency in Great Britain, and customers who wish to pursue their complaint are initially advised to contact its Senior Operational Manager.

3.6 How we resolved cases

In previous Annual Reports, the Independent Case Examiner welcomed the Agency's introduction of resolution planning. We achieved success in resolving 6 of the 10 cases we cleared, which demonstrates that more could be done to secure this result within the Agency's internal complaints procedures.

In the past, we have warned against the development of a culture whereby complaints are only taken seriously once they have been referred to this office. The complaints we resolve without the need for full investigation raise concerns about the effectiveness of the Agency's resolution process. The following examples show the ease with which we resolved some complaints, without the need for substantial redress or corrective action:

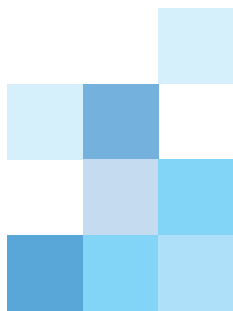
Ms P, a non-resident parent, complained that information she had provided to the Agency had not been acted upon. One of our officers telephoned Ms P and it was agreed that we would ask the Agency to provide an update on any outstanding action on her case and to consider awarding her a consolatory payment for any identifiable periods of maladministration. It was also agreed that we would ask the Agency to issue her with an application form for 'a departure' and arrange a face-to-face interview.

The Agency agreed to our requests and subsequently advised that it had obtained the necessary information to bring her case up-to-date. Ms P agreed that this action was sufficient to resolve her complaint.

Mrs Q complained about the attitude of a member of Agency staff and said that the notifications she had received from the Agency were confusing and contradictory. She also said that the Agency had delayed in calculating her assessments and in taking enforcement action against the non-resident parent.

It was agreed that to resolve her complaint, we would ask the Agency to issue an up-to-date account statement and an assurance that her complaint about a member of staff had been investigated. We also agreed to ask it to consider awarding her a consolatory payment for the delays and errors on her case. The Agency subsequently advised us that it had taken the action we had requested and had awarded her a consolatory payment.

In the majority of cases, the customer's priority is to ensure that the Agency puts matters right. It is disappointing that the Agency did not resolve these cases by establishing exactly what action customers required to achieve this, thereby avoiding the need to involve this office.





In some cases, customers have been entitled to consolatory payments or financial redress in acknowledgement of identified maladministration. It is of concern when the Agency does not identify that this is appropriate.

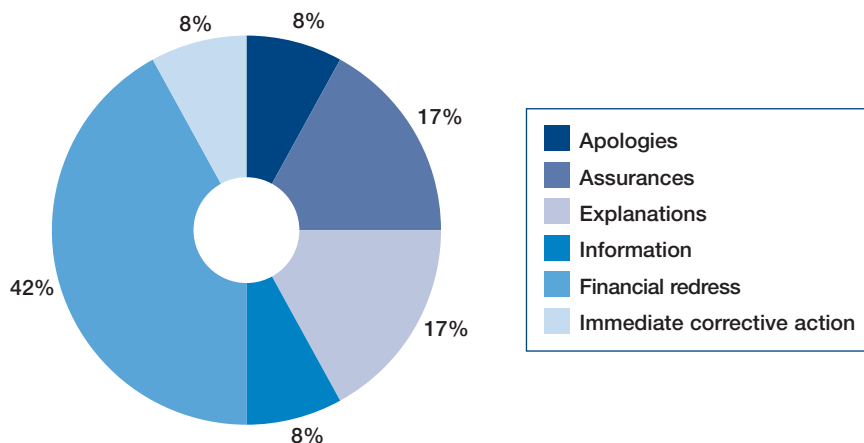
Ms R complained that she had suffered financial loss because of the Agency's actions. Her case was closed in error because the Agency erroneously decided that the non-resident parent was not employed by a UK based company. It subsequently re-opened the case but, by that time, the non-resident parent no longer worked for a UK based company and the Agency did not have jurisdiction to calculate an assessment. Ms R also complained that her case had not been reviewed since 1996.

During our examination of Ms R's case, we identified that the case had been closed in error. We also identified that the Agency had awarded her 'a departure' which had increased her assessment. However, it had not put this information onto its computer system until the case had been closed. In addition, it had instigated a periodic review of her case, but had failed to complete this.

Consequently, we asked the Agency to consider awarding a payment for the customer's lost opportunity to obtain maintenance and a consolatory payment for its failure to complete the periodic review. The Agency awarded her payments totalling £5,720 for financial loss and a consolatory payment of £50. Ms R agreed that her complaint had been resolved.

We appreciate the Agency's assistance in facilitating resolution of these complaints. Over the next business year, we will be looking for evidence that the Agency is taking every opportunity to resolve complaints internally. With the exception of those customers who require validation of the information provided by the Agency from an independent body, most cases are amenable to resolution within the Agency's complaints process.

Actions required to resolve complaints in 2003/2004.



3.7 Overview of the Agency

Last year's Annual Report welcomed the introduction of the Child Support Reforms. The new legislation provides a far simpler way of calculating maintenance. The Reforms were well overdue, given the difficulties that had arisen with assessments in the past, and were generally welcomed by organisations representing Agency customers.

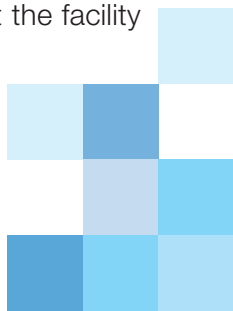
Alongside the legislative reforms, the Agency introduced a new information technology system known as CS2, to support staff in the delivery of a customer-centred service. The Agency promised customers that one team would be responsible for dealing with their case from receipt of a maintenance application to organisation of payment. Agency publications promised to achieve this within 6 weeks.

As the year progressed, it is fair to say that the Agency has achieved increasing levels of success in calculating maintenance on the new system in record times. However, this has by no means been the experience of all Agency customers this year. Regrettably, problems that have arisen with the computer system have affected every part of the process. In particular, new cases, which are 'linked' to others already being dealt with by the Agency under the old legislative rules, have been subject to persistent system failures.

This has been disappointing for customers and staff alike and has resulted in a significant rise in the numbers of complaints received by the Agency. In turn, my office has also faced rising numbers of complaint referrals from the Agency and this has been particularly marked in the last few months of the reporting year.

Despite facing considerable difficulties, the Agency has continued to place a high priority on customer service and has recognised the central part that an appropriate response to complaints plays in this effort.

One of the difficulties of dealing with these complaints is the lack of documented information available on new scheme cases. Previously staff could record text notes in respect of communications with customers, but the new information management system does not have this facility. The result of this is that discussions with customers, details of advice given, action instigated and commitments made by the Agency are not generally recorded. As a consequence, when customers telephone the Agency to check on progress, the person dealing with them is unable to ascertain what has happened. This situation is unsatisfactory to customers and staff. We understand that the Agency is taking steps to address this problem and hope that the facility will soon be restored.





Although the Child Support Reforms have been in the spotlight of the Agency's performance this year, it would be wrong to ignore the fact that the majority of Agency customers continue to have their cases dealt with under the old legislative rules. Cases we have dealt with this year demonstrate that this area of the Agency's business can be very complex and continues to generate complaints from parents with care and non-resident parents alike.

Traditionally, the "Cinderella" area of the Agency's service has been its enforcement process. It is pleasing to be able to report significant improvements to Agency practice and procedures this year.

In terms of our casework, during the business year we received 5 cases which included complaints about the Child Support Reforms. Of these, 3 were accepted for investigation.

Ms S complained about the Agency's delays in dealing with her application for child maintenance and said that she considered that she had suffered financial loss. In order to resolve the complaint we asked the Agency to consider awarding her a payment for financial loss and a consolatory payment for gross inconvenience. The Agency subsequently awarded her a payment of £1,432.

It is inevitable that the implementation of the Child Support Reforms will give rise to novel complaints, some of which will not have been anticipated. In such cases, a measure of the Agency's success will be the speed with which it seeks to address new problems that arise and the reasonableness of its response in terms of considering and providing appropriate redress. Additionally, we will be looking for evidence that the Agency is providing clear and timely guidance to its complaint handlers, to help them deal with complaints arising from known service failures or system problems.



3.8 Digest of casework

This is an overview of some of the cases that we dealt with during the reporting year.

Agency raised expectations

Ms T complained that the Agency failed to enforce the collection of maintenance from the non-resident parent. We found that the non-resident parent had not been co-operative. The Agency had imposed a punitive interim maintenance assessment, which had failed to secure compliance. It had obtained a liability order, but the non-resident parent still failed to comply with the requirement to either pay or supply the information the Agency needed in order to calculate a 'full' maintenance assessment. Bailiff action had been unsuccessful and the Agency then began to prepare the case for a committal hearing.

There followed a series of adjournments of the committal hearings because either the non-resident parent requested more time to provide the necessary information, or he failed to attend. At this point in time, the Agency held sufficient information to enable it to calculate a full maintenance assessment and new legislation was then introduced, which provided the Agency with the power to revoke driving licences. The Agency withdrew the case from the committal hearing to consider whether it could use this power to enforce payment.

Up to this point, the Agency had been proactive in pursuing the non-resident parent for maintenance, although this took a considerable time. Unfortunately, there then followed a series of errors. Once the interim maintenance assessment had been replaced by a full maintenance assessment, a recalculation of the arrears should have been undertaken. However, the Agency did not recalculate the arrears at this stage.

Ms T's contact with the Agency led her to believe that there were still substantial arrears to collect. She was advised that the liability order debt of £4,500 was being referred for bailiff action and indeed an authority for this action was signed. A calculation was then made which showed that, due to nil assessments, there were no arrears for the relevant period. Arrears did subsequently accrue, but enforcement action could not be taken because this was less than the guide of £250.

As arrears of more than £250 later accrued, the Independent Case Examiner recommended that the Agency take action to enforce collection. She criticised the Agency for inappropriately raising the complainant's hopes and expectation of the sum to which she was entitled. This complaint was upheld. The Agency awarded her a consolatory payment following her complaint to ICE.



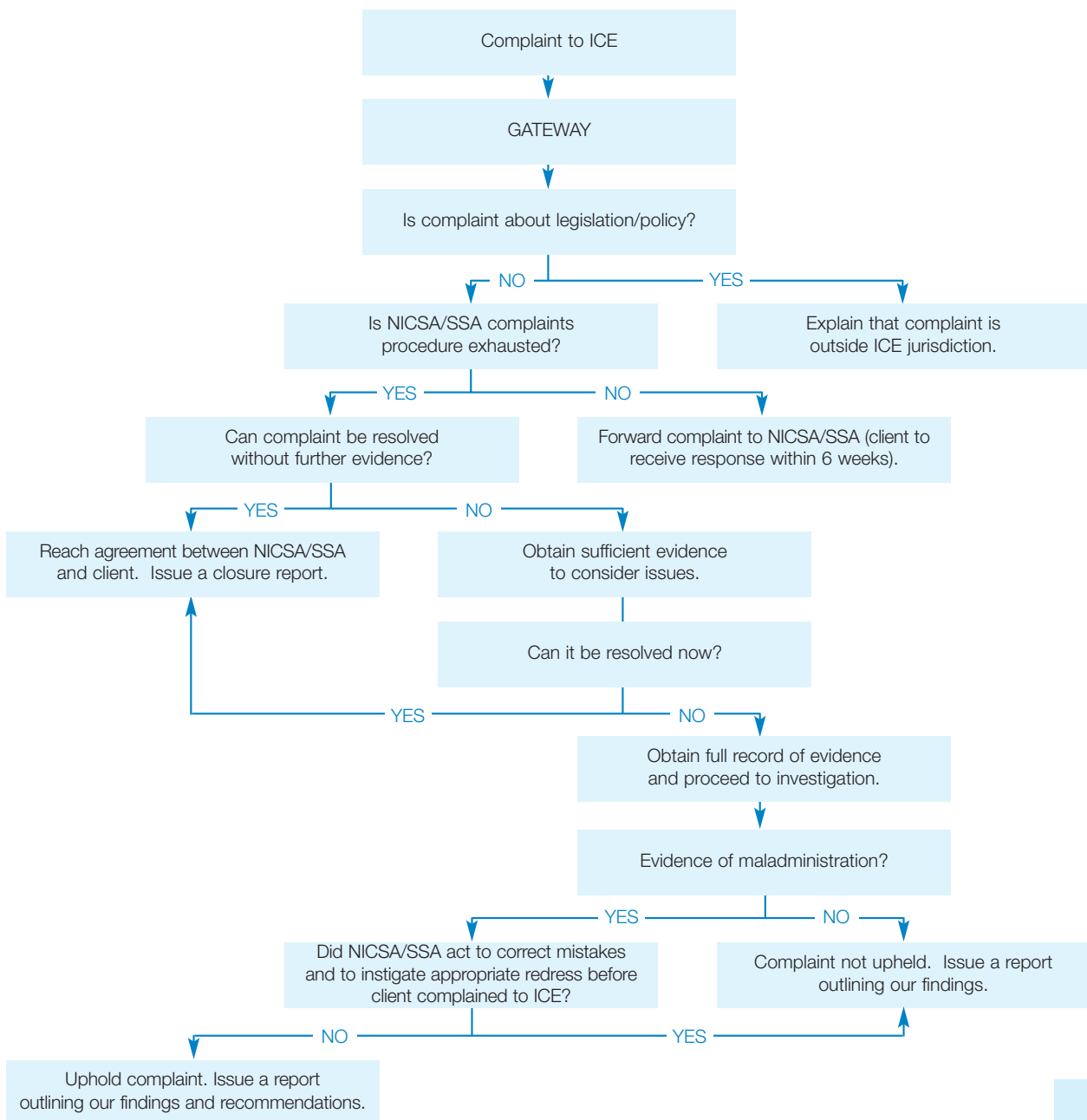
Un-notified visits

Mr U complained that officers had made un-notified visits to his home and that they were harassing him. The Agency's guidelines state that it can make un-notified visits to non-resident parents in certain circumstances. The Independent Case Examiner found that it was not maladministrative for the Agency to carry out un-notified visits to Mr U's home, as it had received information that he was living with his partner. This complaint was not upheld.

Imposition of interim maintenance assessment and deduction from earnings order

Mr V complained that an interim maintenance assessment and deduction from earnings order were imposed on him incorrectly and were subsequently removed. He said that the compensation awarded for this by the Agency was unsatisfactory. The interim maintenance assessment and deduction from earnings order should not have been imposed, as Mr V had denied that he was the parent of the child and this had not been investigated. Although his complaint was justified, the Independent Case Examiner accepted that the Agency had taken account of this when it awarded him a consolatory payment of £500 and compensation of £229 for bank charges that he had incurred. She considered that the Agency had taken reasonable steps to try to resolve matters and provide him with redress before he complained to ICE and did not uphold the complaint.

Annex A - How we deal with a complaint



Annex B - The Independent Case Examiner's Office: Organisation Chart

Independent Case Examiner

Jodi Berg

Senior Management Team

Case Director	Operations Director	Operations Manager
Phil Latus	Elsbeth Cooper	Margaret Fowler

Senior Management Support Team	Customer Service Manager	Project Manager	Office Support Manager	Training and Staff Development Team Manager	Service Liaison Manager	Diversity Manager
Pat Kilgannon Kathy Hoerty Bill Davies	Phil McDermott	Sally Lewis	Geraldine Gebhardt	Clare Tambourini	Julie Lunt	Joanne Mealor

Investigation Teams

ICE Teams	Initial Action Team	SSA Investigation Manager	Team 1 CSA (NI) 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 Chris Lewis	Gary Elliott	Sue Haselton	Terry Pontin	Amanda Crosbie	Carron Godden	Ellen Davies	Tony Southern	Paul Tomlinson	Jeanette Griffiths

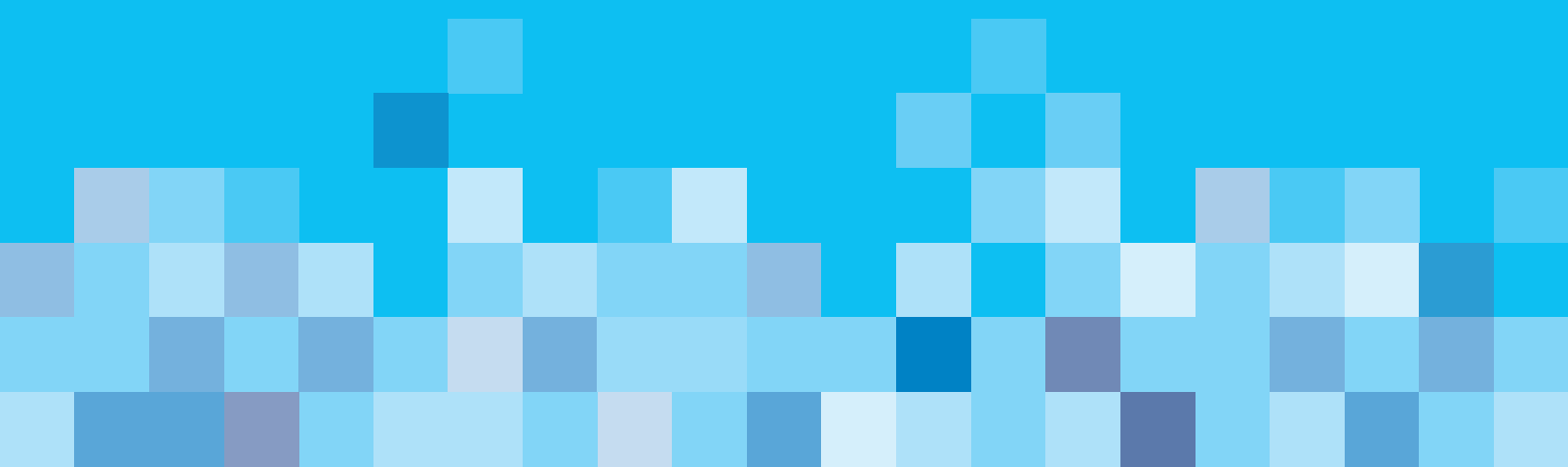
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