

Independent Case Examiner for the Social Security Agency

Annual Report
2003/04

Headline Summary

Judging the issues by
not taking sides



"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

The Independent Case Examiner's Office: We provide a free, impartial complaint review and resolution service to customers of the Social Security Agency. Our service is independent of the Agency. It is available to those customers who are dissatisfied with the Agency's response to their complaint or the redress provided.

Complaints Process: When someone complains to the Independent Case Examiner, we try to resolve matters as quickly as possible by helping the complainant and the Agency reach an agreement. If this cannot be achieved, an investigation will be undertaken. This may lead us to make recommendations to the Social Security Agency about putting matters right. The Independent Case Examiner may also recommend changes to Agency systems and procedures which will result in improvements to their customer service. In this way complaint review can have a positive impact on the experience of Agency customers in the future.

Complaint referrals: During the 2003/2004 business year we received 27 complaint referrals, 15 of which were accepted for investigation.

Elements of a complaint: Most complaints comprise a number of allegations of maladministration, which often relate to different issues or events. To reflect this, investigation reports present our findings in respect of each element of the client's complaint. This gives a more informative view of how the Agency dealt with the different issues. On average, there were 4 different points of complaint in each case we resolved or investigated during the year.

Subject of complaints: 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.

Total cases cleared: The table below shows the number of cases cleared during the reporting year.

Total Cases Cleared	2002/2003	2003/2004
Not accepted for action	11	12
Cleared by resolution	2	5
Cleared by investigation report	10	9
Withdrawn	1	1
Total cleared	24	27
Outstanding at year end	2	2

Target for clearing cases: 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 was 12 weeks. This compares favourably with the previous year when it took us an average of 17.3 weeks.

Findings: The Independent Case Examiner will not uphold a complaint, if at the time of acceptance the Social Security Agency has done all that it can to resolve it.

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.

Compared with the previous reporting year, there was 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.

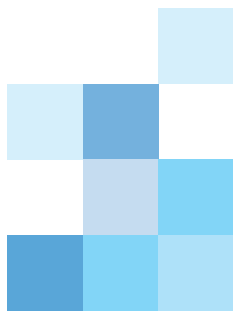
Although we fully upheld only 1 case during the reporting year, we have again partially upheld a significant proportion of complaints we investigated this year. Although this is disappointing, it should be noted that in 4 of these cases, only minor elements of the complaint were upheld. We are pleased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

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, on occasions, the Independent Case Examiner does recommend the consideration of financial redress.

During the business year 2003/2004, she 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.

Complaint handling: In investigation reports, we comment on the quality of the Agency's complaints handling.

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.



"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

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.

Complaints about Examining Medical Practitioners: 4 of the 9 cases we investigated included complaints about the conduct of medical examinations by Examining Medical Practitioners.

The Independent Case Examiner has continued to discuss the issues raised by these complaints with Senior Agency Managers. She acknowledges the sensitive nature of this work and the difficult situations in which doctors can be placed in carrying out medical examinations.

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.

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.

Discussions between Agency staff and customers can be interpreted in very different ways by the people involved. We saw in one case that we investigated that even the advice provided to customers has the potential to trigger complaints.

Copies of the Independent Case Examiner's Annual Report can be obtained from:

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



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