

INDEPENDENT CASE EXAMINER
For the Child Support Agency

ANNUAL REPORT
1 APRIL 2010 – 31 MARCH 2011

Judging the issues without taking sides

The Independent Case Examiner's Office

Our Mission

Judging the issues without taking sides

Our Purpose

We have two primary objectives: to act as an independent referee if customers of the Child Support Agency (CSA) consider that it has not treated them fairly or has not dealt with complaints in a satisfactory manner; and to support CSA in improving the service it delivers by providing constructive comment and meaningful recommendations

Our Aim

To provide a free, effective and impartial complaints review and resolution service for CSA customers that makes a difference to the way in which CSA discharges its public responsibilities

Our Vision

To be a first rate service provided by professional staff

Appendix – Casework statistics

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1. Independent Case Examiner's Foreword

1.1 I am pleased to present my fourth Annual Report as Independent Case Examiner (ICE) for the Child Support Agency (CSA), which has, since 1 November 2008, been part of the Child Maintenance and Enforcement Commission (CMEC). This report describes the work of ICE Office in the year ending 31 March 2011, and focuses on our experience of CSA's approach to complaint resolution.

1.2 I recognise that in the present economic climate public services are tested as efficiencies are made across Government. At such times it is crucial that all organisations, including Government departments, strive to ensure that customer service is not compromised. ICE office has also been asked to deliver efficiencies, and I recognise the need to do so within reasonable parameters. It is critically important, however, that the office be adequately resourced to allow it to deliver a good service to complainants who are, by definition, already dissatisfied with the way in which the Child Support Agency has dealt with their cases. In the forthcoming year I will be discussing with the Department for Work and Pensions the appropriate level of funding.

1.3 Dealing with complaints properly provides an opportunity to improve both service and reputation. Moreover, early and effective complaint resolution can save time and money. In these challenging times ICE office provides an independent means for ensuring that where things have gone wrong, appropriate action is taken to put matters right, and ICE office routinely ask complainants what it will take to do that. In some cases the complainant wants no more than an acknowledgement that things have gone wrong, and this can be delivered by the Agency or Business in the form of an apology. The Parliamentary and Health Service Ombudsman has also recognised the value of an apology. In her publication "Listening and Learning: the Ombudsman's review of complaint handling by the NHS in England 2009-10" she says: "When things do go wrong, an apology can be a powerful remedy; simple to deliver and costing nothing."

1.4 I have acknowledged and will continue to acknowledge the difficult job faced by Agency staff: they deliver a service in extremely difficult circumstances. Due to the sensitive nature of the Agency's business, the extreme frustration and resentment of its customers, often against each other in the case of separated parents, is often mis-directed at the Agency and its staff. This often makes it difficult for Agency staff to encourage compliance and to get to the root cause of the problem where complaints are made.

1.5 During this financial year, the Agency has collected and arranged £1,150 million of child maintenance against a target of £1,135 million, with 868,000 children now benefiting from maintenance against a target of 830,000. The Agency currently has 1,145,700 million live cases, and last year calculated 112,200 maintenance assessments and took 4,624,000 million telephone calls. The number of complaints to the ICE office should be seen within this context. They are 0.05% of the total Agency caseload.

1.6 That said, I continue to see a number of cases where a complaint to ICE office could have been avoided had CSA recognised their mistake, apologised and put it right sooner. It is gratifying to see the positive effect the involvement of ICE office can have for both the complainant and the Agency. During the resolution process I have seen numerous examples where, following discussion with the Agency, ICE office has been able to broker a solution which puts the case back on track. Similarly, following investigation, I am often able to make recommendations to bring about a similar outcome. It is these cases that give the most satisfaction.

1.7 It is very important to me that the Agency continues with the day-to-day administration of a case while it is at ICE. Where an Agency is able to put a case back on track during the course of an investigation I am able and pleased to record this in any report I issue, noting where the case has faltered but equally acknowledging the remedial action taken by the Agency to put things right.

1.8 My report provides a flavour of the complaints received by ICE office, and highlights key themes and issues identified during the reporting year. I hope that it will be received by the Agency in the spirit in which it is offered, to assist the Agency to improve the service it provides to its customers.

1.9 I am clear on what I want ICE Office to do – it is to seek the truth and report the truth. ICE office “judges the issues without taking sides”. To me, these are not mere words: they are fundamental to the independence of ICE office. I do not shrink from criticising an Agency where they have failed the citizen. Equally, I reflect in my reports circumstances where the acts or omissions of a complainant have caused or materially contributed to the situation they find themselves in. To do otherwise would be a failure of balance and fairness, and, in keeping with all good principles of administration, a failure to, “get it right”.

1.10 Once again I pay tribute to the staff at ICE office and I am grateful for their continuing support to me. ICE office staff are the best mediators and conciliators I have ever worked with; I cannot praise enough their skill at brokering resolution of complaints.

A handwritten signature in black ink that reads "J. Hanlon". The signature is written in a cursive style with a large initial 'J'.

John Hanlon

6 July 2011

2. Executive Summary

Key messages 2010/11
<ul style="list-style-type: none"> The Agency has continued to make progress in enforcement of maintenance and utilising the powers available to it. However, at times the Agency is not as effective as it could have been, particularly in securing debt via capital holdings or property.
<ul style="list-style-type: none"> There have been a small number of cases where complainants returned to ICE following resolution or settlement of complaints, either because the Agency has not completed agreed actions within agreed timescales, because the complainant has continued to experience problems, or the complainant has had second thoughts about having accepted resolution of their complaint.
<ul style="list-style-type: none"> CSA has continued to work closely with ICE office in progressing and implementing systemic recommendations effectively.

Summary of Performance		
	Performance 2009/10	Performance 2010/11
Received	2806	2241
Accepted	1022	820
Total case clearances (of which):	1009	978
Resolved	610*	527*
Investigated	347	399
Of those cases investigated % of cases partially upheld	46%	42%
Of those cases investigated % of cases fully upheld	23%	25%
Withdrawn	52	36

*This includes 122 resolved with evidence (settled) for 2009/2010 and 75 for 2010/2011

3. Casework: Themes and Lessons

3.1 Cases both received and accepted at ICE have again reduced this year. This may be attributable to a number of factors. It is likely in part to reflect an improvement in the Agency's ability to resolve complaints earlier in the process and the reduction in the number of complaints the Agency itself has received. Over 64% of those cases ICE office has accepted have been resolved by agreement between the parties, which I consider to be the optimum outcome.

3.2 Of the remaining complaints which ICE office investigated and in which I reached findings and conclusions, I upheld some aspects of 67% of cases. This is a lower percentage than last year but indicates there is still room for improvement by the CSA. However, 25% were fully upheld this year compared to 23% last year.

3.3 Themes identified and conclusions drawn, together with the proposals I have made for improvement are given in this report.

Enforcement and compliance

3.4 The Agency's effectiveness at attempting to secure maintenance from non-compliant non resident parents will always be a feature of my caseload due to the nature of the Agency's business. It is promising that the Agency has continued to concentrate its efforts in pursuing such non resident parents at the earliest opportunity, ensuring that they are fully aware both of the powers available to the Agency and of the Agency's readiness to utilise them to obtain compliance. The Agency is increasingly effective at contacting non resident parents from the outset when arrears are starting to accrue; giving the clear message that non payment is not an option.

3.5 I wholeheartedly applaud the progress that has been made in this area, which has resulted in the Agency getting more money to more children much sooner. I am still seeing cases where it is apparent that the Agency has not been as effective as it could have been, particularly in securing debt via capital holdings or property. In some cases the Agency fails to establish at the earliest opportunity whether a non-compliant non resident parent owns property, and whether there is any equity in the property. Of more concern is that I have seen cases where a parent with care has advised the Agency that the non resident parent owns property and of the intention to sell the property, but the Agency has failed to take action on time to secure the debt by way of a charging order. In cases such as this I consider whether Agency delay in taking appropriate action has resulted in a lost opportunity to secure the arrears of child maintenance owed, as the following example demonstrates:

Ms D complained that the Agency had failed to take appropriate action in a timely manner to secure payments towards maintenance and arrears from November 2005 until the non-resident parent left this country in 2009.

My investigation found that the non resident parent had been non-compliant, and in April 2008, Ms D had advised the Agency that the non resident parent was selling his home in England as he had moved abroad. Although the Agency undertook to refer the

case to its legal enforcement team, Ms D was advised later the same month that her case was to be closed because the non resident parent was no longer in the UK, and that the arrears he owed had been suspended but would remain collectable and would be recovered from him if he were to return.

Ms D subsequently complained that the Agency had not acted to recover the maintenance arrears owed from the non resident parent's UK property sale. I detailed in my report of this case that the suspension of the arrears showed that the Agency had failed to recognise that legislation allows for debt recovery action to be undertaken where a non-resident parent is living abroad. Had the Agency followed through with enforcement action in 2008 and obtained a Liability Order, that order would then have allowed for the arrears to be secured with a charging order against the non resident parent's property.

As a result of my intervention the Agency overturned its decision to close Ms D's case, although further delay on the Agency's part, combined with prevarication on the part of the non resident parent, meant that a charging order was not obtained before the property was sold in September 2009. Before closing the case, the Agency explained to Ms D that she could seek maintenance through Reciprocal Enforcement and Maintenance Orders (REMO) procedures.

I upheld Ms D's complaint to the extent that the Agency had delayed in taking enforcement action from April 2008, and in particular had delayed in re-opening the case and pursuing enforcement following receipt of guidance from its expert domain in August 2008. However, my investigation was able to establish that Ms D had not suffered financially as a result of the Agency's delay, because there was no equity in the property that could have been recovered had the Agency acted more promptly: the outstanding mortgage at the time of sale was higher than the sale price.

Deduction Orders

3.6 Deduction Orders allow the Agency to instruct a bank or building society to deduct payments from a non resident parent's bank or building society account to pay child maintenance debt.

3.7 CSA has advised me that by December 2010, 80 Deduction Orders had been successfully applied since the process to refer cases to the Deduction Order team began in September 2009. Since the powers were introduced more than 762 deduction orders have been imposed. Up to the end of January, a total of £387,541 in maintenance has now been secured for children as a result. In January alone, the Agency collected or secured £109,260 in outstanding maintenance through deduction orders.

3.8 I applaud the Agency's progress in this area, and I have seen several cases where the Agency has utilised this method of enforcement. A Deduction Order can be another powerful tool to enable the Agency to secure outstanding arrears of child maintenance, as the following example demonstrates:

Ms J complained, amongst other things, that the Agency had failed to secure payment of child support maintenance since she made her application in 2008.

My investigation found that the non resident parent was wholly non-compliant, to the extent that he was prepared to leave his employment rather than pay maintenance. Rather than the Agency failing to secure payments of regular maintenance for Ms J, I found that it was fairer to say that it had been unable to do so due to the non resident parent's wilful non-compliance and failure to contribute to maintaining his children when he was in a financial position to do so.

I noted that there were times when the Agency could have been more robust and more proactive when dealing with the non resident parent. I found that in April 2010 Ms J had provided the Agency with a possible bank for the non resident parent and five days later the Agency had commenced attempts to obtain a deduction order from the non resident parent's funds. By mid May 2010, a request had been made to freeze the non resident parent's bank account for the sum of £2,461.00 and, following due process, the Agency was able to secure that sum and pay it to Ms J by the end of June 2010.

I noted in my report that the Agency had acted swiftly to secure the full debt outstanding. I gave credit to the Agency for this action, which I noted was taken in a case where the non-resident parent had clearly been seeking to evade his responsibilities.

Recording customer contacts

3.9 Public bodies need reliable and usable records as evidence of what they have done. Good record keeping can help ensure they are able to respond fully to enquiries and complaints from their customers and to enable them to be open and accountable to the public. The availability and quality of transaction recording is an issue for ICE office in resolving or determining complaints. Transactions between CSA and its customers are often perceived very differently by CSA staff and members of the public. When records are absent or cursory, it can severely inhibit ICE office's ability to reach conclusions; where they are known to have been available but have been subsequently destroyed when they should not have been, that fuels complainants' suspicions of manipulation and collusion when the more prosaic explanation is human error.

3.10 In accordance with its Document Retention Policy, the Agency can destroy records after a period of 14 months. I understand the financial and Data Protection drivers underpinning this policy, and take no issue with it, where it is correctly applied. However, it is inappropriate to destroy relevant documents when a complaint has been made by a customer, and the Agency is not always properly mindful of this.

3.11 In one particular case, the complainant specifically made reference to a telephone conversation with the Agency in October 2009. A complaint was subsequently made to the Agency in December 2009, alleging serious consequences as the result of an error on the part of the Agency following this conversation. ICE office asked the Agency to provide details of this telephone conversation or a recording of the call, and the Agency advised that the telephone recording had been destroyed after 14 months, notwithstanding the on-going complaint in this case.

3.12 The availability of primary evidence is critical to investigating a complaint. Where the Agency is able to supply ICE office with an audio recording that constitutes definitive proof of what was said, it allows me to reach a fully informed view of the reasonableness of subsequent action. Where that is not available, contemporaneous written records of conversations are the next best thing. Problems arise when neither are available.

3.13 I have recommended the Agency consider putting in place a mechanism whereby telephone recordings are not routinely destroyed in cases where a complaint is ongoing, prior to its final determination. The Agency has advised that, while its current telephony and IT offers no facility for storing this type of data, new systems scheduled to be launched from 2012 will have the facility to retain recordings for the life of a case, plus 7 years. I welcome that development, and in the interim asked the Agency to seek to preserve evidence where a complaint is still live.

4. Working with the Child Support Agency

4.1 ICE office has continued to maintain effective working relationships with the CSA.

The Learning Loop

4.2 Sir Idwal Pugh, Parliamentary Ombudsman from 1976 to 1979, wrote in his Annual Report in 1977: "I see my office....as having two functions. One is the statutory one of investigating individual complaints and, where appropriate, recommending remedies for individual injustices sustained through maladministration. The other is to draw attention to lessons which should be learned from such individual cases and applied to improving administrative practice generally". In similar vein, Sir Cecil Clothier, Ombudsman from 1979 to 1985, wrote "As a result of my investigations and those of my predecessors, administrative procedures have been improved in a number of instances with benefit to many people other than the complainant."

4.3 In my role as Independent Case Examiner, I also seek, in addition to examining complaints about the agencies and businesses within my remit, to provide insight to those agencies and businesses from the complaints that come to ICE office, with a view to helping them improve the service they provide.

4.4 Complainants often say that they hope that others will benefit from their complaint. With this in mind, and in order to help Government agencies to improve, it has been my practice from the outset to make recommendations and suggestions to CSA, arising from casework, for improving its systems or processes in order to effect service improvement impacting on many CSA customers. I am pleased to acknowledge the progress that has been made, both in the speed of response from the Agency, and its willingness to take on board my suggestions. This should make a positive difference to the Agency's customers, and I applaud its efforts in this important area of work.

4.5 The following are examples of the systemic suggestions I have made to CSA during this reporting period:

- In September 2010, I asked CSA to consider introducing a protocol to allow direct negotiation to take place between bailiffs and Citizens Advice Bureaux (CAB), when a CAB is acting as a complainant's representative. In October 2010, CSA issued a formal note to all its bailiff companies, advising the immediate implementation of nominated representative recognition. The Agency will amend its guidance to ensure that where negotiations from any nominated representatives are instigated ahead of a liability order hearing, that post-hearing, the Agency re-opens negotiations before considering enforcement of a liability order.
- In September 2010, I asked the CSA to consider reviewing the decision letter DL/CSA276 advising a parent with care that an Advance Payment of Maintenance will be made. I highlighted to the Agency that I considered the tone of the letter could imply to some that the payment had been made begrudgingly. CSA has provided several updates and advised in October 2010 that the letter had been amended in light of my comments and was now available to all Agency staff. I note the work the Agency has done to improve the quality of its correspondence.
- In October 2010, I asked CSA to consider taking steps to ensure all members of its staff are reminded of the rules relating to disclosure of information to a third party, and of the limited application of Section 2 of the Child Support Act 1991. The Agency has advised that a communication was issued to all staff on 14 March 2011 which clarifies this.
- In December 2010, I asked the Agency to consider including additional information in its leaflet CSAL310, associated leaflets and its website to explain "maximum transitional phasing amount". The Agency is unable to implement this change immediately but has agreed to consider the matter further when it is re-ordering leaflets toward the end of the year.

4.6 I also, where appropriate, discuss matters of a legislative nature with Agency senior managers. The Agency has now taken steps to progress a suggestion which I made to the Agency in February 2009. I asked the Agency to look into the provision of enforcement action outside the UK, noting specifically that there is no special arrangement for enforcement of child maintenance between the United Kingdom and the Isle of Man or the Channel Islands. The Agency advised me in December 2010, that a new EU regulation (4/2009) will come into force on 18 June 2011 that will require “central authorities” in member states (in the UK, the Reciprocal Enforcement of Maintenance Orders (REMO) section of the Office of the Official Solicitor and Public Trustee) to co-operate across jurisdictions in matters of financial maintenance. The Agency advised that it envisages the regulation will enable it to pursue child maintenance arrears accrued in the United Kingdom by non-resident parents in any other European Union country (except Denmark). The new EU regulation will not apply to the Channel Islands or the Isle of Man who are currently not part of the European Union.

CSA Initiatives

4.7 The Agency has taken a number of initiatives to improve its approach to complaint resolution and the service it offers to customers, including:

- In my Annual Report for the last financial year I highlighted the problems experienced by complainants following the decision to make their case clerical (cases which cannot be dealt with by the computer system). I also noted that CSA had advised ICE office that a clerical cases programme had been established to look for ways of improving the service provided in respect of clerical cases. The Agency has informed ICE office that the volume of complaints intake relating to clerical cases has increased for this reporting period. This increase coincides with a marked improvement in compliance in respect of clerical cases, from 57% in April 2010 to 64% in March 2011. CSA has advised that in order to improve the customer service of the existing service provider, responsible for dealing with clerical cases, it has introduced a number of targets. This seeks to set a continually improving rate of customer satisfaction and outcomes through a range of complimentary measures. There are a number of outcome and service level measures which will directly drive improvements to customer service, building on CSA’s previous experience. The Agency has also re-organised to create a new Clerical and Client Payment Services Directorate, to afford greater control and focused management of clerical cases.
- CSA has also advised that it has become much quicker at resolving and closing escalated clerical complaints. The Agency has advised that at the beginning of the year it was closing 37% of these complaints within 30 working days, 59% in under 60 days and 67% in under 90 days. By the end of the year, CSA was delivering 71%, 95% and 100% respectively. CSA has advised that this has helped support a significant reduction in its work on hand by 68%, coupled by a reduction in overall intake. The average age of work on hand has reduced from 48 to 21 days. The Agency has advised that it has seen a similar trend with both Resolution (Stage 1) and Review (Stage 2) complaints, with Stage 1 work on

- In relation to enforcement and compliance, CSA has advised that in order to bring about efficiencies in its efforts to get more money for more children, it has implemented closer working with Her Majesty's Revenue and Customs (HMRC) by securing delivery of up to date information relating to those people who have not been making payments. This enables the Agency to identify more quickly where a new employer is available, and to implement a Deduction from Earnings Orders more quickly.

I welcome all these developments.

Managing Complaint Resolution

Action taken while a case is at ICE

4.8 I have always stressed to the Agency the importance of continuing with the day to day administration of a case after it has been accepted by ICE for investigation. It is particularly important that our investigation of a complaint should not be used as an excuse not to continue with the maintenance assessment and collection of maintenance which may be critical to putting the case back on track and to the ultimate resolution of a complaint. In some of the cases I see, the Agency's action on a case is stalled for an unacceptable amount of time, sometimes with serious consequences. In cases such as these, I will provide unfavourable comment in my investigation reports.

4.9 I also see the reverse of this where the involvement of ICE office has prompted the Agency to take action to put the case back on track, as the following example demonstrates:

Ms R complained, amongst other things, that the Agency had delayed in taking appropriate enforcement action on her case. In particular, it sent an application for a liability order to the courts in November 2008, and a court date had yet to be arranged.

My investigation found that in August 2008, the Agency noted that it intended to pursue further enforcement action by way of applying for a second liability order for the debt of over £15000. This was the only course of action that CSA was able to pursue as collection of maintenance via deduction from earnings order was not appropriate. I noted that this action should have been instigated sooner as it was almost 9 months after the non resident parent refused to make payments. The Agency has been unable to provide ICE office with either details of the liability order hearing date; or the date it was notified to the non resident parent. The Agency did subsequently confirm that the hearing date was adjourned until December 2008 pending an account breakdown being issued to the non resident parent.

My investigation also found that the Agency had noted that the second liability order application was withdrawn on 15 December 2008. It confirmed that a further hearing

date had not been set as the account breakdown had still not been completed and provided to the non resident parent as agreed at the previous hearing.

When Ms R's complaint was accepted by ICE office in July 2009 the Agency had still not issued an account breakdown to the non resident parent and had confirmed to ICE office that it had decided not to pursue a second liability order on Ms R's case. No further action was taken to enforce payment of maintenance or review the maintenance liability until May 2010, when following the intervention of ICE office the Agency agreed to complete a review of the maintenance assessment. As at 9 June 2010 the outstanding arrears owed to Ms R were over £21,000.

Due to further representations from ICE office, the Agency agreed on 4 August 2010 to apply for a second liability order for the further amount of debt of over £21,000. This was two years after the Agency had first noted it would apply for a second liability order.

“Comebacks” following resolution/settlement

4.10 When a complaint is resolved or settled by ICE office, the Agency will undertake to complete agreed actions within a defined timescale. It is therefore unsatisfactory to see an increase in complainants returning to ICE because those actions have not been completed by the Agency by the agreed date. Last year I reported that a total of 70 complainants had returned to ICE office because they were dissatisfied, 24 of these because the Agency had failed to complete agreed actions by the agreed date. I asked the Agency to give this matter its urgent attention, and undertook to monitor the situation.

4.11 It is therefore disappointing that the situation is only marginally better for this reporting period. During this financial year ICE office resolved or settled to the satisfaction of a complainant 527 complaints. 70 complainants subsequently returned to ICE office because they were dissatisfied, 9 of these because the Agency had failed to complete agreed actions by the agreed date. I am pleased to report that the number returning because the Agency had failed to complete agreed actions has reduced. Failure to take actions agreed by ICE office can lead to a loss of trust on the part of the complainant in the Agency's ability or willingness to put matters right. 46 complainants returned to ICE office because they were dissatisfied with the actions taken by the Agency, either because they were continuing to experience problems on an ongoing basis, or because their perception of what was going to happen was different from the Agency's, or in some cases, because they had simply changed their mind. Two complainants returned because the Agency had provided misleading information to the complainant.

4.12 ICE office will continue to monitor this issue, and ICE office senior managers will liaise with CSA senior managers to discuss how to improve the situation.

Meeting SLA Commitments

4.13 The ability of ICE Office to properly consider and investigate complaints is often dependent on the Agency providing us with the information we need to determine whether maladministration has occurred and to identify what action can be taken to put things right.

4.14 It is therefore disappointing that CSA is still failing to meet service level agreements. The most common slippage being the ability to provide a response to draft investigation reports within SLA timescales. ICE office issued 410 draft investigation reports during the reporting year, and received 411 (one from a previous financial year). Of these, 310 were received from CSA within the 10 day SLA timeframe; 88 were received outside this timescale (13 reports were issued under a 20 day timescale as the cases were deemed to be more complex).

4.15 ICE office is continuing to work closely with CSA to monitor SLA adherence and to explore more efficient ways of working.

Collaborative Working

4.16 ICE office continues to work with CSA and its parent body, the Child Maintenance and Enforcement Commission, to share best practice and to find solutions to problems. For example:

- I met with the then Child Maintenance and Enforcement Commissioner Stephen Geraghty in July 2010, and I meet with senior CSA officials on a regular basis throughout the year to discuss issues arising from caseload.
- My Head of Office and Operations Manager liaise on a regular basis with Agency officials to resolve intractable cases or to resolve operational problems.
- We have continued to build and maintain working relationships with the Agency's complaint management team and caseworkers. Joint workshops between CSA and ICE office continue to help improve working relationships. To support this closer working, regular weekly discussions occur between ICE and the Agency's ICE Focal Point, where case specific queries or general issues are raised and discussed. Additionally, case conferences between ICE office and the Agency are held on particularly difficult and contentious cases, to help drive resolution of complaints.
- At working level, quarterly liaison meetings take place between ICE office and CSA colleagues to facilitate mutual understanding. The meetings are mindful of the following aims:
 - Improved customer service and experience
 - Value for money, better use of resources
 - Reduction in re-work
 - Improved performance
 - Improved accuracy
 - Closer working between ICE and CSA

The group has reviewed and identified process improvements which has ensured concerns/issues (raised by both offices) are addressed promptly and escalations are kept to a minimum. The liaison meetings have led to increased awareness of ICE across CSA and a greater understanding of Agency procedures/constraints within ICE office.

5. The ICE Office

5.1 I am very grateful to the management and staff of ICE office for their continued support. Despite the challenges ICE office faces as a result of the Government's spending review, staff have remained highly motivated and committed to providing a first rate service to complainants, and to the Agency and businesses we deal with. They continue to put complaint resolution and justice at the heart of what we do.

Standards of Service

5.2 When we acknowledge receipt of a complaint, we send the complainant a copy of "Our Service and Standards" leaflet, which explains how we deal with complaints and includes information about how long it should take us to do so.

5.3 We keep our service standards under review, and last year introduced some changes to our key targets to bring them more closely into line with those of the Parliamentary and Health Service Ombudsman. For example, we have moved away from average clearance times to reporting the percentage of investigations completed within 6 and 12 months, which we believe will give complainants and potential complainants a more meaningful indication of what to expect.

5.4 The Government's spending review has had resource implications for ICE office which has in turn meant that performance against our targets has not been as effective as we would have liked. We have a backlog of casework, which during the current year we have been unable to reduce. ICE office is looking at ways to improve this situation in the coming year, including discussions with CMEC and the Department for Work and Pensions about appropriate levels of resource.

5.5 Our level of service for this reporting year and the last is detailed below:

Target	Performance 2009/10	Performance 2010/11
Accepting a new complaint 2009/2010 - Decide within 25 working days whether we can accept a complaint for consideration. 2010/2011 – To reach a decision on 80% of new complaints within 25 days	81.1%	76.6%
Letters and e-mails 2009/2010 and 2010/2011- Acknowledge complaints within 2 working days	95.4%	99.8%

2009/2010 - Respond to correspondence within 10 working days. 2010/2011 – To respond to 90% within 10 working days of receipt.	98.8%	98.1%
Completing our investigations of complaints To clear 55% of complaints within 6 months To clear 85% of complaints within 12 months	56.0% 91.7%	56.0% 84.9%
Complaints about us To acknowledge complaints about us within 2 working days 2009/2010 - To respond to complaints about us within 20 working days 2010/2011 – To respond to 90% within 20 working days	96.2% 98.1%	98.6% 96.8%

Complaints about our service and the outcome of my investigations

5.6 In accordance with best practice articulated by the British Standards Institute (BSI), we record as a complaint any expression of dissatisfaction by a complainant, about the service provided by ICE office, or the outcome of my investigation.

5.7 During the reporting year we received 152 complaints relating to our CSA caseload, 68 regarding the service provided by ICE office, 79 about the outcome of my investigation and 5 combined complaints about service and outcome. The majority of complaints were not upheld. These figures should be viewed in the context that ICE office accepted 820 complaints about CSA during this financial year.

5.8 Complaints can provide valuable insight into the customer journey and the experiences of people who use our service and we routinely consider this feedback in the context of service improvements.

Findings of the Parliamentary and Health Service Ombudsman (PHSO)

5.9 Individuals who are dissatisfied with ICE investigations can ask Members of Parliament to progress their complaints to the Ombudsman. This year, the Ombudsman found that we could have done more in 5 CSA cases investigated by her office, and in each of those cases I have agreed to meet the Ombudsman's recommendations. It is right and proper that an organisation such as ICE, which prides itself on the excellence of its processes, should be open to scrutiny and should welcome constructive criticism and learn from it, as we encourage bodies within our jurisdiction to do.

Continuous Improvement

5.10 ICE office has continued to pursue a number of initiatives which reflect its commitment to improving the service it provides, and its dedication to delivering an excellent customer service. The office is currently undertaking a “LEAN” exercise to enable staff to have the skills to identify where there may be efficiency savings and to look at how processes might be streamlined in order to deliver a more cost effective quality service.

5.11 I am delighted that in November 2010, ICE office was re-accredited with Investors in People (IiP) at gold standard (less than 1% of organisations achieve this standard). In addition, in December 2010 the office achieved accreditation in Customer Service Excellence, which replaced Charter Mark (an accreditation which ICE office had previously held for over six years.)

5.12 ICE office is an associate member of the British and Irish Ombudsman Association (BIOA) and staff from ICE office attend working group meetings to share best practice and discuss common themes. ICE office also provides a venue for some of these meetings.

Listening to what people say about our service

5.13 We want to know what people think about our service, both internally and externally, so that we can make improvements whenever possible. The table below details changes we have made in response to feedback from those who use our service:

<i>Feedback received</i>	<i>Changes made</i>
Some people told us that providing updates every six weeks while their case is awaiting investigation is too frequent.	We have since extended the timescale to update complainants every 13 weeks during the awaiting investigation period.
Some people told us that the section contained in our final investigation reports, advising that the casepapers have been returned to the Agency, can be misleading where a complainant has made a Data Protection request and the casepapers are therefore still held at the ICE office.	We have since revised this section to advise complainants that the papers will be returned to the CSA shortly, in order to avoid any confusion where a Data Protection print has been requested.
A number of people told us that the wording of one of the questions contained in our Customer Service Questionnaire, regarding whether they have any special circumstances, was confusing.	We have since amended the question in order to ensure we receive appropriate feedback.

5.14 ICE office is committed to providing a quality service. Complainants continue to tell us of high levels of satisfaction with the ICE service. Complainants have also told us of the difference our service has made to their lives, as the following quotes demonstrate:

Made me feel as though my complaint was important, which was very important to me.

It was so much of a relief and comfort to have your help on my case.

The final report was clear and easy to understand. I was impressed with the level of detail and investigation that had been involved.

6. Appendix – Casework Statistics

Child Support Agency: Supporting Evidence

1 Casework Statistics

The data and figures that follow are based on casework carried out in the twelve month period between 1 April 2010 and 31 March 2011. Comparisons are made with the twelve months from 1 April 2009 and 31 March 2010.

2 Complaints Received

Complaints received and accepted for action during the period are outlined below.

	1/4/09-31/3/10	1/4/10 – 31/3/11
Received	2806	2241
Accepted	1022	820

3 Case clearances

Details of clearances are outlined below:

	1/4/09-31/3/10	1/4/10 – 31/3/11
Resolution	610*	527*
Investigation	347	399
Withdrawn	52	36
Total	1009	978

* 2009/2010 figures include 112 resolved with evidence (settled) and 75 settled for 2010/2011

Withdrawn cases

3.1 Complaints may be withdrawn for several reasons. For example, some complainants decide to withdraw their complaint when we explain to them the need to appeal against decisions CSA has made, or they choose to take another route to redress. From time to time people also withdraw their complaint because our explanations satisfy them that what has happened is appropriate. Other cases are withdrawn because the Agency has acted to address people's concerns.

Resolved cases

3.2 We try to reach settlement of complaints by agreement between CSA and the complainant, as this generally represents a quicker and more satisfactory result for both. We are still managing to resolve a high number of our cases, which is extremely

positive and shows CSA's willingness to work with us. However, there is also a negative side in that the Agency has also had the opportunity to resolve these complaints before they came to ICE.

4 Outcomes

4.1 My findings in respect of cases we could not resolve are detailed below. In cases where I find that the Agency has failed to provide an acceptable standard of service, when determining whether to uphold a complaint I consider what action the Agency has taken subsequently to try to put things right. If the Agency has fully addressed the complaint and appropriate redress has been provided, offered or instigated prior to referral to ICE, I do not uphold the complaint.

4.2 The number of "not upheld" complaints has increased again this year. This reflects CSA's attempts to try to put things right, or explain to the complainant if there is nothing further it can do.

	1/4/09-31/3/10	1/4/10-31/3/11
Fully upheld	79 (23%)	101 (25%)
Partially upheld	159 (46%)	167 (42%)
Not upheld	109 (31%)	131 (33%)
Total	347	399

5 Subjects of complaint

5.1 We recorded details of the subject of complaint for each element of complaint whether resolved or investigated. This has shown:

Subject of complaint 1/4/09 - 31/3/10	Upheld	Not upheld	Resolved
Delay	108	67	371
Error	149	213	504
No action taken	159	179	447
Other	74	119	140

Subject of complaint 1/4/10 - 31/3/11	Upheld	Not upheld	Resolved
Delay	113	96	333
Error	144	225	382
No action taken	181	184	386
Other	84	151	113

5.2 Delay, error and no action taken still seem to be the main areas of concern for CSA complainants. The fact that a very high number of these cases were subsequently resolved suggests that the Agency could have done more to put things right in the first instance. However, it is promising that I subsequently did not uphold a high number of complaints about error.

6 Caseload

Case load 1/4/09 - 31/3/10	748
Case load 1/4/10 - 31/3/11	653

7. Service Level Agreement

7.1 We have a service level agreement with CSA with agreed timescales for provision of information to ICE.

CSA Service Level Agreement Activity 1/4/10 - 31/3/11	
Resolution plans issued	538
Resolution plans returned	550
Returned within SLA (10 days)	497
Returned later than SLA	53
Record of evidence requested	585
Record of evidence returned	575
Returned within SLA (40 days)	469
Returned later than SLA	106
Draft reports issued	410
Draft reports returned	411
Returned within SLA (10 days)	310
Returned later than SLA (10 days)	88

*13 reports were issued under a 20 day timescale as the cases were deemed to be more complex