

INDEPENDENT CASE EXAMINER

**For the Social Security Agency and Child Maintenance
Enforcement Division of the Department for Social
Development**

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 Social Security Agency (SSA) or Child Maintenance Enforcement Division (CMED) consider that it has not treated them fairly or has not dealt with complaints in a satisfactory manner; and to support the Department 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 the Department's customers that makes a difference to the way in which the Department discharges its public responsibilities

Our Vision

To be a first rate service provided by professional staff

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Independent Case Examiner's foreword

1.1 I am pleased to present my fourth Annual Report as Independent Case Examiner (ICE) for the Social Security Agency and Child Maintenance Enforcement Division of the Department for Social Development, Northern Ireland. This report describes the work of ICE office in the year ending 31 March 2011, and focuses on our experience of the Department'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 Department has dealt with their cases.

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 Division in the form of an apology.

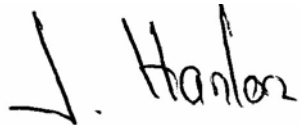
1.4 During this financial year, the Social Security Agency dealt with approximately 2,868,034 incoming telephone calls, conducted 10,184 home visits and handled in excess of a million pieces of incoming post. At the beginning of March 2011, 583,599 Social Security Agency customers were receiving benefits. The Child Maintenance Enforcement Division has collected over £24.1 million of child maintenance, benefiting more than 21,400 children. The Division processed 96% of all new applications within 26 weeks of receipt, and processed more than 61,000 changes in client's circumstances.

1.5 The number of complaints received by ICE office remains small and this, coupled with the fact that 67% of complaints accepted by ICE office have been resolved by agreement between the parties, reinforces my view that the Department is committed to addressing complaints at the earliest opportunity.

1.6 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 Department in the spirit in which it is offered, to assist the Department to improve the service it provides to its customers.

1.7 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

1.8 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, stylized initial "J".

John Hanlon

Independent Case Examiner

10 August 2011

Social Security Agency

1. Casework

1.1 The small number of Social Security Agency complaints accepted for examination by ICE office again this year makes it impossible to draw conclusions about the work of that Agency, beyond the supposition that it manages its casework and its relationships with customers very well. The negligible rate of escalation to ICE office leads me to conclude that only the most intractable complaints reach me, and that is as it should be.

1.2 My belief that the Agency is fully committed to resolving complaints at the earliest opportunity is supported by the information provided by the Agency: I am assured that it is committed to learning from complaints received and that its business areas use the lessons learned from the investigation of complaints to effect improvements in processes and identify associated training needs.

2. Working Relationships

2.1 ICE office continues to have an excellent working relationship with the Social Security Agency. To share best practice I meet with the Social Security Agency's Chief Executive on a yearly basis to discuss any issues arising from cases.

3. Statistical Information

Casework Statistics

3.1 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 to 31 March 2010.

Complaints Received

3.2 Complaints received and accepted for action during the period are outlined below. Numbers received and accepted have been small for the last few years, although there has been a slight increase in complaints accepted in the current reporting period.

	1/4/09-31/3/10	1/4/10 – 31/3/11
Received	13	11
Accepted	4	8

Case Clearances

3.3 Details of clearances are given below:

	1/4/09-31/3/10	1/4/10-31/3/11
Resolution	3	2
Investigation	2	2
Withdrawn	0	0
Total	5	4

Withdrawn cases

3.4 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 the Agency 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

3.5 We try to resolve complaints by agreement between the Agency and the complainant, as this generally represents a quicker and more satisfactory result for both.

Outcomes

3.6 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 business has subsequently taken 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.

3.7 Although numbers are very low, it is promising that this year I have not fully upheld any of the cases investigated.

	1/4/09-31/3/10	1/4/10-31/3/11
Fully upheld	0	0
Partially upheld	1	1
Not upheld	1	1
Total	2	2

Subjects of complaint

3.8 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	0	1	1
Error	0	1	2
No action taken	0	1	1
Other	1	1	1

Subject of complaint 1/4/10-31/3/11	Upheld	Not upheld	Resolved
Delay	1	1	0
Error	1	1	1
No action taken	1	1	1
Other	0	0	0

Caseload

3.9

Case load 1/4/09 - 31/3/10	2
Case load 1/4/10 - 31/3/11	5

Service Level Agreement

3.10 We have a service level agreement with the Social Security Agency with agreed timescales for provision of information to ICE.

SSA Service Level Agreement Activity 1/4/10 - 31/3/11	
Resolution plans issued	4
Resolution plans returned	4
Returned within SLA (10 days)	1
Returned later than SLA	3
Record of evidence requested	6
Record of evidence returned	6
Returned within SLA (28 days)	5
Returned later than SLA	1

Draft reports issued	1
Draft reports returned	1
Returned within SLA (10 days)	1
Returned later than SLA (10 days)	0

Child Maintenance Enforcement Division

1. Context

1.1 The Division operates within the same legislative framework and in the same way as the Child Support Agency in other parts of the United Kingdom. It also administers Child Support applications originating from parts of England. The number of cases received at ICE office from Northern Ireland remains relatively small and as in previous years, the overall picture remains a positive one.

2. Casework

2.1 Cases both received and accepted at ICE have again reduced this year, with cases received reducing from 65 during the last financial year to 36 during this reporting period, and numbers accepted reducing from 37 to 13.

2.2 The limited number of complaints we receive makes it difficult to identify recurrent themes or to draw conclusions about the way in which the Division deals with particular issues.

3. Working with the Child Maintenance and Enforcement Division

3.1 ICE office has continued to maintain effective working relationships with the Division, and to that end it is my practice to meet with the Divisional Head on a yearly basis to discuss issues arising from my caseload.

3.2 I am pleased to report that the working relationship between ICE office and the Division is excellent. Requests from ICE office for a particular course of action to be taken or requests for further information are always dealt with effectively and in a timely manner. This was demonstrated in a recent case investigated by ICE office, where a non resident parent was in dispute with the Agency about direct payments he said he had made to the parent with care. I requested that ICE office ask the Division to interview the parent with care before the issue of my final report, to establish whether she had received any direct payments from the non resident parent. The Division interviewed the parent with care and provided ICE office with details of the interview within a week of ICE office request.

3.3 I am also pleased to report that the Division has continued to undertake its own analysis to identify common themes from ICE casework. The Division has advised me that it has discussed in detail the cases resolved by ICE office, and that it has found that there were clear opportunities for it to address issues before its clients approached this office. The Division has also acknowledged that the consistent themes among these cases were failure to keep the client updated through telephone call backs, and the manner in which the complaints were dealt with.

3.4 The Division has advised that the importance of telephone call backs is now a recurring item in all management performance discussions, and that it will be introducing formal call back tracking on all promised call backs in the coming year. In addition, monitoring and quality assurance of complaint resolution plans is also a focus of management team discussion and action.

3.5 The Division has analysed the investigation reports issued by ICE office, and has found areas for improvement, including delays in actioning review, delays in implementing benefit deductions, and delays in taking debt/legal enforcement action.

4. Statistical Information

Casework Statistics

4.1 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 to 31 March 2010.

Complaints Received

4.2 Complaints received and accepted for action during the period are given below. The number of cases received and accepted for examination has decreased this year. As highlighted in previous Annual Reports, relatively small numbers overall make it difficult to draw conclusions.

	1/4/09-31/3/10	1/4/10-31/3/11
Received	65	36
Accepted	37	13

Case Clearances

4.3 Details of clearances are given below:

	1/4/09-31/3/10	1/4/10-31/3/11
Resolution	21*	12*
Investigation	13	7
Withdrawn	1	1
Total	35	20

*2009/2010 includes 2 cases (settled) following a review of the evidence and 2 cases for 2010/2011

Withdrawn cases

4.4 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 the Division has made, or they choose to take another route to redress. From time to time people also withdraw their complaint because

Resolved cases

4.5 We try to reach settlement of complaints by agreement between the Division and the complainant, as this generally represents a quicker and more satisfactory result for both. It is a positive that we are able to resolve the majority of complaints, illustrating the Division's willingness to work with us. However, it may also indicate that there is scope for it to do more to address complaints in house at the earliest opportunity to prevent them coming to ICE office.

Outcomes

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

	1/4/09-31/3/10	1/4/10-31/3/11
Fully upheld	2	2
Partially upheld	5	4
Not upheld	6	1
Total	13	7

Subject of complaint

4.7 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	5	4	15
Error	3	8	19
No action taken	2	7	9
Other	1	8	5

Subject of complaint 1/4/10-31/3/11	Upheld	Not upheld	Resolved
Delay	4	4	11
Error	1	1	5
No action taken	4	3	8
Other	2	4	4

Caseload

4.8

Case load 1/4/09-31/3/10	20
Case load 1/4/10-31/3/11	13

Service Level Agreement

4.9 We have a service level agreement with the Division with agreed timescales for provision of information to ICE.

CMED Service Level Agreement Activity 1/4/10 - 31/3/11	
Resolution plans issued	10
Resolution plans returned	10
Returned within SLA (10 days)	9
Returned later than SLA	1
Record of evidence requested	10
Record of evidence returned	12
Returned within SLA (40 days)	8
Returned later than SLA	4
Draft reports issued	8
Draft reports returned	8
Returned within SLA (10 days)	6
Returned later than SLA (10 days)	2

1. ICE OFFICE

1.1 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 businesses we deal with. They continue to put complaint resolution and justice at the heart of what we do.

Standards of Service

1.2 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.

1.3 We keep our service standards under review, and last year introduced some changes to our key targets. 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.

1.4 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. ICE office is looking at ways to improve this situation in the coming year.

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

Target	Performance 2009/10	Performance 2010/11
<p>Accepting a new complaint</p> <p>2009/2010 - Decide within 25 working days whether we can accept a complaint for consideration.</p> <p>2010/2011 – To reach a decision on 80% of new complaints within 25 days</p>	81.1%	76.6%
<p>Letters and e-mails</p> <p>2009/2010 and 2010/2011- Acknowledge complaints within 2 working days</p> <p>2009/2010 - Respond to correspondence within 10 working days.</p> <p>2010/2011 – To respond to 90% within 10 working days of receipt.</p>	95.4%	99.8%
	98.8%	98.1%

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

Complaints about our service and the outcome of my investigations

1.6 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.

1.7 During the reporting year we received 2 complaints relating to our Northern Ireland caseload, 1 SSA complaint and one CMED complaint. Both complaints were about the outcome of my investigation.

1.8 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.

Continuous Improvement

1.9 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.

1.10 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.)

1.11 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

1.12 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:

Feedback received	Changes made
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/Business can be misleading where a complainant has made a Data Protection request and the casepapers are therefore still held at ICE office.	We have since revised this section to advise complainants that the papers will be returned to the Agency/Business 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.

1.13 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 quote demonstrates:

Excellent, professional, caring staff at all times, in difficult personal circumstances