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Child Maintenance Service Annual Report On Decision Making

1 April 2020 to 31 March 2021



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Child Maintenance Service Annual Report On Decision Making

1 April 2020 to 31 March 2021

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Foreword by the Chairperson of the Standards Committee

Introduction

The Standards Committee for Northern Ireland was established in 1999.

Primarily, the Committee has the task of providing assurance that the arrangements in place within the Department for Communities (DfC), including Child Maintenance Service (CMS), to monitor decision making and financial accuracy are effective and robust. Secondly, we are required to monitor and report on the standard of decision making. Following from this, we are required to highlight areas of weakness, make recommendations for improvement and report on the impact of measures taken to raise standards. Thirdly, we are required to provide assurance with regard to the mechanisms in place to feed back the results of monitoring and thus promote continuous improvement.

The terms of reference for the Committee is set out in Appendix 4 of this report.

The background to the creation of the Standards Committee is as follows. The Social Security (Northern Ireland) Order transferred responsibility for monitoring the standard of decisions against which there is right of

appeal from the Chief Adjudication Officer to the Department (DfC). This responsibility was then delegated to the Chief Executives of the Social Security Agency (the Agency) and the Child Support Agency, which subsequently became the Child Maintenance Service (CMS) within the Department for Communities. This rearrangement of responsibilities followed similar changes in Britain when concerns were raised at the credibility of arrangements whereby those responsible for service delivery would also be monitoring the standard of the service provided. To address these concerns the Westminster government provided assurances that further measures be taken to insert an element of independence into the oversight of the quality of decision making with regard to both social security and child support. As a result, in Northern Ireland, the Standards Committee was established with an independent Chair and two independent members. The full membership of the Committee is set out on page 21 of the report.

The Committee discharges its responsibilities in three ways. At its quarterly meetings, the full Committee considers the quarterly reports produced by the Case Monitoring Team (CMT) within CMS, which set out the most recent data on performance in

detail and there is on-going discussion of the methodology employed by the CMT. Additionally, there are formal and, where required, informal meetings with the staff of CMS to enable the Committee to secure a full understanding of the work of CMS and matters which may affect decision making performance. Thirdly, we get additional feedback on the standard of the service provided through discussions with the voluntary advice sector and the Northern Ireland Audit Office (NIAO).

Decision making performance in 2020/2021

As I reported last year, in 2019/2020, the Northern Ireland Case Monitoring Team (CMT) moved to reporting the Monetary Value of Error (MVE), which is an estimate of how much child maintenance has been paid incorrectly.

The methodology employed by the CMT to check performance is set out in Chapter 3 of the report. This indicates that, on the advice of statisticians, 925 cases were recommended for selection for checking in 2020/2021. However, due to the COVID-19 pandemic the checking programme for CMT was paused between 23 March 2020 and 17 June 2020. While this resulted in the sample size being reduced to 884 in 2019/2020, the Standards Committee members were reassured that the sample size returned to normal in 2020/2021 and was achieved.

Chapter 3 also illustrates the rigour and breadth of the monitoring of decisions by the CMT. Put briefly, performance is assessed using two main yardsticks. The first is the Monetary Value of Error of the most recent decision with regard to the assessment of maintenance. The second relates to the quality of the decision being checked. This is assessed using five criteria in line with the correct application of the law (see 4.4). Decisions are monitored against 2 main criteria (see 3.7).

Chapter 4 identifies the findings for 2020/2021. While decision making accuracy is reported at 79%, the combined monetary value of error for manual assessments and fully automated financial decisions is 0.73%, well within the target of 1%.

While the MVE for 2020/2021 is decreasing, as always, there is room for improvement particularly in decision making accuracy but some issues should be borne in mind in assessing performance. For various reasons, a significant proportion of the work of CMS continues to relate to complex cases and the data above does not fully capture the effort required to reach and maintain the standards achieved. External forces such as changes in the labour market - job loss, zero hours contracts, etc. affect decision making as this can impact on earnings and other related issues. This is borne out in Appendix 2 which highlights the types of errors found in the decision making process. At the quarterly

meetings the Standards Committee members are reassured that the internal monitoring methodologies used by the CMS are trend led and responsive to issues as they arise.

The broader context

CMS 2012 has three distinct features. Firstly, there is the provision of impartial information, available to all separating parents, on the options available with regard to child support. Secondly, the options available are; family based arrangements, with no further CMS involvement; Direct Payments where CMS calculate the entitlement of the Receiving Parent but couples decide for themselves how this will be paid; and access to the collection, payment and enforcement service provided by CMS. It should be noted that Receiving Parents can move between these options.

This year our visits to the Child Maintenance Service have like many other situations had to be conducted virtually. While this limited the level of contact we were able to have with staff it allowed us to see that they continue to benefit from the new system in terms of the feedback they are receiving from users, in that they see their work delivering good outcomes for children. We would commend them for their efforts and commitments to those who use the service.

Further detail on performance is provided in the following chapters, but I am pleased to provide assurance, at the outset, that the

arrangements in place to monitor decision making continue to be robust and note that this conclusion is supported by the work of the NIAO. I would commend the staff of the CMS for the rigor and quality of their work and whilst there is always room for improvement, I can confirm that the quality of decision making continues to generally be of a good standard.

Conclusion

I am pleased to be able to present a positive assessment of the work and progress of CMS this year. I am grateful to the staff for their comprehensive presentations and responses to issues raised by the Committee and would like to commend staff for the adjustments they have been required to make in light of the continuing COVID-19 response.

I would also like to thank my fellow independent and departmental colleagues on the Committee for their interest and insight into the work of the Child Maintenance Service. While we will continue to ensure the safety of all in light of the COVID-19 restrictions, I think I speak for us all when I say that we look forward to returning to at least some face to face meetings in the future.



Marie Cavanagh
Chairperson of the Standards Committee

Introduction by the Director of CMS

In introducing this year's Annual Report on Decision Making Standards, I want to first pay tribute to all our people within the Child Maintenance Service (CMS) who have demonstrated tremendous resilience and adaptability throughout the year. As our organisation adjusted to the impacts of the Covid-19 pandemic, I am proud that we have been able to maintain service delivery and continue to support separating and separated families despite the challenging conditions presented.

In determining the financial accuracy of decisions, CMS continues to report using the Monetary Value of Error (MVE) following its introduction in 2019/2020. This provides greater insight to the accuracy of our decisions by reporting not just the volume but also the monetary value of incorrect child maintenance payments. Within CMS, the checking programme delivered by the Case Monitoring Team samples maintenance calculations which required caseworker intervention in 2020/2021. The results of these checks are combined with the maintenance calculations which are fully automated by the CMS computer system to give an overall level of MVE, representing all the child maintenance assessments taken on our clients' behalf.

This report will show that this year the level of MVE is 0.73%, therefore achieving our target of an overall MVE of less than 1%. This represents a significant achievement, especially given the challenges presented by the pandemic, with remote working to name but one. Whilst we continue to seek out opportunities to improve our systems and increase the number of automated maintenance calculations, we will also keep working to reduce the likelihood of error by caseworkers in our maintenance calculations, as we know that even one wrong calculation can have a significant impact on a family.

That said, it is important to look at the wider picture and acknowledge that in spite of all the emerging challenges, our people have continued to go the extra mile to support separated families at this difficult time. The continuity of child maintenance payments during the pandemic was a key priority for the Department for Communities. Overall, our child maintenance compliance has further increased to 94.2%, meaning that more than 9 out of 10 parents are paying their child maintenance, providing much needed financial support to their children. During the year, CMS supported 18,540 children across Northern Ireland with £22.6m of child maintenance collected and arranged, an increase on the previous year.

We have continued to improve upon the service we provide to our clients by expanding our range of digital services. In addition to the online self-service portal, My Child Maintenance Case (MCMC) which clients can use to tell us about changes to their circumstances, a new Apply Online service was introduced in October 2020, enabling our clients to make an application for child maintenance online at a time convenient to them.

In relation to the CSA 1993 and 2003 legacy schemes, the Northern Ireland Compliance and Arrears Strategy has been able to move cases through the closure journey quicker than originally planned, thus helping to address the longstanding issue of unpaid maintenance from these legacy schemes. Both of these schemes have now been closed down and the IT systems decommissioned in November 2020. This marked a substantial landmark in drawing a line under the much documented failures of the legacy systems and enables us to focus on how we will deliver child maintenance going forward.

I would personally like to record my thanks and appreciation to all our people in CMS who have worked tirelessly, despite the obvious difficulties to achieve the results detailed in this report. As we enter 2021/2022, we continue to look at new ways of working as we strive to produce even better outcomes in the future - our work carries on, there is always more to do.

Finally, my thanks to Marie and the Standards Committee for being a vital partner and for the ongoing co-operation and practical challenge they provide to CMS. They deliver to us a most welcome collective wealth of knowledge and vision as we continue to make every effort to be the first class Child Maintenance Service they expect us to be.



Gareth Kelly
Acting Director, Child Maintenance Service

1. Summary

- 1.1 This report provides assurance to the Director of Child Maintenance Service (CMS) that effective monitoring procedures are in place and that this monitoring accurately reflects the Monetary Value of Error and standard of Decision Making within CMS.
- 1.2 In 2019/2020, the Northern Ireland Case Monitoring Team (CMT) moved from checking Cash Value Accuracy (CVA), to checking Monetary Value of Error (MVE). MVE is an estimate of how much child maintenance has been paid incorrectly. This measure assesses the accuracy of the last financial decision taken on the maintenance calculation.
- 1.3 The MVE is expressed as a percentage of the child maintenance received by CMS.
- 1.4 There are essentially two separate elements to the final MVE calculation. The first is an assessment of the accuracy of manual assessments carried out by caseworkers. The accuracy of these manual assessments is checked by CMT. The second element is the inclusion of the automated assessments which the system carries out.
- 1.5 The inclusion of both manual and automated assessments ensures that the overall MVE figure is reflective of all assessments made by CMS on behalf of our clients.
- 1.6 The target for the 2020/2021 monitoring year was to achieve a combined MVE level of < 1% for the CMS 2012 Scheme. The target focuses upon the accuracy in monetary terms of the last maintenance calculation CMS made on a case and is decided by the examination of the pre-determined statistically valid sample of maintenance calculations which required caseworker intervention.

MVE Results

- 1.7 The MVE on the CMS 2012 Scheme achieved for this monitoring year was 0.73%.

MVE Results	MVE	Result
<1%	0.73%	Achieved

2. Decision Making Process

- 2.1 Decision Makers calculate the amount of maintenance based on the Child Support legislation – the Child Support (Northern Ireland) Order 1991 and the Child Support Maintenance Calculation Regulations (Northern Ireland) 2012. Decision Makers are required to consider evidence provided by both the Receiving Parent and the Paying Parent to establish the amount of maintenance required to maintain the qualifying children.
- 2.2 Decision Makers are required to obtain and document sufficient evidence to support their decisions. It is essential that all avenues be explored to ensure that every aspect of the decision has been investigated. In all cases this information is processed by the Siebel computer system which supports the CMS 2012 Scheme.
- 2.3 When an initial maintenance calculation has been made, the Decision Maker can reconsider their decision by way of a supersession to take account of a change of circumstance or a Mandatory Reconsideration to correct an error.
- 2.4 CMS will support clients whether they choose either the Collect and Pay or the Direct Pay service. The assessment service includes an automatic Annual Review; in addition to this either client can report various changes throughout the lifespan of the case and each decision made on the CMS 2012 system can be subject to a Mandatory Reconsideration, thus ensuring that either client can challenge any decision made by CMS. The Decision Maker uses Siebel to set up accounts and payment schedules. These schedules take into account the Paying Parent’s current liability as well as any underpayment or overpayment as a result of the new assessment.

3. Assurance

- 3.1 During the reporting year 2020/2021, 925 maintenance calculations which required caseworker (manual) intervention were randomly selected for checking. The process used to derive this sample is set out below, and ensures that a statistically valid sample of manual maintenance calculations are checked to provide assurance on the overall level of MVE.
- 3.2 The total number of cases selected for checking is calculated for CMS by Professional Services Unit (PSU), who are part of the Northern Ireland Statistics and Research Agency. For the CMS 2012 Scheme, this sample size is based on a confidence level of 95% with a tolerance level of +/- 2.0%. This means that the actual level of MVE could be up to 2.0% greater or less than the accuracy rate found by the case monitors.
- 3.3 Due to the COVID-19 pandemic, the checking programme for CMT was paused on 23 March 2020 as it was not deemed business critical. This was in line with the approach taken in other parts of the Department. CMT staff were deployed in other business critical posts until June 2020 and therefore, checks which should have been carried out in May and the first half of June did not take place. The CMT checking programme resumed on 17 June on maintenance calculations from the May scan.
- 3.4 All maintenance calculations requiring caseworker intervention selected by the CMT for assurance are taken from scans provided to CMT by a third party (Business Analytics Unit) on a monthly basis throughout the year. The maintenance calculations are identified by completed Service Requests (SRs). The lists provided by BAU are stratified by type of SR. This additional stratification ensures the sample is more representative of all maintenance calculations than it would likely have been if the sample was chosen entirely at random.
- 3.5 Each month, CMT is required to check around 85 maintenance calculations requiring caseworker intervention, selected from the SRs. A random number generator is used to select the final SR selections for checking from the lists provided by BAU. This ensures that all SRs have an equal chance of being checked.
- 3.6 Using this method provides a robust and independent assurance on the selection process.

3.7 Maintenance calculations are monitored against 2 main criteria:

- Assurance on the monetary value of the last maintenance calculation made by caseworker intervention are accurate in line with the requirements in the Child Maintenance Service (CMS) target;
- Assurance on the quality of the decision making process.

3.8 The findings of the CMT form the basis of monthly reports to the Senior Leadership Team and operational managers. CMT also provide quarterly reports to the Standards Committee. These reports detail performance against the target, providing an analysis of results and identifying any trends and issues.

4. Monitoring Findings for CMS 2012 Scheme

4.1 The CMT's findings for CMS 2012 in relation to MVE and Decision Making are presented in this section of the report.

MONETARY VALUE OF ERROR

4.2 Between 1 April 2020 and 31 March 2021 the CMT monitored 925 CMS 2012 decisions. The monitoring found that for 816 of the maintenance calculations requiring caseworker interventions the monetary value was correct and for 109 the value was incorrect. For each of the incorrect maintenance calculations, CMT determined by how much money the maintenance calculation was incorrect i.e. the monetary value of the error. The main errors affecting MVE and accounting for almost 75% of MVE errors resulted from the use of incorrect effective dates and from income errors. The MVE for caseworker interventions was 2.9%. Appendix 1 refers.

4.3 The MVE for manual assessments is combined with the proportions of fully automated maintenance calculations, based on the monetary liability values, stratified by SR category, to give the overall level of MVE in 2020/2021. The combined level of MVE in 2020/2021 is 0.73%.

DECISION MAKING ACCURACY

4.4 The same sample of 925 decisions was also monitored for decision making accuracy. Where a case is found to have a decision making inaccuracy, it does not necessarily follow that the last decision is financially inaccurate. The case monitors raised a decision making comment under the following categories:

- There is insufficient evidence to support the decision;
- The incorrect law is applied, or the law is applied incorrectly;
- The Decision Maker makes a wrong finding of fact;
- There is an incorrect calculation;
- The record of decision/notification is incomplete or inaccurate.

4.5 Of the 925 decisions monitored, 194 were found to have had decision making errors. Decision making accuracy is therefore reported as 79.0% accurate.

- **Appendix 2** provides an analysis of the decision making comments mentioned above. Within a decision there could be more than one decision making comment.

Appendix 1

CMS 2012 Scheme MVE (Caseworker Intervention)

Monetary Value of Error (MVE)		Checked		Errors		
		Volume	Value	Volume	Value	% Value
SR065	Initial	81	£3,840.03	3	£62.04	1.6%
SR066	Correction/ Revision	38	£2,200.12	6	£66.69	3.0%
SR067	Change Benefit Details	114	£2,151.84	7	£25.73	1.2%
	Income & Household	645	£23,661.76	86	£725.41	3.1%
	Case Closure	9	£130.06	1	£36.27	27.9%
	SR067 Total	768	£25,943.66	94	£787.41	3.0%
SR068	Change Client Data (Variation)	23	£1,263.88	3	£5.36	0.4%
SR069	Additional Case	8	£350.92	0	£0.00	0.0%
SR070	Annual Review	7	£248.07	3	£57.36	23.1%
Overall Total		925	£33,846.68	109	£978.86	2.9%

Appendix 2

CMS 2012 Scheme Maintenance Assessment Comments

This table records the type of errors found in the decision making process:

Maintenance Calculation Comments						
1 April 2020 – 31 March 2021						
	A	B	C	D	E	Total
	Insufficient evidence on which to decide	Incorrect law applied / law applied incorrectly	Wrong finding of fact / incorrect interpretation of fact	Incorrectly calculated	Record of decision / notification is incomplete or inaccurate	
Jurisdiction	0	0	0	0	0	0
Effective Date	1	1	2	63	0	67
Shared Care	1	1	0	1	11	14
Earnings – Other	3	2	0	19	13	37
Earnings – Calculation	0	0	1	24	10	35
Earnings – Bonus	0	0	0	1	0	1
Pension Contributions	1	0	1	3	3	8
Benefit Income	0	0	3	6	12	21
Other Income	0	0	0	0	1	1
Notifications	0	0	0	0	0	0
Variations	3	0	2	2	3	10
QC/ROC/CIFBA*	7	0	4	6	22	39
Other	1	0	0	0	5	6
Total	17	4	13	125	80	239

*QC/ROC/CIFBA Qualifying Child(ren)/Relevant Other Child(ren)/Child in Family Based Arrangement
 Note – There could be more than 1 error on a case. There were 194 cases with errors.

Appendix 3

The Process of Decision Making

As part of the decision making process there are different steps which the individual Decision Maker must consider.

Errors in following the Decision Making process result in a decision making comment being included but do not necessarily impact on the outcome decision.

Comments include:

- Identifying that an assessment needs to be considered;
- Calculating the effective date of the assessment;
- Gathering the evidence;
- Clarifying the evidence;
- Deciding which evidence to use;
- Recording the evidence onto the computer system;
- Adjudicating.

Elements taken into account when calculating a Maintenance Calculation

- Effective date of liability;
- Household Members;
- Earned Income – Employed, Self Employed, Occupational or Personal Pensions;
- Benefit Income;
- Shared Care of the Qualifying Child(ren);
- Relevant other Child(ren) in household;
- Child in Family Based Arrangement;
- Other Child Maintenance Agreements;
- Variations – Additional Income and Special Expenses.

Appendix 4

Terms of Reference for the Standards Committee

1. The Social Security (Northern Ireland) Order 1998 removed the distinction between adjudication decisions made by adjudication officers and departmental decisions and introduced single status decision makers. This removed the statutory requirement for a Chief Adjudication Officer and, by default, their responsibility for reporting on the standard of adjudication.
2. In addition to being responsible for the delivery of the decision making process and the standard of decisions made, the Department was made responsible for reporting on the standard of decisions against which there is a right of appeal. These responsibilities were delegated to the Chief Executives of the Social Security Agency (“Agency”) and the Northern Ireland Child Support Agency. From 1 April 2008 the Northern Ireland Child Support Agency became a division within the Department for Social Development called the Child Maintenance and Enforcement Division and was later renamed Child Maintenance Service (“CMS”) from 1 April 2013. In May 2016, following the reduction in Northern Ireland’s Departments from 12 to 9, both the Agency and CMS functions have been transferred to the Department for Communities under Work and Inclusion Group. CMS is now under the Supporting People Group.
3. The responsibility for reporting on standards requires the Deputy Secretary of Supporting People Group to have programmes in place to determine the standards which are to be reported. It has been recognised however, that to enhance this programme and its credibility and transparency with the public, some independent oversight of the arrangements is necessary. Accordingly, a Joint (Northern Ireland) Standards Committee has been appointed with an independent Chairperson, together with two other Independent Members, and having terms of reference agreed by the Deputy Secretary.
4. The Standards Committee will have an advisory rather than executive role. Its objectives will be to —
 - provide assurance to the Deputy Secretary of Supporting People Group that effective decision making checking procedures are in place;

- to confirm legislation is properly applied;
 - to monitor and report performance against quality targets;
 - identify common trends relating to the quality of decision making in Supporting People Group and to highlight those areas where improvement is needed;
 - make specific recommendations on any area considered appropriate;
 - provide assurance to the Deputy Secretary of Supporting People Group that mechanisms are in place to feedback results to the Department to enable continuous improvement;
 - report to the Deputy Secretary of Supporting People Group on the operation of the decision making process and where necessary to make recommendations for changes to it. The Deputy Secretary should be free to meet the Chairperson informally and discuss issues that may arise during the year;
 - provide the Deputy Secretary of Supporting People Group with an annual assurance in the form of reports on the quality of decision making in Supporting People Group and such other reports as the Deputy Secretary or the Standards Committee considers appropriate;
 - provide assurance on the quality of decision making with the results of financial accuracy.
5. Standards Committee meetings will be held 4 times yearly to coincide with the reporting programmes and minutes will be taken and agreed by the Committee members.
 6. An agenda will be prepared in advance of each meeting and circulated to the Committee Chairperson for consideration.

Committee membership

Marie Cavanagh	Independent Chairperson
Kevin Higgins	Independent Member
Ursula O’Hare	Independent Member
Mickey Kelly	Director of Pensions, Disability and Benefit Security, Department for Communities
Julie Nelson	Assistant Director of Benefit Security, Department for Communities
Jonathan Furphy	Business Support, Child Maintenance Service, Department for Communities
Lacey Walker	Head of Internal Audit, Department for Communities

Appendix 5

Glossary

Glossary	
Decision Maker	The officer making decisions on behalf of the Department.
Decision Making	The process of applying the child support legislation and guidance to evidence supplied by clients.
Insufficient Evidence	When a decision is made without gathering all the evidence required to make a comprehensive decision.
Last Decision	The last assessment completed on the case selected for checking, taken from a random sample.
Maintenance Calculation	Liability calculated under the CMS 2012 Scheme.
Paying Parent	A parent who has a liability to maintain a Receiving Parent’s child(ren) but who lives apart from the Receiving Parent.
Receiving Parent	A parent who is the primary carer of the qualifying child(ren).
Mandatory Reconsideration	A decision is revised where it is changed from the date of the original decision as a consequence of action or application arising within the acceptable period of revision.
Supersession	A decision is superseded where there is a relevant change of circumstances changing the original decision from a later date.
Variation	Where a parent has exceptional circumstances not covered by the basic procedures of the CMS 2012 Scheme.
CMS 2012	Scheme introduced in 2012 to replace the 1993 and 2003 Schemes.

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