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Northern Ireland Child Maintenance Service

Annual Report On Decision Making

1 April 2023 to 31 March 2024



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Northern Ireland Child Maintenance Service

Annual Report On Decision Making

1 April 2023 to 31 March 2024

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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 then 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 18 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 and community advice sector and the Northern Ireland Audit Office (NIAO).

Decision making performance in 2023/2024

The legislation and regulations that decision makers are required to consider in the decision-making process are outlined in Chapter 2 and require decision makers to consider evidence provided by both the receiving and paying parent in the calculation of maintenance.

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, 520 cases were recommended for selection for checking in 2023/2024. This was a further reduction in sample size from last year (in 2022/2023, 664 cases were recommended for checking). The Chair and Committee were assured that, on the same basis as last year, the sample size had been reduced as the monitoring quota is based upon a confidence level of 95% with a tolerance level of +/- 2.0% and is in keeping with statistical good practice, confirmed by the NIAO.

Chapter 3 also illustrates the rigour and breadth of the monitoring of decisions by the CMT. 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 3.6).

Chapter 4 identifies the findings for 2023/2024. While decision making accuracy is reported at over 81.2%, the combined monetary value of error for manual assessments and fully automated financial decisions is 0.6%. While the MVE for 2023/2024 has increased slightly, (0.6% in 2023/24 compared to 0.3%

in 2022/2023), it still remains well within the target of 1%. Issues that should be borne in mind in assessing performance are that 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.

It should also be pointed out that the prolonged cost of living crisis and the constraints on departmental budgets continue to take their toll both on staff recruitment and retention. The Committee take a keen interest in this and the site visits help us to monitor and understand how this plays out in the area of decision making and financial accuracy within the department as a whole.

This is borne out in Appendix 2 which highlights the types of errors found in the decision-making process. These are regularly reported on to the Standards Committee at the annual meeting with CMS and the quarterly meetings with the Standards Committee members. We continue to be 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.

The digital transformation journey has continued through 2023/2024 improving and streamlining the customer experience and reducing unnecessary customer contact. The CMT continue to look to DWP for initiatives to improve the digital journey while using their autonomy to tweak systems to best service customers in NI.

In 2022/2023, I reported that the computer default rate of 40% of a paying parent's gross income was reduced to a more sustainable 27% with staff also engaging with customers to discuss more manageable amounts. This was designed to encourage compliance and so minimise the accrual of arrears. We have however noted that arrears have been climbing throughout the year and we are monitoring this as it develops. We are very conscious that this can impact on both public perception of the service and staff morale.

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 continuing adjustments they have been required to make.

Finally, I would like to express my particular thanks for the support provided to me by the rest of the members of the Standards Committee for sharing their experience with me. I would especially like to thank Kevin Higgins whose term on the Committee ended in January 2024. Kevin devoted a significant amount of his time and expertise to the work of the committee and his breadth of knowledge and experience of legislation and policy was an invaluable asset to me and the Standards Committee generally.

I would also like to take this opportunity to welcome Owen McCloskey to the Standards Committee. Owen took up his position in November 2023 and I look forward to working with him as he brings a wealth of experience and expertise to the work of the Committee.

Like last year we will continue to ensure the safety of all in light of the COVID-19 recovery, and I think I speak for us all when I say that we are delighted to have been able to reinstate our face to face meetings both at Committee level and in our site visits with the various branches and their staff. These site visits provide an invaluable opportunity to see work at the coal face and we thank Ros and her team in CMS for their hospitality.



Marie Cavanagh
Chairperson of the Standards Committee

Introduction by the Acting Director of CMS

I am pleased to present the Annual Report on Decision Making Standards within the Child Maintenance Service (CMS). The purpose of the report is to provide an assurance on the standards of financial accuracy and decision making in CMS.

As part of the Department's commitment to 'Supporting People, Building Communities and Shaping Places', within CMS we are committed to providing support to separating and separated families. Due to the on-going cost of living crisis, 2023/2024 was another challenging year for customers and through the determination and hard work of our staff we have helped to make a difference for our customers. In 2023/2024, £28m of child maintenance was collected and arranged, benefiting 21,570 children.

We remain committed to improving the quality of the service we provide by delivering the correct maintenance payments at the right time for families. To monitor the financial accuracy of decisions we use the Monetary Value of Error (MVE) measure. This provides insight to the accuracy of our decisions by reporting the monetary value of the incorrect child maintenance payments. Within CMS, the checking programme delivered by the Case Monitoring Team (CMT) sampled maintenance calculations which required caseworker intervention in 2023/2024. The results of these checks were combined with data on the maintenance calculations which were fully automated by the CMS computer system to

give an overall level of MVE, representing all the child maintenance assessments completed on our customers' behalf.

This report will show that in 2023/2024 the level of MVE was 0.6%, achieving our target of less than 1%. Whilst the target for MVE was achieved, our focus remains on reducing error and getting it right for our customers. The results from the checking programme are used by operational colleagues to identify areas where additional support or training would be of benefit, helping to build on our performance.

An important aspect of the service CMS provides is the ability for our customers to manage their own case through our digital services, 'My Child Maintenance Case' and 'Apply Online'. CMS is continuing to modernise the services it provides, and significant improvements have been made to the CMS computer system and to the online services offered. This includes the delivery of further system automation which allows for a range of changes reported to be completed without caseworker intervention. This then allows our caseworkers to focus their support on those customers who need additional help when accessing our services.

We are also continually seeking other ways to improve our service and this year we have brought through improvements in our letters, seeking to present information in a clearer format for our customers. In the year, there are plans for further improvements to our service,

to enhance the experience for both customers and staff and ultimately to secure more money for more children.

Once again, I would like to thank the staff in CMS for their dedication and hard work in achieving the results detailed in this report; you have made a real difference to so many children and families in Northern Ireland.

Finally, I am grateful for the support and dedication of the Standards Committee chairperson Marie Cavanagh and other Committee members who play a key role in providing independent scrutiny and assurance on the standards of decision making in CMS.

My thanks to Kevin Higgins for sharing his knowledge and expertise with CMS during his term on the Committee which ended in January 2024, and I welcome Owen McCloskey, who joined the Committee as an Independent member in November 2023. I look forward to working with Marie and Committee members in the year ahead to ensure CMS continues to deliver for its customers.

A handwritten signature in black ink, reading 'Gareth Kelly'. The signature is written in a cursive, flowing style.

Gareth Kelly
Acting Director, Child Maintenance Service

1. Summary

- 1.1 This report provides assurance to the Acting 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 2023/2024 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 0.6%.

Target MVE	MVE	Result
<1%	0.6%	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 2023/2024, 520 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 Analytics Division, 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 All maintenance calculations requiring caseworker intervention selected by the CMT for assurance are taken from scans provided to CMT by a separate team, the Business Analytics Unit (BAU), 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.
- 3.4 Each month, CMT is required to check around 44 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.
- 3.5 Using this method provides a robust and independent assurance on the selection process.
- 3.6 Maintenance calculations are monitored against 2 main criteria:
 - Assurance on the monetary value of the last maintenance calculation made by caseworker intervention is accurate in line with the requirements in the CMS target;
 - Assurance on the quality of the decision-making process.
- 3.7 The findings of the CMT form the basis of monthly reports to 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 2023 and 31 March 2024 the CMT monitored 520 CMS 2012 decisions. The monitoring found that for 476 of the maintenance calculations requiring caseworker interventions the monetary value was correct and for 44 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 85% of MVE errors resulted from the use of incorrect effective dates and from income errors. The MVE for caseworker interventions was 1.9%. 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 2023/2024. The combined level of MVE in 2023/2024 is 0.6%.

Decision Making Accuracy

- 4.4 The same sample of 520 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 520 decisions monitored, 98 were found to have had decision making errors. Decision making accuracy is therefore reported as 81.2% 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	34	£1,895.76	4	£12.70	0.7%
SR066	Correction/Revision	12	£838.76	1	£39.00	4.6%
SR067	Change Benefit Details	133	£2,552.29	7	£142.79	5.6%
	Income & Household	313	£17,896.43	29	£236.09	1.3%
	Case Closure	4	£195.94	0	£0.00	0.0%
	SR067 Total	450	£20,644.66	36	£378.88	1.8%
SR068	Change Client Data (Variation)	16	£1,410.41	1	£1.05	0.1%
SR069	Additional Case	4	£290.63	0	£0.00	0.0%
SR070	Annual Review	4	£187.47	2	£59.93	32.0%
Overall Total		520	£25,267.69	44	£491.56	1.9%

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 2023 – 31 March 2024						
	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	9	3	4	2	19
Shared Care	3	2	1	1	6	13
Earnings – Other	2	11	2	0	8	23
Earnings – Calculation	0	5	0	0	4	9
Earnings – Bonus	0	0	0	0	0	0
Pension Contributions	1	1	0	1	4	7
Benefit Income	1	3	1	0	2	7
Other Income	1	4	0	0	1	6
Notifications	0	0	0	0	0	0
Variations	5	2	3	0	4	14
QC/ROC/CIFBA*	1	3	2	0	6	12
Other	1	0	1	1	6	9
Total	16	40	13	7	43	119

*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 98 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 children 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 Operational Delivery Group.
3. The responsibility for reporting on standards requires the Deputy Secretary of Operational Delivery 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 Operational Delivery 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 Operational Delivery 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 Operational Delivery Group that mechanisms are in place to feedback results to the Department to enable continuous improvement;
 - report to the Deputy Secretary of Operational Delivery 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 Operational Delivery Group with an annual assurance in the form of reports on the quality of decision making in Operational Delivery 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
Leo McLaughlin	Director of Pensions, Disability and Carers, Department for Communities
Julie Nelson	Acting Director, Debt Management, Benefit Security and Make the Call, Department for Communities
Ros Agnew	Acting Deputy Director, Child Maintenance Service, Department for Communities
Michael Woods	Head of Internal Audit, Department for Communities

- * Kevin Higgins term in Standards Committee ended in January 2024. Owen McCloskey joined Standards Committee as an independent member in November 2023.

Appendix 5

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.

