

National Service Agreement
between the Child Support Agency
and the Tribunals Service

Version 2.0 3rd May 2006

Foreword

We are delighted to be signing this Partnership Agreement between Child Support Agency and the Tribunals Service, which represents a tangible commitment to working together, to improve the standard of service that we offer to our customers.

Whilst we recognise that the agreement needs further development over the coming year it does provide a valuable framework for constructively managing our future relationship. The aim must be to strike the right balance between the requirement for robust monitoring of performance, pragmatism about what can be achieved in the short term and the underlying principle of joint accountability for the end-to-end service.

Signatories to the Agreement:

Signed for the Child Support Agency.....
(Stephen Geraghty – Chief Executive)

Signed for the Tribunals Service
(Peter Handcock – Chief Executive)

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1 Introduction and Purpose of this document

1.1 This document is the National Service Agreement between the Child Support Agency and the Tribunals Service, covering Great Britain only (not Northern Ireland). The two Agencies have declared a commitment to, and are actively working towards, a shared, end-to-end, clearance target of 30 weeks. It outlines the arrangements between the two Agencies from April 2006.

Both parties acknowledge the need to seek consistency across their agreements with various parties, in both format and, where appropriate in the standards they contain. In particular, they are committed to the future introduction of an end-to-end clearance target as the most meaningful measure of performance from the customer's perspective.

The Joint Steering Committee will play a critical role in ensuring its success. It has proved to be a very effective vehicle for the development of cross-agency initiatives and will continue to provide the forum for delivering a more efficient and seamless service to customers.

1.2 The purpose of this document is to specify:

- What services will be provided,
- When they will be provided,
- The standards to which they will be provided,
- The roles and responsibilities of each Agency, and
- Escalation routes.

2 Life span

2.1 This National Service Agreement takes effect from 3 April 2006 and will remain in force for 2 years. Yearly reviews will be carried out and in-year reviews may also be instigated if required. See Schedule 1 for contact details.

3 Scope and delivery of services

3.1 Schedules 2 and 3 outline the following:

- The services to be provided by the Tribunals Service, and
- The services to be provided by the Child Support Agency.

4 Role of the senior responsible officers

4.1 The Tribunals Service and the Child Support Agency will each provide a nominated senior officer as a contact point within their organisation. Their role is to provide assurance to their organisation's Senior Management Team that the relationship between the two agencies is working well. They will:

- Establish, and arrange quarterly meetings of, a joint steering committee, (Terms of Reference attached at Schedule 5)
- Ensure that local arrangements are robust and working well; and convene a cross agency operational working group, if / when local arrangements fail.
- Work proactively with their counterpart to improve the end-to-end service delivery of appeals and to resolve any problems,
- Provide each other with the relevant management information statistics, (See Schedule 4) and
- Ensure that relevant information is cascaded throughout their organisation promptly.

5 Monitoring

- 5.1 Each agency will monitor and evaluate the standard of the services that it provides under the terms of this arrangement and will have appropriate quality control procedures in place. Where either agency considers that services are not being delivered to the required standard, issues should be raised through line management for resolution.
- 5.2 The senior responsible officers will pay particular attention to the end-to-end service experienced by our shared customers. They will report against key performance measures to confirm, and enable work to improve, the average length of time between appeal lodgement and decision implementation. The information to be provided is detailed in Schedule 4.

6 Disagreements

- 6.1 Disagreements or disputes may arise. If or when they do, both agencies will commit themselves to finding, at the closest level to the disagreement or dispute, a solution that is acceptable to both agencies as quickly as possible. It is important to remember that seeking to resolve an issue at an operational level is preferable to allowing it to remain a source of difficulty or misunderstanding.
- 6.2 Where this process does not enable resolution, the disagreement should be documented fully before escalation to the next level within 1 week (on average):
- Local business level,
 - Operational manager level, either at quarterly joint working group meetings or outside, and appropriately reported, to enable quickest resolution,
 - Senior responsible officer level, or
 - Senior Management Level, either at quarterly joint steering committee meetings or outside, and appropriately reported, to enable quickest resolution.
 - Any disagreements not resolved at joint steering committee stage will be escalated to the Chief Executives for resolution.
- 6.3 Work, Welfare and Equality Group (formerly Information and Analysis Division) may be commissioned to provide independent verification/analysis of statistics where required to resolve disagreements.

7 Risk

Risk Management Teams from Child Support Agency & Tribunal Service will work together to facilitate effective management of risks. Where identified risks impact Tribunal Service & Child Support Agency, joint resolution will be sought.

Where appropriate any cross Agency risks will be escalated via the Corporate Risk Management Team (or equivalent) and subsequently brought to the attention of Departmental Executive Teams.

8 Business Continuity

This agreement may be reviewed or suspended in the event of an emergency involving the implementation of a Business Continuity plan, (which may impact the provision of services). Each Department will consult the other as to the possible impact of Business Continuity plans and will assist one another where the viability of the plan depends upon mutual assistance. Business Continuity Managers in each Department will ensure that their plans are complementary, and reflect the identified (inter) dependencies. Managers will liaise to ensure that plans are updated as necessary to take account of business changes.

9 Schedule 1 – Contact Details

9.1 Child Support Agency:

- **Service Level Agreement**

Child Support Agency – Service Level Agreement Team
BP6202, Benton Park View
Longbenton
NE98 1YX

Tel: 0191 225 9905

Fax: 0191 225 5039

- **Senior Responsible Officer**

John Raftery

9.2 Tribunals Service:

Steve Anderson
5th Floor
Boulton House
Manchester

Tel: 0161 238 6169

- **Senior Responsible Officer**

Norman Egan

10 Schedule 2 – Services to be provided by the Tribunals Service to the Child Support Agency

10.1 Introduction

10.1.1 Both agencies are committed to working together to deliver an excellent service to our shared customers. This schedule sets out the services to be provided by the Tribunals Service to the Child Support Agency to help achieve this.

10.2 Before the hearing

10.2.1 The Tribunals Service will register appeals within 2 working days of receiving the papers.

10.2.2 Where the Tribunals Service becomes aware that the appellant, or another party to the proceedings, has a representative, they will notify the Child Support Agency of this within 2 working days of receiving the information.

10.2.3 When there is a referral to the Tribunals Service to consider whether an appeal is duly made, out of time or out of jurisdiction, a decision will be issued within 2 weeks of receipt. A copy of the decision will be sent to each party to the proceedings. When the 2-week deadline cannot be met, the Tribunals Service will advise the Child Support Agency of the reasons for the delay and when a decision can be expected.

10.2.4 The Tribunals Service will notify the Child Support Agency within 2 working days where:

- A case is struck out following failure to respond to the form 'TAS1',
- Notification is received of an appeal being withdrawn, or
- A case is reinstated following a decision to strike it out.

10.2.5 Appeals will be listed for a hearing with the average waiting time for the first hearing being no more than 14 weeks. The average time between the Tribunals Service receiving the appeal papers and notifying the decision should be no more than 19 weeks. (See Schedule 4) Listing will follow Tribunals Service guidance taking account of the 'first in, first out' principle, unless there are good administrative or judicial reasons for doing otherwise, such as; needing to keep cases of a similar type together, assigning a case to a venue most convenient to one of the parties, delaying cases for further evidence or cases requiring further evidence.

10.2.6 The Tribunals Service will give at least 4 weeks notice of the name, reference number, time, date and venue of tribunal, enabling the Child Support Agency to arrange for a presenting officer to attend, (see paragraph 11.4.3.).

10.2.7 The needs of presenting officers will be taken into account when arranging tribunal hearings. This will include listing child support appeals in 1 session, wherever possible, and consecutively where a presenting officer is to attend.

10.2.8 All further evidence received by the Tribunals Service will be copied to the Child Support Agency's Central Appeals Unit, and to the presenting officer where they are named on form 'AT37' where the case is listed, within 2 working days (any potentially harmful evidence being highlighted). Where confidentiality has been requested, the Tribunals Service will edit all further evidence (including supplementary submissions. The Tribunals Service will forward sequentially numbered edited and unedited copies of the further evidence to the Child Support Agency's Central Appeals Unit and where relevant the presenting officer. Evidence received by the Tribunals Service before they receive the initial submission will be sent to the Child Support Agency's Central Appeals Unit.

10.2.9 The Tribunals Service will notify the Child Support Agency within 2 working days where an appeal is postponed. When this happens on the day contact will, initially, be by telephone to the presenting officer.

10.3 At the hearing

10.3.1 The Tribunals Service will provide, wherever possible, secure, suitable and private accommodation for presenting officers in line with DWP Health and Safety regulations, with access to telephone and fax facilities.

10.4 After the hearing

10.4.1 Within two days of the hearing, the Tribunals Service will issue the tribunal's decision to all parties to the proceedings, by e-mail wherever possible. When requested, a full statement of reasons will be issued within 4 weeks. If a decision notice contains an error, the Tribunals Service will correct it and issue an amended version within 2 weeks of being informed.

10.5 Appeal documents

10.5.1 A copy of the appeal documents, including the decision notice, record of proceedings and full statement, where appropriate, will be retained for at least 6 months from the date of the last action. After this time the papers may be destroyed.

10.6 Exchange of information

10.6.1 At least 3 weeks before each Joint Steering Committee meeting the Tribunals Service will provide the group Secretariat / Members with the information listed at Schedule 4.

10.7 Improving Customer Service

10.7.1 The Tribunals Service will work to identify and reduce regional variation in performance, to ensure that customers receive an equitable service regardless of their location.

10.7.2 The Tribunals Service, assisted by the Judiciary, will provide the Child Support Agency with detailed feedback/trend analysis, to ensure that lessons to be learned and improvements can be identified and cascaded to first-tier decision makers. This will enable the continuous improvement of the Agency's decision-making standards.

10.7.3 The Tribunals Service will, at a date to be confirmed, repeat their data sampling exercise in relation to Child Support.

11 Schedule 3 – Services to be provided by the Child Support Agency to the Tribunals Service

11.1 Introduction

11.1.1 Both agencies are committed to working together to deliver an excellent service to our shared customers. This schedule sets out the services to be provided by the Child Support Agency to the Tribunals Service to help achieve this.

11.2 Before the hearing

11.2.1 The Child Support Agency will consider all appeals and where a submission is required will provide a quality product. Submissions will, on average, be issued within 10 weeks of receipt of the appeal

11.2.2 Before writing submissions, the Child Support Agency will issue confidentiality questionnaires to the appellant and respondent, allowing either party to request that their information be kept confidential – if the other party does not know their whereabouts and that information might reasonably lead to that other party learning their whereabouts (allowing 14 days to respond). This will not apply to reduced benefit direction cases, where only 1 party is involved.

11.2.3 The Child Support Agency will issue copies of the submission to the Tribunals Service, the appellant and respondent (and where appropriate the presenting officer and any representatives). Submissions (in A4 format) will include all relevant documentary evidence. Pages will be numbered clearly and the copies will be clear enough to duplicate. The appellant's, respondent's or representative's copy will be edited if confidentiality has been requested or potentially harmful medical evidence has been identified. The Child Support Agency will provide the Tribunals Service with 2 copies; 1 unedited and 1 edited; ensuring that confidential and/or potentially harmful medical evidence is highlighted.

11.2.4 The Child Support Agency will send the appellant and respondent (by first class post) the relevant pre-hearing enquiry form ('TAS1' / 'TAS1R') with the appeal submission. The Tribunals Service will provide first class business reply envelopes (or overseas equivalent i.e. un-franked envelopes).

11.2.5 The Child Support Agency will send form 'AT37' to the Tribunals Service with the appeal submission. The 'AT37' should provide all the information needed to allow the Tribunals Service to provide the best possible service to each customer, including: (This list is not exhaustive)

- Complex cases (using the 'notes' box),
- The date the submission was actually issued to the appellant
- Any known potentially violent 'PV' markings,
- Any known special needs or requirements such as limited mobility, wheelchair access required, sight or hearing impairments, or learning difficulties,
- Whether an interpreter is required as English is not the appellant's first language,
- Cases where the Child Support Agency considers that an expert witness would be desirable,
- Cases that contain information that should be kept confidential including details of which parties information should be kept confidential,
- Cases that the Child Support Agency believes are not duly made or out of time, and
- Whether or not the Child Support Agency has chosen to send a presenting officer.

11.2.6 On receipt of further evidence, the Child Support Agency will consider whether this enables the decision to be revised and if not will provide a supplementary submission within an average of 2 weeks (providing that no further enquiries are needed following receipt of the evidence). If the original decision is revised the Child Support Agency will advise the Tribunals Service that the appeal has been lapsed within 1 working day.

11.2.7 If an appeal is lapsed or withdrawn after a submission has been issued, the Child Support Agency will notify the Tribunals Service within 1 working day.

11.3 At the hearing

11.3.1 The Child Support Agency will provide a presenting officer where the appeal in question involves: (This list is not exhaustive)

- Complex evidence or legislation,
- A difficult judgmental element, or
- A Chairman has directed that a presenting officer attend.

11.4 After the hearing

11.4.1 The Child Support Agency will implement the tribunal's decision within an average of 1 week of receipt.

11.4.2 If an appeal is adjourned for further evidence the Child Support Agency will provide the Tribunals Service with a further submission within an average of 2 weeks of receiving all the evidence required.

11.4.3 Where further evidence is requested by tribunal but the Child Support Agency is unable to obtain that evidence from the party concerned, despite numerous attempts, the Child Support Agency will provide the Tribunals Service with a further submission outlining the efforts made to obtain the information/evidence and requesting direction from the tribunal.

11.5 Appeal documents

11.5.1 The Child Support Agency will provide all necessary documentation where an appeal to the Social Security Commissioners is received and the Tribunals Service no longer hold any papers within 4 weeks.

11.6 Exchange of information

11.6.1 At least 3 weeks before each Joint Steering Committee meeting the Child Support Agency will provide the group Secretariat/members with the information listed at Schedule 4.

11.6.2 The Child Support Agency will discuss the following with the Tribunals Service as soon as they become aware of the issue and seek agreement prior to implementation:

- Any proposed changes to organisational structures likely to have an impact on the Tribunals Service,
- Any proposed changes to operational procedures likely to have an impact on the Tribunals Service,
- Any proposed legislative changes regarding the handling of appeals
- Any proposed implementation of legislation regarding the handling of appeals

11.7 Improving Customer Service

11.7.1 The Child Support Agency will work to reduce the occurrence of further evidence being supplied after submission to the Tribunals Service, to ensure that customers receive a thorough reconsideration and that their cases can be dealt with most efficiently once with the Tribunals Service.

11.7.2 The Child Support Agency will work with the Tribunals Service, assisted by the Judiciary, to build upon the feedback provided, to ensure that lessons to be learned and improvements are identified and cascaded appropriately to front-line decision makers. This will enable the continuous improvement of the Agency's decision-making standards.

12 Schedule 4 – Management Information

12.1 By the 10th working day of each month, the Child Support Agency will be responsible for providing the group with an agreed package of performance data including:

- Average length of time between appeal lodgement to submission to the Tribunals Service,
- For those cases not yet submitted to the Tribunals Service; the average length of time between lodgement and the date in question,
- Average length of time between decision notice receipt by the Child Support Agency and decision implementation,
- For those cases received from the Tribunals Service but where the decision has yet to be implemented; the average length of time between receipt and the date in question,
- Average length of time between appeal lodgement and decision implementation,
- For all cases still outstanding with either agency; the average length of time between lodgement and the date in question,
- Workload forecasts

12.2 By the 10th working day of each month, the Tribunals Service will be responsible for providing the group with an agreed package of performance data including:

- Average length of time between appeal receipt by the Tribunals Service and issue of the decision notice*,
- For those cases not yet cleared by the Tribunals Service; the average length of time between receipt and the date in question*,
- Average length of time between appeal receipt by the Tribunals Service and the date of the first hearing*,
- For those cases not yet listed for first hearing, the average length of time between receipt and the date in question*,
- Judicial feedback on the quality of appeals submissions/evidence bundles,
- Judicial trend analysis/feedback of decision-making on the cases received,
- Feedback on the levels of attendance by appeals presenting officers,
- Adjournment rates and reasons,
- Tribunal outcomes and the percentage of cases overturned,
- Late appeals,
- Strike-outs and subsequent reinstatements,

- Withdrawals,
- Information about organisational changes planned within the Tribunals Service, and
- Tribunals Service overall performance against any Secretary of State's targets.

12.3 The performance data marked * above (listing and clearance times) will be broken down as follows:

- All child support case types,
- Maintenance calculations (New Scheme cases)
- Departures/Variations
- Assessments (Old Scheme cases)

12.4 Work, Welfare and Equality Group may be commissioned to provide independent verification of statistics where required to resolve disagreements.

13 Schedule 5 – Joint Steering Committee Terms of Reference

13.1.1 Purpose

13.1.1 The main aim of this Joint Steering Committee is to monitor and improve the delivery of the appeals process by the Child Support Agency and the Tribunals Service:

13.1.2 Ensuring that levels of performance are within agreed levels across both the Child Support Agency and the Tribunals Service. The Joint Steering Committee will provide a forum to discuss performance and provide a strategic overview of the end-to-end delivery from lodgement of the appeal through to implementation of the tribunal decision. This will focus on the level of service provided to the customer(s).

13.1.3 The following areas will provide the Committee with a range of items to be addressed.

13.2 Terms of Reference

- To look at ways of improving the customer experience across each phase of the process.
- To forecast future work levels assessing likely impact on the end-to-end delivery process.
- Take a strategic view of the high-level business process / outcomes and delivery issues.
- Discuss cross-Agency issues that impact directly upon customer service.
- Monitor performance against the National Service Agreement.
- To report by exception performance against internal performance targets.
- Determine how information / decisions from the committee will be communicated across each Agency.
- To set up and monitor as appropriate cross-Agency initiatives that address key delivery issues.

13.3 Membership

13.3.1 The Child Support Agency and the Tribunals Service will chair the Joint Steering Committee in rotation; this will be reviewed. Membership of the group is:

Shirley Brown	Tribunals Service (North West Regional Manager)
Norman Egan	Tribunals Service (Head of Field Operations)
Pauline Gray	Tribunals Service (Judiciary)
Phil Hamshare	DWP Policy
Steve Jones	Tribunals Service (Judiciary)
Bob Smith	Child Support Agency (Secretariat)

Janice Lunt Child Support Agency (Central Appeals Unit)
John Raftery Child Support Agency (Northern Territory)

13.4 Attendance at meetings

13.4.1 The Joint Steering Committee may invite the attendance of various Child Support Agency / Tribunals Service staff as appropriate for specific items of business or in the role of adviser or observer.

13.5 Conduct and frequency of meetings

13.5.1 The Secretariat provided by the Child Support Agency who will issue agenda and papers five working days in advance of the meeting and will be responsible for liaison and facilitation of Joint Steering Committee business.

13.5.2 Operating procedures:

- Meet six-weekly initially, to be reviewed, and agree standard agenda items
- Commission additional meetings / work as appropriate
- Members must make every effort to attend but may send a suitable alternative to attend in their place
- Frequency will be reviewed quarterly to ensure the meeting is still valid

13.6 Duties

Joint Steering Committee members act with the full authority of the business area they represent and will have a duty to promote and ensure an effective business relationship between Units represented. A key role of the committee will be to improve the delivery of the process for the customer. The committee will discuss potential solutions and sponsor any initiatives that meet these objectives.

The Joint Steering Committee members will:

- Monitor progress against performance
- Report on progress/issues within own area of responsibility
- Monitor risks as appropriate
- Work towards improving working relationships across the end-to-end process

13.7 Communications

Joint Steering Committee meeting records will be distributed to individual members for dissemination within their own work area.

Joint Steering Committee members will sponsor items for inclusion on the agenda.

