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Chief Commissioners' Foreword

The Commissioners' Role

As usual, this report of the Commissioners' Offices contains statistics from which an informed view can be taken of the time taken to deal with applications and appeals, and the costs of doing so. In general, they continue to compare favourably with the court system and other tribunals. By the end of the year, the time taken to deal with applications for leave to appeal was at an all-time low - as was the number of cases in the Commissioners' Offices. The Offices can justifiably be proud of their achievements, upon which they intend to build during the next year.

But, as I pointed out last year, such statistics cannot give a complete picture. In particular, they do not hint at the quality of the Commissioners' individual decisions, or the extent to which their decisions have contributed to the development of a coherent body of welfare law. During the last 18 months, whilst administrative performance targets continue to be met and bettered, the Commissioners have grappled with more of the difficult issues of law in our jurisdictions, particularly those which are common to a substantial number of claims.

In the year, eight Tribunals of Commissioners were constituted to deal with issues such as the correct approach to refusals of renewal claims before the effective date (R(DLA) 4/05), the appealability of a refusal to decide a housing benefit claim (R(H) 3/05) and comity of the Great Britain jurisdictions with the parallel jurisdictions in Northern Ireland (R(IB) 4/04). In some cases, the issues are proceeding to the higher courts - but, at Users' Meetings, there has generally been support for issues of general importance being judicially clarified and determined by the Commissioners, the higher courts and the European Courts. It is proposed that this trend continues. Six Tribunals of Commissioners have been constituted for cases to be heard in the first six months of 2005-6.

The refocusing has also been reflected to an extent in the increasing number of cases put onto the Commissioners' website (over 250 in the year) and considered for reporting in the official reports. Over 60 cases were reported in the year.

With the Commissioners' Offices, the Commissioners will seek to reduce further the time taken for applications and appeal during the next year. Reviews of the case management IT system and (with the Appeals Service) end-to-end process have been instigated, and they should bear fruit in the course of the next 12 months. However, in parallel with these efforts, the Commissioners will continue to build upon the work of recent years in giving guidance in areas of special legal difficulty, particularly where these areas have in the past resulted in a multiplicity of appeals before the Appeals Service tribunals or the Commissioners.

The Tribunal Reform Programme

In the Queen's Speech of November 2004, the Government reiterated its determination to press ahead with the reform of tribunals presaged in the White Paper, "Transforming Public Services: Complaints, Redress and Tribunals", Cm 6243 (July 2004). With the rest of the tribunal judiciary, the Commissioners overwhelmingly support the reform of the tribunal system to address the concerns raised by Sir Andrew Leggatt in his 2001 Report.

As part of the programme, it is proposed that the Commissioners will be abolished in favour of an upper tribunal that will incorporate the Lands Tribunal and Transport Tribunal as well as some of the work of the Tax & Financial Services Tribunals. This new tribunal's primary function will be to hear appeals from first-tier tribunals and, as well as dealing with idiosyncratic points of law arising in a specific jurisdiction, to give coherent and consistent guidance on matters of administrative law and tribunal practice and procedure on a cross-tribunal basis. The new tribunal will be an exciting and vital part of the proposed new system. The proposed timetable is tight, with a Bill being presented in mid-2005, the Act receiving Royal Assent by the beginning of 2006 and the new tribunal being effective from April 2007. However, despite the pace of these radical reforms, the programme presents a great opportunity to improve the level of justice within the tribunal system - and the Commissioners are determined that the standards of justice in our jurisdictions are improved and not adversely affected, even temporarily, by this process of change.

It is part of the policy behind the reforms that appeals against administrative decisions are rationalised, with a standard two-tier appeal structure within the tribunal system. As a forerunner, from April 2005 appeals from the Pensions Appeal Tribunals were redirected from the High Court (and Court of Session in Scotland) to the Commissioners. This judicial work - concerned with the entitlement of members of the Armed Forces and their survivors to compensation and pensions in respect of disablement and death - is clearly of a similar nature to the Commissioners' traditional work, and we are looking forward to being involved in the coherent development of the relevant compensation and pensions schemes. The number of statutory schemes with which the Commissioners are concerned is now over forty.

Development and Training

The year saw the introduction of a new Training & Development Scheme and, for Deputies, a new Mentoring & Appraisal Scheme.

There is a well-developed training programme for Commissioners, Deputies and Legal Officers, organised by the Development & Training Committee. There were four full day training sessions in the year, plus one in Edinburgh exclusively for the Deputies who work out of that office. The Commissioners have also been regular speakers at conferences, including conferences of

welfare rights groups and representatives involved in Armed Forces pensions appeals. They have been involved in training sessions of the Appeals Service tribunals and Pensions Appeal Tribunals - and it is hoped to develop further joint training with the tribunals from whom the Commissioners hear appeals.

During the year, as ever, I have been greatly assisted by the Development & Training Committee, which includes full and Deputy Commissioners, Legal Officers and others. I would particularly like to thank two retiring members of the committee - Mr Commissioner David Williams for his 6 years' service as chairman of this committee, which has itself developed and thrived during this period; and Mr David Wall who also served on the committee for several years in his capacity as the Appeals Service National Training Officer.

His Honour Judge Gary Hickinbottom

Chief Social Security & Child Support Commissioner of Great Britain

August 2005

Rhagair y Prif Gomisiynydd

Rôl y Comisiynwyr

Fel arfer, mae'r adroddiad hwn ar Swyddfeydd y Comisiynwyr yn cynnwys ystadegau y gellir canfod oddi wrthynt yr amser a gymerir i ymdrin â cheisiadau ac apeliadau, a chostau gwneud hynny. Ar y cyfan, maent yn parhau i gymharu'n ffafriol â'r gyfundrefn ar gyfer llysoedd a thribiwnlysoedd eraill. Erbyn diwedd y flwyddyn, yr oedd yr amser a gymerid i ymdrin â cheisiadau am hawl i apelio'r byrraf a welwyd erioed - ac felly hefyd y nifer o achosion yn Swyddfeydd y Comisiynwyr, sef yr isaf erioed. Gall y Swyddfeydd fod yn wirioneddol falch o'u llwyddiant, ac y maent yn bwriadu adeiladu arno yn ystod y flwyddyn nesaf.

Ond, fel y nodais y llynedd, ni all ystadegau o'r fath gyflwyno'r darlun yn llawn. Yn benodol, nid ydynt yn rhoi unrhyw awgrym o ansawdd penderfyniadau unigol y Comisiynwyr, nac i ba raddau y mae eu penderfyniadau wedi cyfrannu at ddatblygu casgliad cydlynol o gyfreithiau lles. Yn ystod y 18 mis diwethaf, tra bo targedau gweinyddol a pherfformiad yn parhau i gael eu cwrdd a gwella arnynt, mae'r Comisiynwyr wedi bod yn ymgodymu â mwy o'r materion anodd mewn perthynas â'r gyfraith yn ein hawdurdodaethau, yn enwedig y rhai sy'n gyffredin i nifer sylweddol o hawliadau.

Yn ystod y flwyddyn, ffurfiwyd wyth o Dribiwnlysoedd Comisiynwyr i ymdrin â materion megis y ffordd orau i weithredu mewn perthynas â gwrthod hawliadau adnewyddu cyn y dyddiad perthnasol (R(DLA) 4/05), a oes modd apelio yn erbyn gwrthodiad i benderfynu ar hawliad am fudd-dal tai (R(H)3/05) a chyd-ddealltwriaeth awdurdodaethau Prydain Fawr â'r awdurdodaethau cyfochrog yng Ngogledd Iwerddon (R(IB) 4/04). Mewn rhai achosion, mae'r materion yn mynd ymlaen i lysoedd uwch – ond, mewn Cyfarfodydd Defnyddwyr, cafwyd cefnogaeth gyffredinol i faterion o bwysigrwydd cyffredinol gael eu hegluro a'u penderfynu'n farnwrol gan y Comisiynwyr, y llysoedd uwch a'r Llysoedd Ewropeaidd. Mae'n fwriad i'r tueddiad hwn barhau. Ffurfiwyd chwe Tribiwnlys o Gomisiynwyr ar gyfer achosion i'w clywed yn chwe mis cyntaf 2005-6.

Mae'r canolbwyntio o'r newydd hefyd wedi'i adlewyrchu i ryw raddau yn y nifer cynyddol o achosion a roddir ar wefan y Comisiynwyr (dros 250 yn ystod y flwyddyn) ac yr ystyrir adrodd arnynt yn yr adroddiadau swyddogol. Adroddwyd ar dros 60 o achosion yn ystod y flwyddyn.

Ynghyd â Swyddfeydd y Comisiynwyr, bydd y Comisiynwyr yn ceisio lleihau ymhellach yr amser a gymerir ar gyfer ceisiadau ac apeliadau yn ystod y flwyddyn nesaf. Cychwynwyd ar adolygiadau o'r system TG rheoli achosion a (chyda'r Gwasanaeth Apeliadau) y broses o'r naill ben i'r llall, a dylai'r rhain ddwyn ffrwyth yn ystod y 12 mis nesaf. Fodd bynnag, ar y cyd â'r ymdrechion

hyn, bydd y Comisiynwyr yn parhau i adeiladu ar waith y blynyddoedd diwethaf o roi arweiniad mewn meysydd ble y ceir anawsterau cyfreithiol arbennig, yn enwedig pan fo'r meysydd hynny yn y gorffennol wedi golygu fod lluo o apeliadau'n dod gerbron tribiwnlysoedd y Gwasanaeth Apeliadau neu'r Comisiynwyr.

Y Rhaglen Ddiwygio Tribiwnlysoedd

Yn Araith y Frenhines ym mis Tachwedd 2004, bu i'r Llywodraeth ailadrodd ei phenderfyniad i fwrw ymlaen â diwygio tribiwnlysoedd y cafwyd rhybudd ohono yn y Papur Gwyn, "Gweddnewid Gwasanaethau Cyhoeddus: Cwynion, Gwneud iawn a Thribiwnlysoedd", Cm 6243 (Gorffennaf 2004). Ynghyd â gweddill barnwriaeth y tribiwnlysoedd, mae'r Comisiynwyr yn cefnogi'n gryf iawn ddiwygio'r system tribiwnlysoedd i roi sylw i'r pryderon a godwyd gan Syr Andrew Leggatt yn ei Adroddiad yn 2001.

Fel rhan o'r rhaglen, bwriedir diddymu swyddi'r Comisiynwyr a gosod yn eu lle dribiwnlys uchaf fydd yn ymgorffori'r Tribiwnlys Tiroedd a'r Tribiwnlys Trafnidiaeth yn ogystal â rhywfaint o waith y Tribiwnlysoedd Treth a Gwasanaethau Ariannol. Prif swyddogaeth y tribiwnlys newydd hwn fydd gwrandao ar apeliadau o dribiwnlysoedd rheng gyntaf, yn ogystal ag ymdrin â phwyntiau cyfreithiol idiosyncratig a gyfyd mewn awdurdodaeth benodol, rhoi arweiniad cydlynus a chyson ar faterion yn ymwneud â chyfraith weinyddol a gweithdrefnau ac arferion tribiwnlysoedd ar draws y tribiwnlysoedd. Bydd y tribiwnlys newydd yn rhan gyffrous a hanfodol o'r system newydd arfaethedig. Mae'r amserlen a gynigir yn un dynn, gyda Mesur yn cael ei gyflwyno yng nghanol 2005, y Ddeddf i dderbyn Cydsyniad Brenhinol erbyn dechrau 2006 a'r tribiwnlys newydd i fod yn weithredol o Ebrill 2007. Fodd bynnag, er gwaethaf cyflymder y diwygiadau radical hyn, mae'r rhaglen yn cynnig cyfle ardderchog i wella lefel cyfiawnder o fewn system y tribiwnlysoedd - ac mae'r Comisiynwyr yn benderfynol y bydd safonau cyfiawnder yn ein hawdurdodaethau'n cael eu gwella ac nid eu heffeithio er gwaeth, hyd yn oed dros dro, gan y broses hon o newid.

Mae'n rhan o'r polisi y tu ôl i'r diwygiadau i apeliadau yn erbyn penderfyniadau gweinyddol gael eu rhesymoli gyda strwythur apeliadau dwy reng safonol o fewn y system tribiwnlysoedd. I baratoi'r ffordd, o Ebrill 2005 cafodd apeliadau o'r Tribiwnlys Apeliadau Pensiynau eu hailgyfeirio o'r Uchel Lys (a'r Llys Sesiwn yn yr Alban) i'r Comisiynwyr. Mae'r gwaith barnwrol hwn - yn ymwneud â hawl aelodau o'r Lluoedd Arfog a'r rhai sy'n eu goroesi i dderbyn iawndal a phensiynau mewn perthynas ag anabledd a marwolaeth - yn amlwg o natur gyffelyb i waith traddodiadol y Comisiynwyr, ac rydym yn edrych ymlaen at gyfrannu tuag at ddatblygiad cydlynol y cynlluniau iawndal a phensiynau perthnasol. Mae'r nifer o gynlluniau statudol y mae'r Comisiynwyr yn ymwneud â hwy bellach dros ddeugain.

Datblygu a Hyfforddi

Cyflwynwyd Cynllun Hyfforddi a Datblygu newydd yn ystod y flwyddyn, ac, ar gyfer Dirprwyon, cafwyd Cynllun Mentora a Gwerthuso newydd.

Mae yna raglen hyfforddi a ddatblygwyd yn dda ar gyfer Comisiynwyr, Dirprwyon a Swyddogion Cyfreithiol, a drefnwyd gan y Pwyllgor Datblygu a Hyfforddi. Cynhaliwyd pedwar o sesiynau hyfforddi am ddiwrnodau llawn yn ystod y flwyddyn, ynghyd ag un yng Nghaeredin ar gyfer Dirprwyon sy'n gweithio o'r swyddfa honno. Bu'r Comisiynwyr hefyd yn annerch yn rheolaidd mewn cynadleddau, gan gynnwys cynadleddau grwpiau hawliau lles a chynrychiolwyr yn ymwneud ag apeliadau pensiynau'r Lluoedd Arfog. Maent wedi chwarae rhan yn sesiynau hyfforddi tribiwnlysoedd y Gwasanaeth Apeliadau a'r Tribiwnlys Apeliadau Pensiynau – a gobeithir datblygu mwy o hyfforddiant ar y cyd gyda'r tribiwnlysoedd y mae'r Comisiynwyr yn gwrando ar apeliadau ohonynt.

Yn ystod y flwyddyn, fel ag erioed, cefais gymorth mawr gan y Pwyllgor Datblygu a Hyfforddi, sy'n cynnwys Comisiynwyr llawn a Dirprwy Gomisiynwyr, Swyddogion Cyfreithiol ac eraill. Hoffwn ddiolch yn arbennig i ddau aelod o'r pwyllgor sy'n ymddeol – Meistr Gomisiynydd David Williams am ei 6 blynedd o wasanaeth fel cadeirydd y pwyllgor hwn, sydd ynddo'i hun wedi datblygu a ffynnu yn ystod y cyfnod hwn; a Mr David Wall a wasanaethodd ar y pwyllgor am sawl blwyddyn yn rhinwedd ei swydd fel Swyddog Hyfforddi Cenedlaethol y Gwasanaeth Apeliadau.

Ei Anrhydedd y Barnwr Gary Hickinbottom

Prif Gomisiynydd Nawdd Cymdeithasol a Chynnal Plant Prydain

Awst 2005

Introduction

This is the third Annual Report of the Office of the Social Security and Child Support Commissioners (OSSCSC), for the period April 2004 to March 2005.

The Commissioners have two offices where appeals can be registered and managed, in London and Edinburgh. The London office is managed under the auspices of the Tribunals Group of the Department for Constitutional Affairs; the Edinburgh office is managed by the Justice Department of the Scottish Executive. This report covers both offices, the London office being dealt with in Part I and the Edinburgh office in Part II.

The Social Security and Child Support Commissioners are specialist judges appointed by Her Majesty the Queen to hear appeals from decisions of Appeals Service tribunals. These decisions relate to entitlement to social security benefits (including housing benefit and council tax benefit), tax credits, the recovery of benefits from compensators, and the assessment of child support maintenance payments. An appeal to a Commissioner can only be made on a point of law, and then only with leave (permission) from either a tribunal chairman or a Commissioner himself. The jurisdiction covers the whole of Great Britain, there being a parallel but separate jurisdiction in Northern Ireland. An appeal from the Great Britain Commissioners (again only on points of law and with permission) is to the Court of Appeal in England & Wales, or the Court of Session in Scotland, and from these courts to the House of Lords.

There are 18 Great Britain Commissioners who sit full-time in the jurisdiction. The Commissioners have diverse legal backgrounds being drawn from practising Queen's Counsel, senior advocates, barristers and solicitors, academic lawyers and Appeal Service tribunal chairmen. In addition to the Commissioners, 17 part-time Deputy Commissioners sat in the year 2004-5, generally for 3-4 weeks each.

As well as their work in this jurisdiction, some Commissioners continue to sit on other tribunals (the Employment Appeal Tribunal, the Asylum & Immigration Tribunal, the Care Standards Tribunal, the VAT & Duties Tribunal, or as a Deputy Special Tax Commissioner) or in the court system.

The Commissioners are assisted by Legal Officers - barristers and solicitors highly experienced in benefits law and procedure - who exercise some judicial (case management) powers and assist the Commissioners with their caseload and management (e.g. in research, training and reporting of cases).

There are hearing rooms in both London and Edinburgh, but the Commissioners can and do hear appeals at other venues across Great Britain. Cardiff, Bury and Doncaster are all regular hearing venues. So far as cases emanating from Wales are concerned, although these are registered in London, any hearing is conducted in Wales (and in the medium of the Welsh

language) if a party requests. In December 2004, the Chief Commissioner issued a Practice Direction in respect of how Welsh cases would be handled, and Welsh versions of the basic appeal documents and guidance have recently been put onto the website. Additionally, the London Office has the benefit of video conference facilities which are used for hearings with each party being linked through video conferencing facilities convenient for them.

The website is an increasingly important means of communication with those who appear before Commissioners, particularly in respect of informing them of recent Commissioners' decisions. The website was re-designed and re-launched in June 2004 to make it easier to navigate for all users.

In November, the Great Britain website was the subject of a presentation and discussion at a User Group meeting, attended by professional users from all over the country. There were generally positive comments about the usefulness of the site, and a lively and constructive discussion for possible future improvements.

In addition to the Great Britain website, there is a separate website maintained by the Edinburgh Office on which decisions of notable Scottish interest are posted.

There were a number of visitors to the Commissioners during the year including Lord Justice Carnwath (the Senior President of Tribunals Designate) and Peter Handcock (the Chief Executive of the Tribunals Service Designate), reflecting the involvement of the Commissioners and their Office in the current programme of tribunal reform.

Lesley Armes
OSSCSC Secretary (London)

Susan M Niven
OSSCSC Secretary (Edinburgh)

Part I – England and Wales

OSSCSC London – Standards of Service

We aim to achieve as high a level of service as possible. This means ensuring that we reach the standards and expectations set out in the Courts Charter.

These standards are as follows:

- Register applications and appeals within 5 working days of receiving them
- Reply to correspondence within 5 working days of receipt
- Issue Commissioners decisions within 5 working days of receipt from the Commissioner
- Telephone to be answered weekdays between 9am and 5pm
- Telephones to be answered within 30 seconds

In addition to the above you can expect:

- All of your details and information will be dealt with in confidence
- To be given the name of any member of staff who communicates with you
- To be called back by a member of staff if necessary
- To receive assistance with travelling expenses to and from hearings
- Where a hearing is directed, for that hearing to be arranged at a location convenient to you wherever possible, either face to face or by video conferencing: and, where the case emanates from Wales, for the hearing to be conducted in Wales and in the medium of English or Welsh at your option

If you feel that we have not given you a good standard of service please contact the Customer Service Officer or the Tribunal Manager at OSSCSC London.

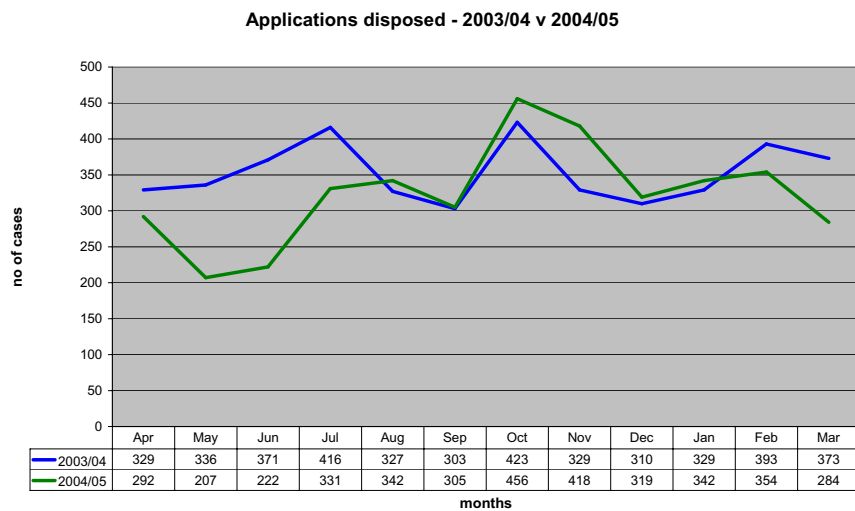
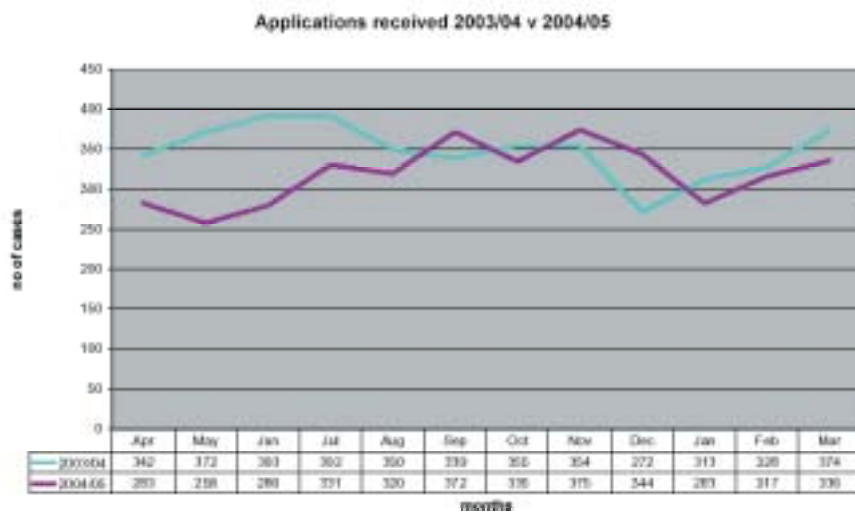
1. Workload and Performance

As demonstrated in the tables below, the workload of the London Office declined slightly during the year 2004-5. However, the number of disposals increased relatively, with the result that the number of cases in the London Office fell from 1534 to 1134 during the course of the year.

Receipts and Disposals

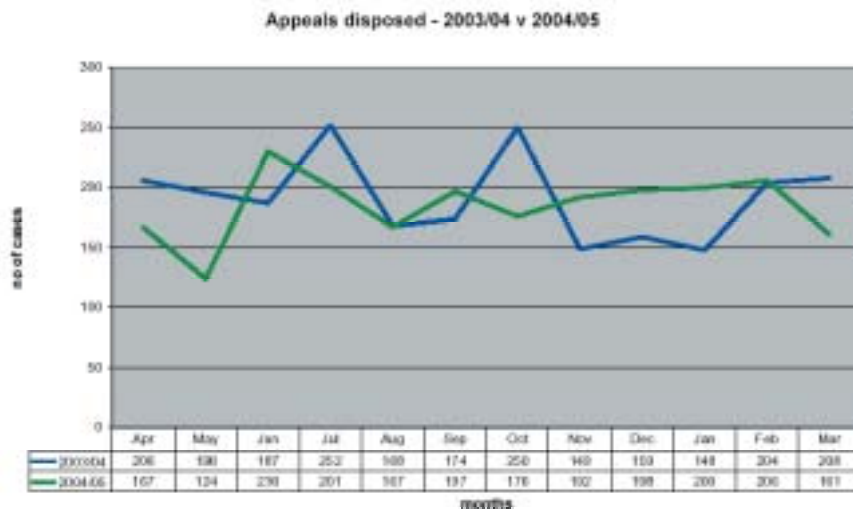
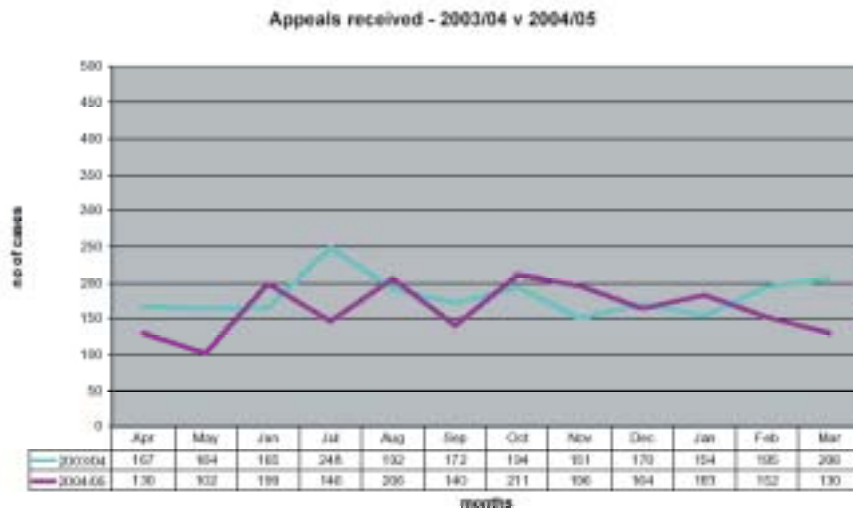
Applications

The number of applications received between April 2004 and March 2005 fell from 4184 to 3834 compared with the previous year. The number of applications disposed of also fell over the same period, from 4239 to 3872.



Appeals

Both receipts and disposals fell during the year compared with 2003-04. Receipts fell from 2180 to 1959 and disposals from 2301 to 2219.



Average Waiting Times

During the year 2004-05 the average waiting time from application to ruling was 8.8 weeks compared with an average of 8.1 weeks in the previous year. These figures hide an actual reduction in time for the majority of cases. The average waiting time for applications by the end of the year was at an all-time low, the figure for February 2005 being under 6 weeks.

The increase in average time was due to (i) the process of a block of deferred cases (i.e. cases stayed pending the resolution of an appeal to the higher courts), which caused the average waiting time to increase in July from 9.1 weeks to 21.4 weeks, and (ii) delays in the provision of files from the Appeals Service during much of the year. By the spring of 2005, delays in provision of files had largely been resolved.

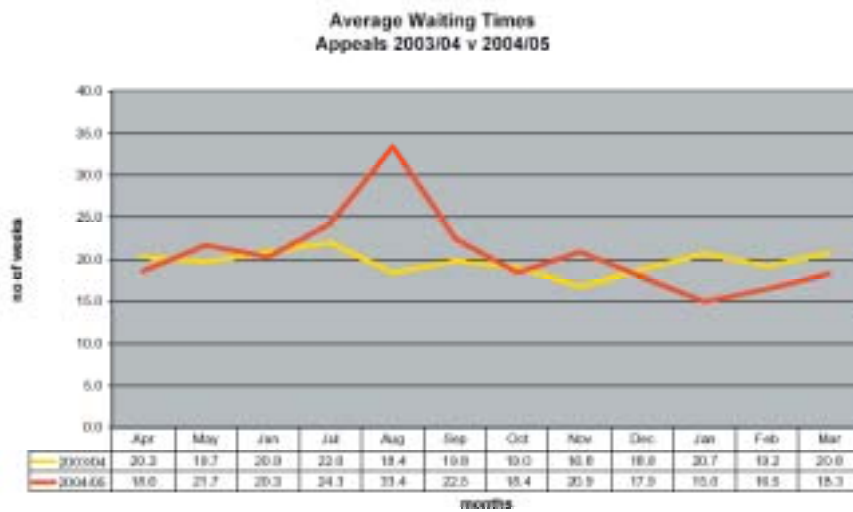
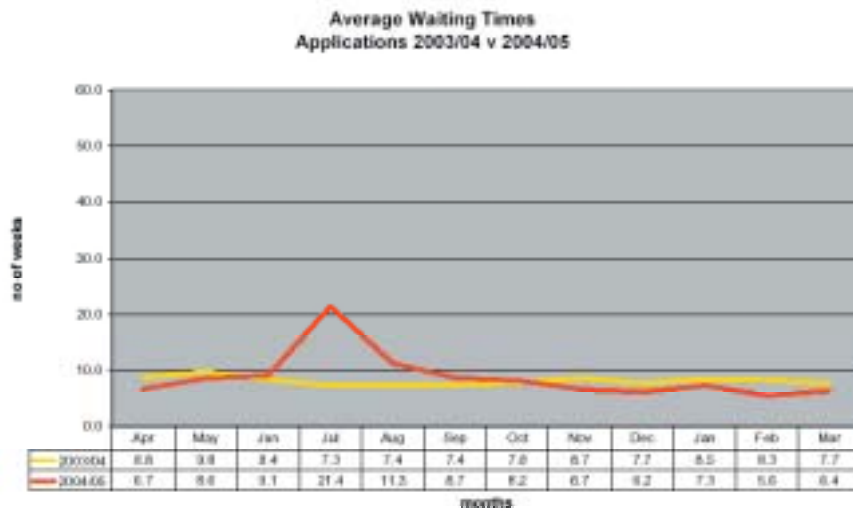
However, in March 2005 the House of Lords decided an appeal in respect of which there is a block of over 100 cases most of which are two to three years old. We expect that these will be disposed of at the beginning of the 2005-06 year, and they will have a very substantial adverse effect on the statistics.

The target for the average time for applications across all cases 2005-06 continues to be 10 weeks.

The average waiting time for appeal to final decision was 20.6 weeks compared with 19.7 weeks in 2003-04. As with applications, this increase is accounted for by a block of deferred cases being processed in August, which caused the waiting time for the month to increase to 33.4 weeks that month.

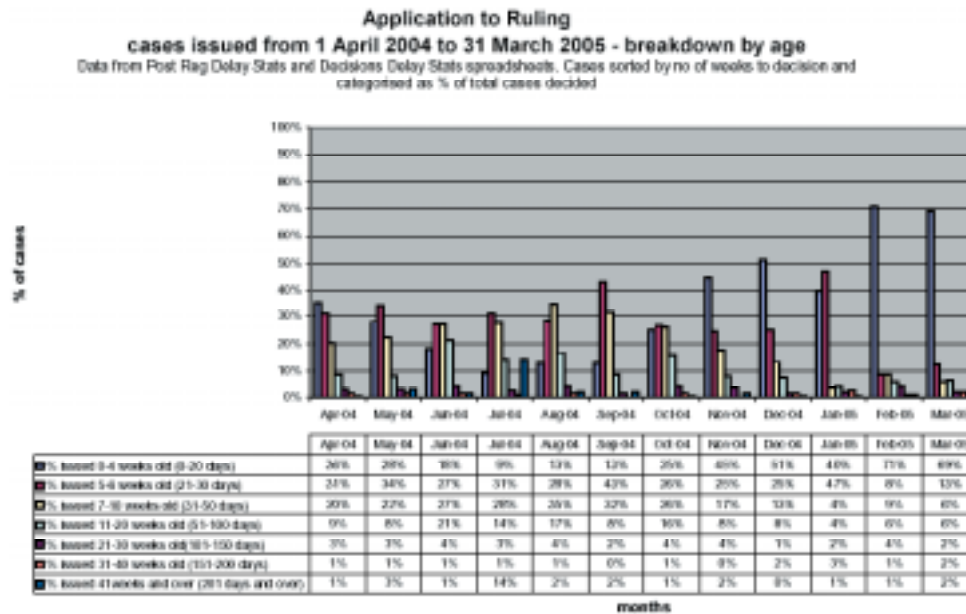
The target for 2005-06 continues to be 20 weeks.

Average Waiting Times



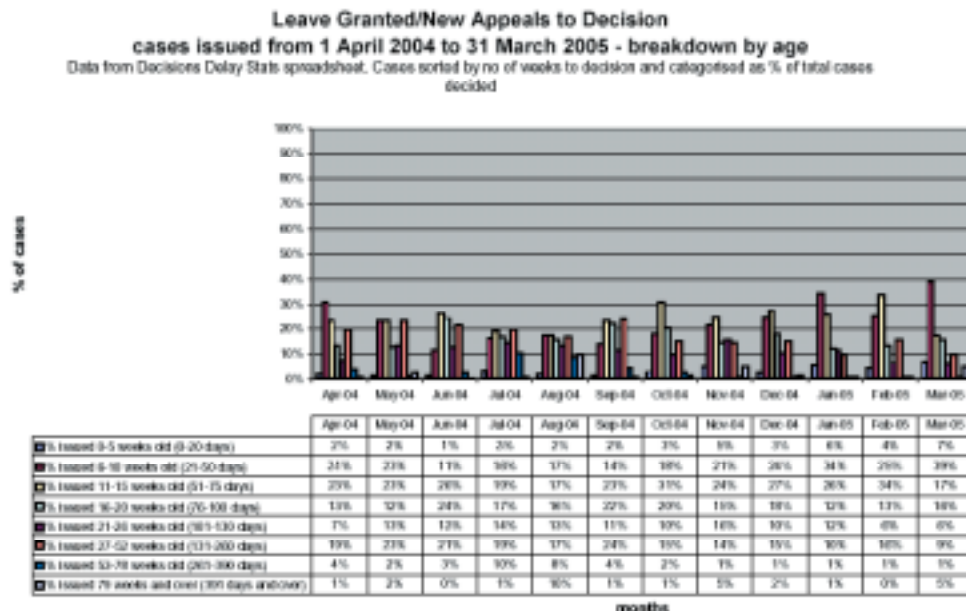
Disposal of Cases – Application to Ruling

The average percentage of cases dealt with within 10 weeks over the year stood at 83% against a target of 80%. The target remains for the year 2005-06.



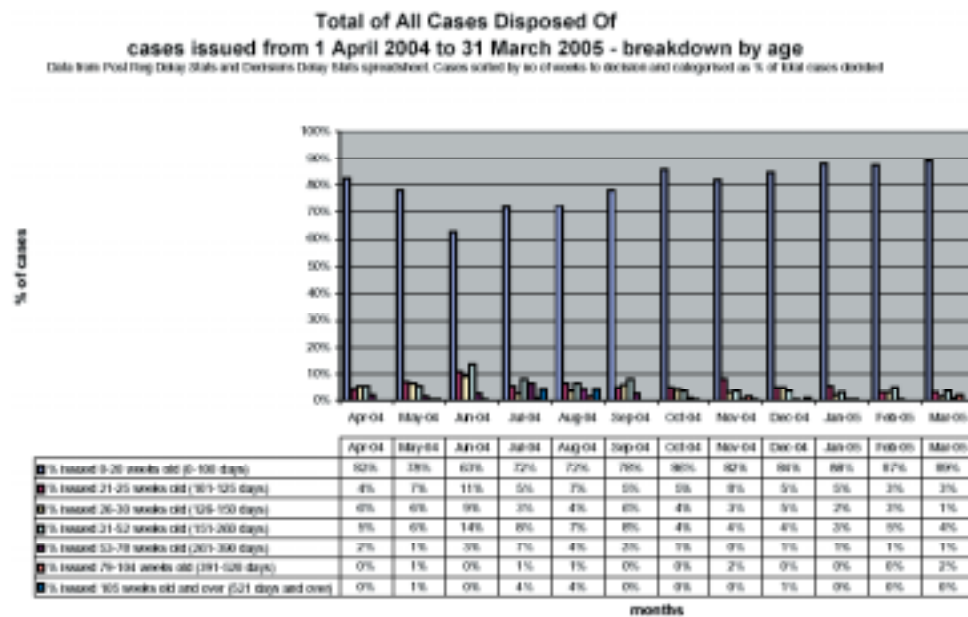
Disposal of Cases – Leave granted/new appeal to decision

The average percentage of cases dealt with within 20 weeks over the year stood at 66.8% against a target of 70%. Since December 2004 the target has been consistently met and further work will take place in 2005-06 to ensure that this improvement in performance is maintained. The target for 2005-06 remains at 70%.



Disposal of Cases – Receipt to Disposal (End-to-end)

The average percentage of all cases dealt with within 30 weeks was 89.0% against a target of 85% for the year. Since October 2004 the percentage achieved has consistently exceeded 90%. The target for 2005-06 remains 85%.



2. Financial Performance

The 2004-05 financial allocation provided OSSCSC with £3,749,177 to cover its business for the year. There was an overspend of 1% for the year, due mainly to increased expenditure on the administrative costs side associated with the Office's move to Procession House. This overspend was balanced by savings made in paybill and programme costs.

Budget Head	Budget £'s	Expenditure £'s	Variance £'s	Variance %
Salaries*	1,139,637	1,126,080	13,557	1%
Administrative Costs**	268,430	321,940	-53,510	-20%
Programme Costs***	2,341,110	2,323,246	17,864	1%
Total	3,749,177	3,771,266	-22,089	-1%

* Includes permanent and casual staff salaries, staff travel and subsistence, miscellaneous allowances and overtime.

** Includes utility, telephone and reprographic charges, postage, stationery, miscellaneous office supplies, IT services and agency staff.

*** Includes Commissioners' salaries, travel and subsistence, stationery and training, Deputy Commissioner's fees and appellants' expenses.

3. Achievements

Learning and Development Days for Staff and Managers

Following the move to Procession House we held a development day for all staff, focussing on the roles and responsibilities of managers and the relationship between staff and managers. We have also held task specific events, such as appraisal benchmarking and compliance control workshops.

Website

The website was re-designed and re-launched in June 2004, to make it easier and clearer to navigate for all users and to meet the particular needs of users with disabilities by conforming to recognised standards of good practice.

The site has been much improved by including a fuller “What’s New” page. In addition to keeping pace since its launch with developments of interest to users, the page also contains regular features, such as keeping up with newly decided and pending cases in the superior courts. Further innovations have been a developing page giving access to relevant internal and external publications and a vastly expanded page of links to other useful sites. The “Practice and Procedure” and “Forms” pages have been regularly and swiftly updated to reflect procedural changes as they occurred throughout the year.

The search engine database has continued to expand, with a wide range of recent decisions by Commissioners being added, usually within a fortnight of being decided. Moreover, the database was augmented in the autumn with relevant older decisions going back to 1995. The “search decision” pages have been simplified, so that users can find the relevant information more quickly. In addition to the search engine, there are links to the Northern Ireland database and other useful tables and information relating to decisions.

Office Structure

Since moving into Procession House in May 2004 we have been able to make greater use of shared resources with the other tribunals housed with us. A dedicated central Support Services section now deals with finance, accommodation, training and I.T. There have been staff moves during the year, with managers transferring both to and from other tribunals within the building. Work has been undertaken to train additional staff in the areas of listing, Child Support and Housing Benefit cases and judicial liaison to ensure a spread of knowledge and experience within the office.

Case Tracking and Case Management

Work has taken place to identify ways in which we can to improve the throughput of work, particularly in the area of applications. Several measures have been introduced, including improving the system for transporting files between buildings and eliminating some of the administrative stages when processing applications. These, combined with pro-active case management have assisted in a reduction in the average waiting time of applications at the end of the year.

4. Future Objectives

Statistics and IT Review

We are currently undertaking a review of the statistics we collate and how we use them to assist in case management. This has involved requesting a number of alterations to the reports produced by the database in order to minimise manual statistical collation, as well broadening the range of information we can request with regards to outstanding cases. We will be able to obtain the optimal data to assist in managing Commissioner's workload as well as access detailed information on the progress of individual cases. The majority of these changes were completed at the beginning of August 2005.

Job Cards

We are undertaking a project to extend the current procedure manual to include all aspects of the administrative processes and to produce job card flow charts to supplement the full manual. These will be used as a training tool for new members of staff and all members of staff will be furnished with a copy to use as a reference tool.

New Jurisdictions

From 6 April 2005, appeals from Pensions Appeal Tribunals were transferred from the High Court to the Commissioners. We are currently reviewing our administrative procedures, standard letters, forms and leaflets to ensure that they are all appropriate to the new jurisdiction.

Case Management

During 2005-06 the Commissioners' Office, judiciary and the Appeals Service will undertake a joint project to review the end to end process of appealing. This will include setting up a service level agreement between the Commissioners' Office and the Appeals Service.

Part II - The Commissioners' Office in Scotland Objectives

The intention of the office is to provide as high a quality of service as possible to both the Commissioners and the users of OSSCSC.

To help us achieve this intention we have the following objectives, subject to the levels of work, staffing, annual and sick leave

- Register applications and appeals within 5 working days of receiving them
- Issue Commissioners' decisions within 5 working days of receipt from the Commissioners.
- Reply to correspondence within 10 working days of receipt.
- Telephone to be answered Monday to Thursday between 9am – 5pm and between 9am - 4.30pm on Friday.

We will also:

- Provide the name of any member of staff who communicates with you.
- Arrange for a member of staff to call you back if necessary.
- Provide assistance, to all those entitled to claim, with travelling expenses incurred in attending an oral hearing.

Waiting times

	2002-03*	2003-04*	2004-05*
Applications**	9.0	5.1	3.9
Appeals***	19.3	14.3	14.5

* Average waiting times shown in weeks

** From receipt of application to disposal of the application, either being refused or granted

*** From grant of the application or from receipt of an appeal

Waiting times for applications have improved again this year and the time taken to deal with the appeals has remained fairly constant at just over 14 weeks. The slight increase has been caused by a number of stayed cases being decided in December

Electronic Communication

The trial period of requesting tribunal files from the Appeals Service by e-mail has been so successful that this procedure has now become a permanent arrangement and has played a considerable part in reducing our waiting time figures. There has been a slight increase over the past year in the number of general enquiries via our e-mail address: www.osscc@osscc-scotland.org.uk.

Staff Development

A programme of staff training took place over a few months last year in an effort to minimise the impact of impending staff changes. This involved all the clerks in learning how to register applications for leave to appeal and appeals, as well as, the issuing of the Commissioners' decisions etc. This exercise was partially successful in its objective but it did mean that despite staff numbers being reduced by 1 administrative post and a new member of staff joining the office, our performance and targets were maintained.

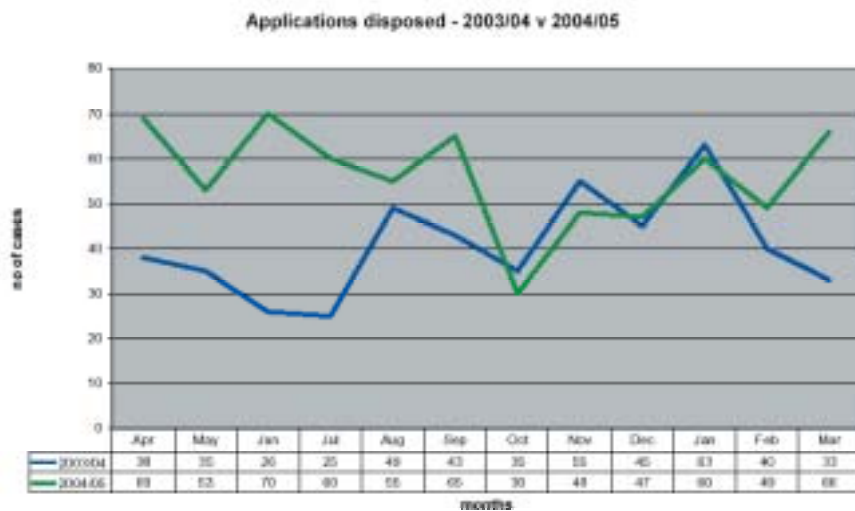
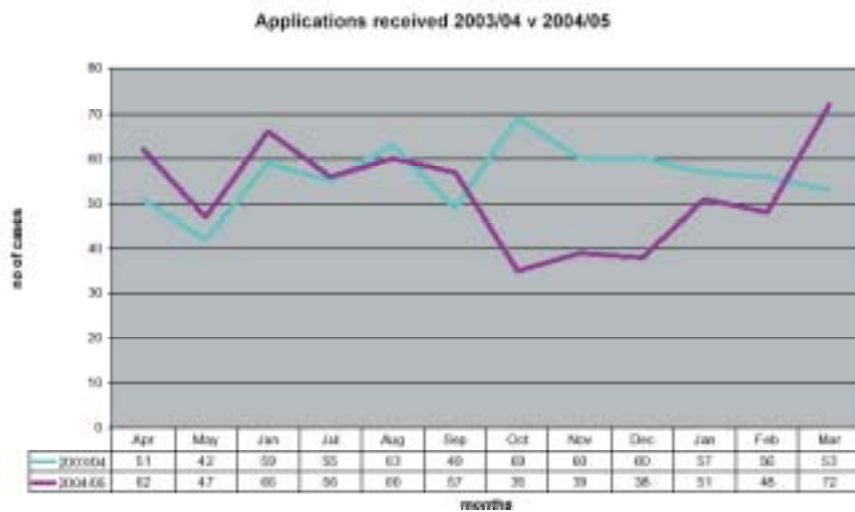
Unified User Group for Scotland

The Unified User Group for Scotland in conjunction with the Appeals Service met again last October. This meeting was well attended and from feedback afterwards, the representatives had found the meeting useful. Anyone, with connections to the many organisations who have contact with either the Commissioners' Office or the Appeals Service in Scotland and would like to attend future meetings, should write to Susan Niven providing their details.

Workload and Performance

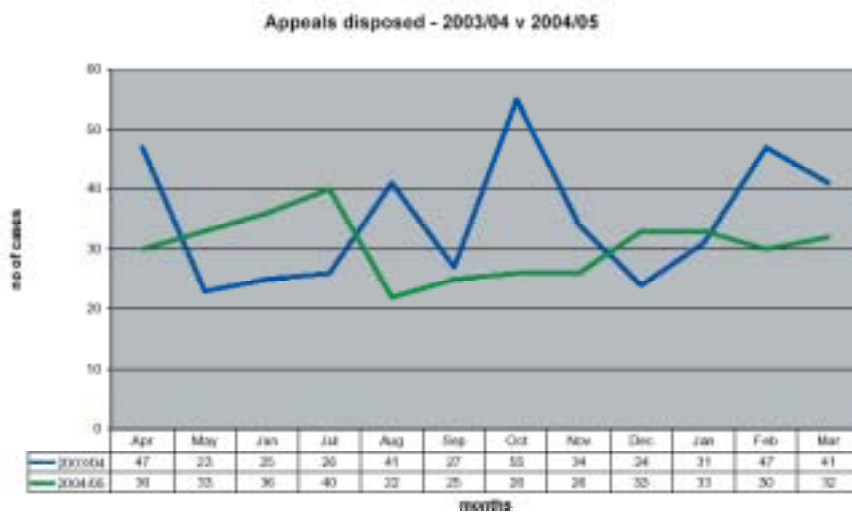
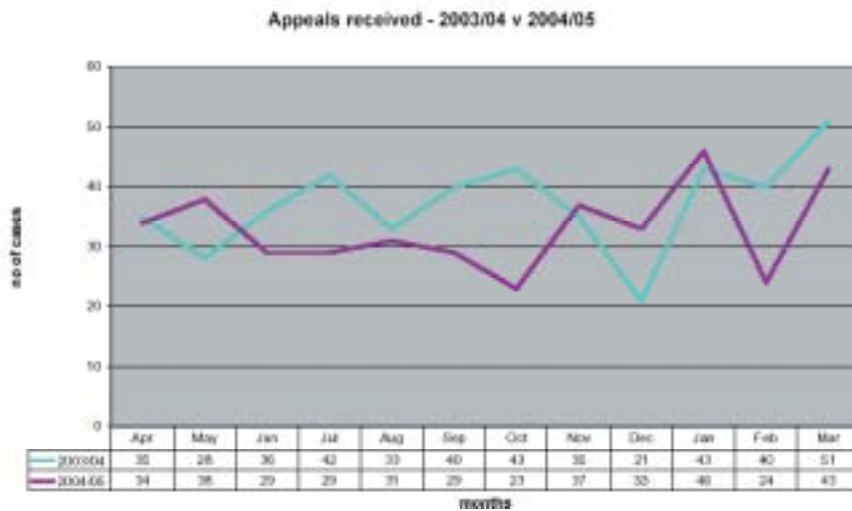
Applications

The number of applications received in 2004-05 fell again but this time at a much slower rate than that of the previous year, 43 as against 133 from 674 to 631. In comparison the number of applications disposed over the same period rose by 184, from 487 to 671.



Appeals

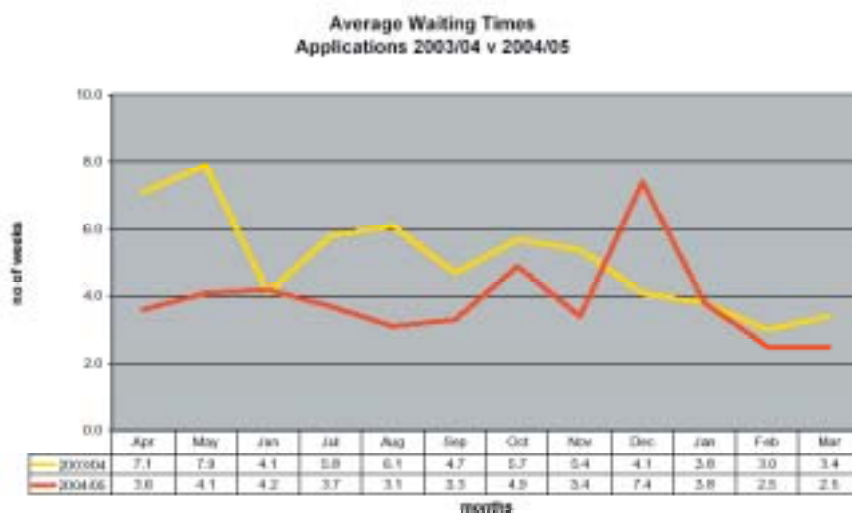
During 2004-05 the number of appeals received and disposed of again both fell in comparison to the previous year. The number of receipts fell by 51 from 447 to 396 and the disposals by 55 from 421 to 366.



Average Waiting Times

Applications

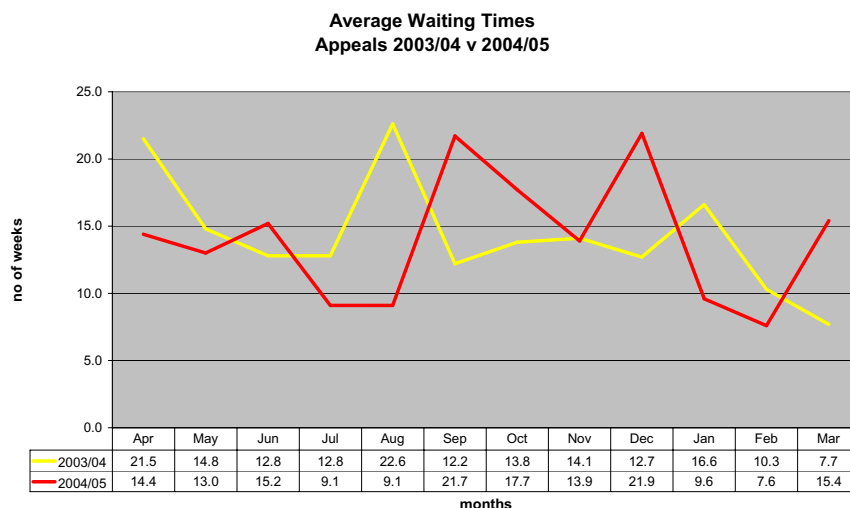
The average waiting times for applications fell from 5.1 weeks in 2003-04 to 3.9 weeks in 2004-05. 10 weeks continues to be regarded by this office as being the acceptable parameter for the processing of applications.



Average Waiting Times

Appeals

The average waiting times for appeals fell significantly between 2002-03 and 2003-04 when the figures were 24.3 weeks and 14.3 weeks respectively. However, in 2004-05 the average waiting time rose slightly to 14.5 weeks. This figure however still remains well within the target for the processing of appeals of 20 weeks.



The addition of a further jurisdiction (Armed Forces) in April 2005 will affect the work of the Office and the Commissioners. No additional staff have been taken on at this stage. As well as this, a number of cases have been deferred pending the outcome of two separate appeals to the House of Lords. When decisions are made by the Commissioners in both blocks of cases a significant distortion the average waiting times can be expected.

Financial Performance

The table below details the budget allocated to and expenditure of OSSCSC Edinburgh to cover its business for the financial year 2004/ 05. Again this year none of the budgets came under pressure, which meant that at the end of the financial year 6% of the budget, excluding salary costs remained unspent. A number of factors contributed to the under spend: amongst these lower than expected utility bills, and fewer appellants attending oral hearings.

Budget Accounts	Budget £'s	Expenditure £'s	Variance £'s	Variance %
Salaries*	235,793	157,527.38	78,265.62	33
Administrative Costs**	45,790	43,456	2334	5
Accommodation Costs***	24,027	23,210	817	3
Appellants	2,000	864	1,136	57
Total	307,610	225,057.38	82,552.62	27

* Includes permanent staff costs, staff travel and subsistence and agency staff fees

** Includes utility, electricity, office cleaning, postage, reprographics, stationery etc

*** Includes rates and minor maintenance

APPENDICES

1. The Commissioners' Office Contact Details

London Office

Hearing Centre and Judicial Operations Harp House
83 Farringdon Street
London
EC4A 4DH

Administrative Office

3rd Floor
Procession House
55 Ludgate Hill
London EC4M 7JW

Tel: 020 7029 9850
Fax: 020 7029 9819
Minicom: 020 7029 9817
Email: ossccsc@dca.gsi.gov.uk

Specific Contact Numbers

Tribunal Manager
Ms Lesley Armes 020 7029 9839

Office Manager
Miss Clare Zubler 020 7029 9838

**Customer Service Manager and
PA to Tribunal Manager**
Ms Lynette Tully 020 7029 9839

Website Support Team
Roy Mendonca 020 7566 1301

Edinburgh Office

Hearing Centre, Judicial Operations
and Administrative Office

23 Melville Street
Edinburgh EH3 7PW

Tel: 0131 225 2201
Fax: 0131 220 6782
Email: ossc@ossc-cotland.org.uk

2. The Social Security and Child Support Commissioners of Great Britain (with dates of appointment)

The following Commissioners sat during the year 2004-2005.

The Chief Commissioner of Great Britain

His Honour Judge

Gary Hickinbottom	29 September 2003
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Commissioners

Douglas May QC	4 May 1993
Mark Rowland	27 September 1993
John Mesher	1 October 1993
Jonathan Henty	29 November 1993
Patrick Howell QC	19 September 1994
Robert Angus	3 April 1995
Stephen Pacey	10 June 1996
Patrick Powell	23 August 1996
Howard Levenson	3 November 1997
David Williams	5 January 1998
Edward Jacobs	5 October 1998
Andrew Lloyd-Davies	19 October 1998
Christine Fellner	1 March 1999
Andrew Bano	30 May 2000
Tanya Parker	3 July 2000
Charles Turnbull	6 November 2000
Elisabeth Jupp	10 September 2001

Deputy Commissioners

Alan Gamble	1 April 1994
Alison Green	31 May 1995
Christopher Whybrow QC	21 May 1996
Ann Humphrey	30 May 1996
John Wright QC	1 May 1997
Michael Mark	6 August 1997
Elisabeth Ovey	6 August 1997
Robin White	6 August 1997
David Burns QC	23 July 1998
Anne McGavin	23 July 1998, retired 28 February 2005
Harcourt Concannon	3 June 1999
Jeremy Thomas	11 August 2000
Sir Crispin Agnew of Lochnaw Bt QC	2 November 2000
Nicholas Paines QC	2 November 2000
Richard Poynter	2 November 2000
Alison Rowley	2 November 2000
Nick Wikeley	2 November 2000



SCOTTISH EXECUTIVE



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Constitutional Affairs
Justice, rights and democracy

The Office of the Social Security and Child Support Commissioners of Great Britain

Annual Report 2004 - 2005

Swyddfa'r Comisiynwyr Nawdd Cymdeithasol a Chynnal Plant Prydain

Adroddiad Blynyddol 2004 - 2005