

**CRIMINAL INJURIES COMPENSATION
APPEALS PANEL
NORTHERN IRELAND**

**CORPORATE PLAN
2004 – 2007
BUSINESS PLAN
2006 - 2007**

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PART 1: CORPORATE PLAN 2004 -2007

1. The Panel's Business and Organisation

The Criminal Injuries Compensation Appeals Panel for Northern Ireland

1.1 The Panel came into effect on 1 May 2002 as a tribunal Non-Departmental Public Body. It operates under the terms of the Northern Ireland Criminal Injuries Compensation Scheme 2002 (made under the Criminal Injuries Compensation (Northern Ireland) Order 2002 and a Management Statement covering the Panel's aims, objectives and responsibilities, and its relationship with the Northern Ireland Office (as the sponsor Department), the Secretary of State and the Compensation Agency. The Management Statement and associated Financial Memorandum set out the financial and personnel arrangements, and the planning, monitoring and accounting arrangements that apply.

1.2 The address of the Panel's Headquarters is:

CICAPNI
2nd Floor
Corn Exchange Building
31 Gordon Street
Belfast
BT 1 2LG

Telephone: 02890 924400

Fax: 02890 924420

Email address: cicapni@nics.gov.uk

Website: www.cicapni.org.uk

1.3 The Panel is responsible for determining appeals against decisions of the Compensation Agency on claims made under the Northern Ireland Criminal Injuries Compensation Scheme 2002. Its establishment as a body to exercise such functions has been approved by both Houses of Parliament. The Panel also responds to requests by the Secretary of State for advice on

matters within the terms of the Scheme. **The Panel is totally independent of the Compensation Agency.**

1.4 The Panel is supported by a Chief Executive and Secretariat whose functions are to arrange hearings, ensure appropriate payments are made to Panel Members, applicants and witnesses and carry out such tasks as the Panel Chairman may reasonably request.

1.5 The period covered by this Corporate Plan is consistent with the Government's Spending Review spanning three financial years.

Aims and Key Objectives

1.6 The aims of the Panel are to:

- enable the victims of violent crime to have their appeals decided sensitively, fairly and independently in accordance with the Scheme;
- ensure that the Panel's services are delivered efficiently and effectively, in accordance with the Scheme and with proper consideration to value for money.

1.7 Underpinning these aims the Panel's key objectives are to:

- process efficiently all appeals;
- ensure that applicants are treated courteously;
- ensure proper accountability for, and use of, public funds;
- improve as necessary the efficiency, effectiveness and economy of the Panel's operations; and

- provide timely and considered advice to the Secretary of State on the operation of the Panel and on matters within the Scheme.

Organisation

1.8 The Panel is headed by a Chairman (part-time) who is accountable to the Secretary of State [through the “NIO senior official”) for operational and financial matters. The Secretary of State sets the objectives and targets to be met by the Panel.

1.9 The Chief Executive is the Panel’s designated Accounting Officer and, as such, is responsible and accountable to the Chairman for the effective, efficient and economic use of the public resources provided to the Panel and for ensuring the regularity and propriety of its expenditure.

1.10 The Chairman **may** appoint a small Management Committee to assist in managing the business of the Panel, and to provide information on the procedures and output of the Panel, particularly on matters relating to the training and the resolution of unusual or difficult cases by single adjudicators and at hearings.

1.11 The Chairman has appointed an Audit Committee, as required under paragraph 5.14 of the Management Statement, which is responsible for advising him on matters of internal control, both operational and financial.

2. Corporate Strategy

Core Tasks

2.1 The Panel’s core task is the resolution of appeals made by victims of crimes of violence against the review decisions of the Compensation Agency. Sensitivity and the ability to respond speedily to victims’ concerns are central to the development and implementation of the Panel’s corporate

strategy, and are the key features in the formulation of the Panel's plans for the three years ahead.

2.2 It is expected that the rate of appeal to the Panel may take some time to achieve forecast levels due to the comparatively recent launch of the Scheme. The Panel's aim to determine appeals impartially and fairly will be pursued irrespective of the workload.

2.3 Theoretical and practical training has been provided for Panel Members and staff. Panel Members travelled to the offices of the Criminal Injuries Compensation Appeals Panel (CICAP) in GB to attend Panel Hearings in order to gain practical experience of the operation of appeals panels there and Panel staff were provided with relevant training in CICAP's Glasgow offices. The Panel will continue to maintain those links and provide training to new Panel Members and staff as and when appropriate.

2.4 The Panel has developed and will retain a close working relationship with the Compensation Agency, particularly with the Presenting Officers, Review and IT sections, **whilst retaining its operational independence**. It will remain flexible in its approach to operational procedures to ensure that its aims are satisfied and its objectives met.

Government Initiatives

2.5 As a tribunal Non Departmental Public Body (NDPB), the Panel is subject to central Government initiatives designed to apply the highest standards of efficiency, in the delivery of services to appellants. Within the period of a Corporate Plan, the Panel and the Northern Ireland Office, as sponsor Department, may consider taking action on the following measures:

- **Corporate Governance Review:** The Northern Ireland Audit Office, on behalf of the National Audit Office, will review in the years ahead, with the Panel's management and any management committee appointed, the systems, processes and procedures in place to plan, organise and manage

resources against the tests of openness, integrity and accountability and delivery of services;

- **Value for Money review of the Processing of Appeals:** This will also be carried out by the Northern Ireland Audit Office, on behalf of the National Audit Office; and
- **Investors in People:** Action will commence on the Panel's commitment to the training and development of staff assigned to it by the Northern Ireland Office.

3. Government Priorities

The Panel's business

3.1 The Northern Ireland Office as sponsor Department has defined the Panel's business at Table A in terms of Aims, Key Objectives and Key Performance Indicators.

Table A – Aims, Key Objectives and Performance Indicators.

Aims	Key Objectives	Key performance indicators
<ul style="list-style-type: none"> • Enable the victims of violent crime to have their appeals decided sensitively, fairly and independently in accordance with the Scheme; 	<ul style="list-style-type: none"> • To determine appeals promptly 	<ul style="list-style-type: none"> • Time taken to determine appeals
<ul style="list-style-type: none"> • Ensure that the Panel’s services are delivered efficiently and effectively, in accordance with the Scheme and with proper consideration to value for money. 	<ul style="list-style-type: none"> • To determine appeals efficiently 	<ul style="list-style-type: none"> • Volume of appeals determined. • Cost of determining appeals
	<ul style="list-style-type: none"> • To determine appeals fairly and in accordance with the Scheme 	<ul style="list-style-type: none"> • Number of complaints received below 5% of appeals heard. • Number of applications for judicial review below 2% of appeals heard

3.2 These objectives and indicators provide targets, which will be used to monitor and control the work of the Panel.

The clearance of appeals

3.3 To meet some of its targets the Panel depends on factors outside its control. The Panel is reliant on the Compensation Agency for the expeditious handling of files and preparation of appeals, on the co-operation of statutory and other bodies to provide witnesses and on applicants and their representatives in being ready and able to attend the hearing.

Number of appeals to be resolved

3.4 The target number of appeals to be resolved by the Panel is based on the Compensation Agency's estimates of the claims it anticipates it will receive, the number of initial decisions it will make, and how many of those decisions are reviewed. The projected appeal rate is based on the receipt of an anticipated 8,000 claims in the Compensation Agency reducing to 6000 over the 3 years covered by this Corporate Plan. As illustrated at **Table B** below it is estimated that 40% of applicants seek a review of the initial decision made by the Agency. Of those it is estimated that 30% will go on to appeal the Agency's reviewed decision to the Appeals Panel.

3.5 Table B also shows estimates of the Agency's resolutions targets and the Appeals Panel's hearings targets building over the next three-year period. The Panel's targets are based on the number of cases proceeding past the review stage at the Agency. The Agency does not expect to reduce the backlog of cases awaiting review until 2006 –2007.

Table B: Estimated number of claims received by the Agency and appeals made to the Panel under Tariff 2004 to 2007.

	Year 1 2004-2005	Year 2 2005-2006	Year 3 2006-2007
Estimated number of new claims received by the Agency	8,000	8,000	8,000
Estimated number of requests for review made by applicants	3,200	3,200	3,200
Estimated number of review decisions made by Agency	1,600	2,500	4,000
Estimate of the number of appeals received by Panel (see 3.6)	400	750	1,000
Panel's estimate of the total number of appeals resolved at hearing (see 3.6)	320	500	800

Resolution of cases without a hearing

3.6 The 20% difference between the appeals received and appeals heard is explained by the number of cases resolved without a hearing. They include unmeritorious or frivolous appeals, which can be rejected by a single adjudicator, appeals to the Chairman of the Panel in out of time cases and also cases withdrawn by applicants before they reach an oral hearing. These figures are based on statistics available for the first period (20 months to 31st March 2004) of the operation of the Scheme.

Average number of appeals resolved in a hearings day

3.7 The Panel's third target is to list up to 6 cases and resolve not less than 4 appeals at each panel sitting in one day. These targets will be reviewed periodically as the Panel gains experience.

Average Unit Cost

3.8 It is hoped to be able to keep costs to below £1.5k per case heard by the Panel. The average unit cost per appeal will be calculated using the total expenditure of the Panel.

4. Expenditure

4.1 In successful appeals the Panel directs the Agency to make compensation payments, and therefore does not itself require funding for the payment of compensation. Panel support staff salaries comprise the main bulk of Panel expenditure. Other administration expenditure includes the payment of Panel Members' fees, their training, subsistence and travelling costs; the running costs of hearings centres; training, travel and subsistence costs for staff; and the cost of travel and, where applicable, loss of earnings on the day of the hearing paid to applicants and witnesses. The Northern Ireland Office will provide the rates of remuneration for Panel Members.

5. Implementation

Commitment

5.1 The implementation of a Corporate Plan must have the full commitment of the Chairman, the Panel members and the Panel's staff. The responsibility that the Panel has for meeting the expectations of the Secretary of State, Parliament, the NIO and the public, that appeals for compensation by victims of violent crime are resolved promptly, fairly and courteously, is central to that commitment. To support the fulfilment of that responsibility the Panel has drawn up the plans outlined below.

Training

5.2 The Panel's support staff is one of the Panel's key strengths. It must be well trained and highly motivated to provide a high level of service to the Panel and to applicants. Staff responsibilities will be supported by training and development courses. Detailed job descriptions for each member of staff have been drawn up.

5.3 The Panel will commit to Investors in People, the national standard for effective employer investment in staff. The Panel will liaise with the core department to ensure that staff training reflects this commitment.

5.4 Panel Members have received guidance and training in the form of written instructions and regular seminars and will continue to do so during the period of the plan. This will enable them to become more proficient in hearing and determining appeals fairly and courteously, and at an efficient rate.

Communication

5.5 A feature of the work of the Panel is that its members will work together, initially for a day at a time building up to 3 days per week as the work load increases and so have the opportunity to mutually learn, understand and pass on the skills required to conduct hearings expeditiously, impartially, fairly and courteously.

5.6 Staff is kept informed of developments and changes by regular meetings and regular team briefings.

5.7 The Panel will continue to liaise with Victim Support NI and other organisations and individuals involved in the care of victims.

5.8 The Panel will continue to provide applicants with a written record of their decision.

Financial Management

5.9 All aspects of financial management are addressed by:

- the existence of arrangements with the NIO's Financial Services Division (FSD) to ensure only the Panel and FSD are responsible for authorising payments. This arrangement will also ensure appropriate management and budgetary information on all running costs associated with the operation of the Panel is available;
- a continuing programme of scrutiny of the Panel's systems by Internal Auditors appointed by the Panel for that purpose and by the Northern Ireland Audit Office to ensure compliance with best practice; and
- the use of the Panel's Audit Committee to advise the Chairman on matters of internal control, both operational and financial.

Quality Assurance

5.10 The standards of service to applicants and the quality of decision-making will be continuously monitored to ensure that the proper procedures for dealing with appeals are applied consistently and properly.

5.11 The Panel Chairman will monitor, keep under review and report on the effectiveness of Panel Members and the standard of decision making.

5.12 In the interests of consistency the Chairman will inform the Chief Executive of the Compensation Agency of any concerns about the operation of the Scheme by the Agency and vice versa.

Customer Service

5.13 Service delivery must take account of the expectations of appellants who claim compensation. Panel Members recognise that applicants may be apprehensive at appearing before them at oral hearings. However hearings will not be adversarial in nature. The Panel shall always endeavour to ensure that each applicant is treated courteously and is responded to clearly, promptly and, as far as possible, in a non-legal, plain speaking and understandable manner.

5.14 The Panel may also test the service provided to appellants by carrying out surveys to obtain information on their attitudes to the Panel's image and performance. The main objectives of such surveys will be:

- to obtain applicants' opinions about the manner in which the Panel dealt with them;
- to identify any areas of recurring procedural deficiencies and make appropriate changes; and
- to improve the service wherever it is found necessary.

PART 2: BUSINESS PLAN 2006-2007

6. Assumptions and Priorities

Introduction

6.1 The Panel's Business Plan for 2006/07 carries through the aims and objectives outlined in the Corporate Plan by having operational and financial systems in place to be able to handle the estimated number of appeals within the times set in its targets.

Strengths, opportunities and constraints

6.2 The Panel benefits from having approximately one third of its Members drawn from the legal profession; one third drawn from the medical profession and the remainder from other areas or professions. This provides a valuable skills mix which assists the Panel in its task of hearing appeals against decisions of the Compensation Agency on claims made under the Northern Ireland Compensation Scheme 2002. The Chairman and Panel Members were appointed for second terms in May and August 2005 respectively.

6.3 The Panel's key strengths therefore are;

- the Panel Chairman is an experienced lawyer;
- the presence of Panel members with experience in personal injury law;
- the presence of Panel Members with medical backgrounds to help interpret medical reports;

- the presence of the wide professional knowledge of the other lay members to provide valuable input to the decision making process;
- the setting of meaningful objectives and targets for both Panel Members and staff so that everyone contributes to the overall efficiency and effectiveness of the Panel;
- the sourcing and training of good quality, well motivated staff who will rise to the challenges of a developing organisation with an increasing workload;
- the use of document handling software (operating within the NIO's Oasis3 system) which enables appeals to be classified, monitored and kept under review from receipt to determination, and provides suitable management information; and
- the continuing development of finance procedures and accounting systems that provide the necessary assurances concerning financial controls and propriety to the Secretary of State.

6.4 The Panel will build on these strengths by taking the opportunities they offer to;

- introduce and review internal casework targets;
- reduce, wherever possible, the time taken for a case to reach an oral hearing;

- make determinations as speedily as possible;
- make the best use of the computer system by monitoring the throughput of work, tracking files, organising the hearings programme and provide meaningful statistics;
- make the best possible use of its financial system to manage its expenditure and monitor its budget; and
- ensure that the complaints procedure (described in Annex B of the Plan) is fully effective.

6.5 The main constraints on the Panel in year are likely to be:

- the time taken to bring cases to the oral hearing stage because that process is largely dependent on the resources of the Presenting Officers' Section of the Compensation Agency. This factor is outside the Panel's direct control;
- setting meaningful and achievable internal objectives and targets;
- the requirement to operate within a tight budget for salaries and other administrative expenditure;
- the continuing development of the IT system to improve the quality of management information and make it more useful and more user-friendly.

6.6 These constraints can be addressed by:

- careful monitoring of the throughput of work;

- continuously modifying and strengthening procedures in particular focussing on liaison with the Presenting Officers' Section;
- monitoring and continuing to develop meaningful internal targets;
- refining continuously the Panel's IT system requirements in order to improve efficiency within the Panel's operating procedures and to provide better management information.

Workload Assumptions

6.7 In the 2005/06 year 3177 review decisions were made by the Agency and a total of 966 appeals were received by the Panel. This exceeded the numbers expected and shows an appeals rate of around 30% of reviewed decisions. Based on this % rate and an indication from the Agency that it should process around 2800 applications for review it is expected the Panel will receive in the 2006/2007 year approximately 1000 appeals.

6.8 The appeals fluctuated in the early years of the Panels existence, however it would appear that numbers are beginning to settle in both the Panel and the Agency. Numbers will be monitored carefully to identify trends in Northern Ireland and to ensure that both Panel Member and Panel staffing compliments are set at levels sufficient to deal efficiently with existing numbers and targets.

6.9 Appeals are treated as resolved when:

- a single adjudicator upholds the Agency's decision;

- the Chairman or a single adjudicator make a decision on out of time appeals and on other appeals reserved for the Chairman's consideration;
- an applicant withdraws his/her appeal; or
- cases are resolved at oral hearings.

Resource Assumptions

6.10 The Panel's budget for the 2006-2007 year is £670k. This figure includes expenditure on Staffing, the running costs of the offices and the Chairman's and Panel Members fees and expenses. This will be reviewed at the various monitoring rounds throughout the financial year.

Priorities

6.11 Within the context of managing efficiently the number of appeals arising from the 2002 Scheme, the Panel will focus on the delivery of a service to victims by:

- acknowledging their appeals and responding to their queries within the time scale set out in Annex A;
- scheduling hearings as early as possible;
- monitoring the quality of Panel Members' decision-making to ensure that sound and defensible decisions are made in properly conducted hearings, and that awards are in accordance with the Tariff Scheme;

- ensuring that staff training is directly relevant to the Panel's business and individual staff's personal development needs; and
- continuously developing the OASIS 3 and Expediter systems to provide the Panel with the most efficient means of arranging appeals,
- monitoring performance and providing internal and external communications.

6.12 The Panel needs to ensure that the operational and finance arrangements are fully effective across the range of the Panel's activity. Internal Audit may undertake an examination of these systems in accordance with an agreed programme.

7. Plans and Targets for 2006-2007

The Panel's Expectations

7.1 Against the background of the previous section, the key plans and targets for the operation of the Panel are given below.

7.2 The Panel's principal target is to list and hear 90% of all appeals returned by the Agency's Presenting Officers Section within 6 months of the return of the agreed hearings papers.

7.3 The Panel will work closely with Victim Support NI so that Panel Members can develop a better understanding of the applicant (as a victim). In its turn Victim Support NI can receive guidance on the role their representatives can usefully play at hearings.

Training

7.4 The training of staff is an on-going process. All new staff will attend Induction Courses (including training on IT), and receive practical training locally from experienced staff and written guidance in the form of a Hearings Manual and an IT Manual.

7.5 Staff will be encouraged to participate in external courses as required. The Chief Executive will review training needs and progress towards acquiring training as identified in PDPs on a quarterly basis.

Panel's main focus

7.6 Panel staff and Members will focus on:

- delivering fair, sound and defensible decisions within a reasonable time scale;
- providing each applicant, not legally represented, with a written record of its decision;
- showing care and courtesy to applicants;
- providing observations to the Agency on specific cases;
- keeping records of legal precedents;
- arranging to pay invoices promptly in accordance with the guidelines;
- acting in accordance with the Code of Best Practice for Board Members of Public Bodies; and
- providing advice, as necessary, to the Secretary of State.

Panel's Objectives, Targets and Performance Indicators

7.7. **Table C: the Panel's Key Objectives, Key Performance Indicators and Target Measurement**

Key Objectives	Key performance indicators	Target Measurement
<ul style="list-style-type: none"> To determine appeals promptly 	<ul style="list-style-type: none"> Time taken to determine appeals 	<ul style="list-style-type: none"> Resolve 90% of appeals returned by the Presenting Officers Section within 6 months of receipt
<ul style="list-style-type: none"> To determine appeals efficiently 	<ul style="list-style-type: none"> Volume of appeals determined Cost of determining appeals 	<ul style="list-style-type: none"> Hear maximum 6 and a minimum of 4 cases per daily hearings session Average cost of each appeal maintained below £1k
<ul style="list-style-type: none"> To determine appeals fairly and in accordance with the Scheme 	<ul style="list-style-type: none"> Number of complaints received below 1% of appeals received Number of applications for judicial review below 2% of appeals cleared 	<ul style="list-style-type: none"> Receive less than 10 complaints within one year Receive 15 or less applications for judicial review per year

7.8 The objectives and indicators provide targets, which will be used to monitor, control and measure the performance and work of the Panel.

8. Monitoring and Reports

Performance Monitoring

8.1 The Chairman and the Chief Executive will monitor performance monthly and quarterly against the plans and targets for the year, and more generally to a timetable consistent with the public expenditure monitoring and estimating process.

8.2 The Chairman will monitor the operation and effectiveness of appeals procedures in order to maintain high standards and a consistency of approach in the decision making process. Meetings with Panel Members or Panel Chairs will take place as and when required but at least every 6 months in order to review and discuss matters of current interest to the Panel.

8.3 The Chief Executive will ensure that the administrative staff is trained and that such training is kept regularly under review.

8.4 The Panel's Audit Committee will monitor the Panel's internal systems to ensure that there is regularity and propriety in all aspects of operational and financial control.

Reporting

8.5 The Chief Executive will report on a quarterly basis to the NIO Senior Official on the Panel's performance in relation to its key operational and financial targets and the Panel Chair and Chief Executive will meet with NIO officials every 6 months to review progress.

Annual Report

8.6 At the end of each financial year, in accordance with the Scheme, the Chairman, with the assistance of the Chief Executive, will prepare an Annual

Report on the work of the Panel covering the operation of the Scheme with specific attention paid to the Panel's performance against any key targets set.

8.7 It is the responsibility of the Chief Executive as designated accounting officer to arrange for the preparation of the Annual Accounts for the Panel. The aim is to have the totality of the reports and accounts ready for publication by the required time.

The Standards of Service which Applicants can expect to receive from the Panel

Standards of service

The Panel will deal with applicants' appeals speedily and efficiently by:

- acknowledging the appeal within 3 working days of receipt;
- advising the date of the hearing at least 21 days in advance;
- holding the hearing within 1 hour of the time set;
- advising the applicant promptly if the hearing is likely to be delayed and keeping the applicant advised of progress;
- attempting to resolve all hearings on the day set;
- responding to any queries that are made within 3 weeks of receipt; and
- if the Appeals Panel makes an award, ensuring that the Agency is instructed within 3 working days to make the appropriate payment.

The Panel will aim to complete hearings within 6 months of the receipt of the Appeals papers back from the Presenting Officers Section of the Agency. This may not always be possible where, for example, there is a need for the Panel or the Agency's Presenting Officer to seek further information in the interests of fairness to the appellant.

Complaints Procedure

If the applicant is dissatisfied with the way in which his/her appeal has been dealt with at a hearing and wishes to make a formal complaint, he/she should put this in writing to:

The Chief Executive
CICAPNI
Corn Exchange Building
31 Gordon Street
Belfast
BT 1 2LG

The letter should be clearly marked “complaint” in the top left hand corner in order to ensure that its purpose is identified immediately on receipt.

All complaints will be considered by a senior member of the Panel staff who will reply to the applicant in writing within 3 weeks of receipt.

The Panel’s handling of applications under the 2002 Scheme will also fall within the jurisdiction of the Parliamentary Commissioner for Administration (the Ombudsman). The Ombudsman is responsible for investigating complaints of maladministration. Such complaints **must** be put to him through a Member of Parliament.