HMCTS Reform Digital Services Evaluation
Supplementary Report: Social Security and Child Support

A report summarising overarching findings and methodology across seven digital services is available here: HM Courts & Tribunals Service Reform: Digital Services Evaluation - GOV.UK

Frontier Economics and IFF research

Analysis exists to improve policy making, decision taking and practice by the Ministry of Justice. It does this by providing robust, timely and relevant data and advice drawn from research and analysis undertaken by the department's analysts and by the wider research community.

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1.   Executive summary

1.1   Introduction

In 2016, HMCTS launched a reform programme to bring modern technology and new ways of working to the courts and tribunals system to better ensure it is just, proportionate and accessible. The reform included digitalisation of a number of services, with the aim of enabling public users and legal professionals to start and manage cases digitally, reducing time, effort and cost, and leading to improved access to justice. This report outlines the evaluation of the digital reform of the social security and child support (SSCS) service.

The SSCS Tribunal principally covers appeals against decisions on social security benefits taken by government departments (mainly the Department for Work and Pensions (DWP)[1] and HM Revenue and Customs (HMRC)).[2] It also covers some decisions by local authorities on entitlement to housing benefits.

Before the digital reform, all SSCS appeals were submitted using a paper form. The reformed SSCS service enabled members of the public to appeal a decision about benefits and submit evidence online via a case management system. Case progression can also be tracked online. For people unable or unwilling to use digital systems, paper submission has been retained, with the addition of bulk scanning to digitalise documents and speed up the service.

For tribunal members (referring both to judges and non-legal members of the tribunal), the digital reform moves case management onto a digital platform. For HMCTS staff, the digital reform means queries and case processing tasks are completed digitally on the Manage Cases platform and communication with tribunal members, legal professionals, and public users also happens within the online platform.

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[1] The Department for Work and Pensions (DWP) is responsible for welfare, pensions and child maintenance policy. As the UK's biggest public service department, it administers the State Pension and a range of working-age, disability and ill health benefits to around 20 million claimants and customers. https://www.gov.uk/government/organisations/department-for-work-pensions/about

[2] Individuals can appeal against other providers of government benefits, but those constitute a much smaller proportion of all SSCS appeals.

The overarching objectives of the SSCS service digital reform centred around building a better service for public and professional users, making it simpler to understand, more streamlined and quicker.

1.2   Design

Evaluation of the reformed SSCS service aimed to understand:

- who is using the new digital service, and to what extent.

- what can be learned about the implementation of digitalisation.

- how users are experiencing the digitalised SSCS service.

- what outcomes are associated with the SSCS service digitalisation, and how these contribute to a justice system that is proportionate, accessible, and just.

The evaluation consisted of a theory-based impact evaluation using contribution analysis and a process evaluation. Both evaluations drew upon analysis of administrative data, surveys and interviews with key user groups.

At the time of the analysis (May 2024), most but not all DWP benefit appeals had a digital channel option, whereas none of the HMRC administered benefits were available to appeal through the digital channel. As such, this analysis focuses on two DWP administered benefits: Personal Independence Payment (PIP) and Universal Credit (UC).

1.3   Findings

The key findings of the evaluation of the Social Security and Child Support (SSCS) service are summarised Tables 1 and 2 below. Table 1 summarises the evidence for reform's contribution to changes in outcomes. It presents a summary of the relevant evidence against each contribution claim, whether this evidence was consistent with that claim or not, and to what extent the analysis confirms the claim.

Table 1   Summary of impact evaluation - Contribution narrative

	Contribution claim	Summary of evidence	Conclusion
1	User-centred functionality leads to ease of use and better access to the justice system.	↻ There was a rapid uptake of the digital service following the reform for Universal Credit (UC), but a slow uptake for Personal Independence Payment (PIP). 👎There was an increase in digital uptake of both PIP and UC which coincided with COVID-19 rather than reform-related events. 👍 Relatively high digital uptake was observed at the later stages of the analysis compared to other services. 👎 Lower digital uptake and longer case durations were observed for applicants with a non-English/Welsh[3] main language and those from ethnic minorities. 👎General population improvements in digital confidence occurred over the same period.	There was mixed evidence about the impact the reform had on digital uptake. The digital uptake coincided with alternative contributors rather than reform-related events. There was some evidence of variation in impact for some population groups.
2	Digitalisation reduces processing and correspondence time,	↻ There was a small improvement in digital case duration, possibly related to lower caseload due to the	No firm conclusion can be drawn on the contribution of digital reform to average case duration or case

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[3] This finding should be treated with caution due to low response rate to Protected Characteristics Questionnaires (PCQs) in digital cases and absence of PCQs in paper cases at the time of analysis.

improving efficiency and speed of access to justice.	relaxation of DWP rules during COVID-19.	outcomes. Little difference was observed between paper and digital cases.

Table 2 summarises the main findings for each of the process evaluation's research questions, and whether they indicate whether the evidence reflects positive or negative experiences of the implementation and use of reformed systems.

Table 2   Summary of process evaluation

	Research question	Summary of findings
1	Was the service implemented as intended?	➕ Judges and HMCTS staff reported that most cases are now processed on the reformed system. ❓ Around a quarter of public users did not recall using the digital channel. ➖ Professional users, particularly the judiciary, reported that more training could have led to a more seamless implementation. ➕ Public users generally found the stages of making an appeal easy. ➖ Public users had mixed feelings on whether the time taken to process their case was reasonable.
2	How do the new digital processes facilitate or impede access to justice in practice?	➕ In the interviews some public users said that they would not have gone ahead with their appeals if the digital service was not available. ➖ Judges mentioned a few issues with the reliability of the digital service, and that their administrative tasks were taking longer. This could

		be considered to impede or delay access to justice for some.
3 and 4	The types and levels of user and case (administrative) errors, why do these occur, and how do these compare to the non-digital process?	= Although there are some additional error types possible for digital cases, there is no evidence to suggest the level of administrative or user errors is different in the reformed system. = The most common error reported by public users was HMCTS appearing to misunderstand the information provided.
5	How consistent are processes between digital and non-digital channels?	+ Across all user groups, there was no evidence to suggest that procedures were different under the digital system. = Writing their own decisions into the system appears to be the main difference for the judiciary.
6	What are the barriers and enablers to accessing digital services, and do these vary across user characteristics?	= Public users who had a high digital capability, were younger, had a higher income, and did not have a health condition or disability were more likely than average to recall. − Using the digital channel for communicating with HMCTS. Access to appropriate IT equipment and IT support was an issue for the judiciary. = In interviews DWP and HMCTS staff suggest cases dropping out of the digital channel to the paper channel is rare.
7	How does the new digital process impact users' experience?	+ Public users' satisfaction with the reformed service was high. + DWP staff reported that the reformed service made their working lives much easier. = For the judiciary, experiences were mixed.

Source: IFF research

Note: **+** *positive;* **–** *negative;* **=** *mixed/neutral;* **?** *unavailable/unclear*

1.4   Implications

Several suggestions for improvements to the digital SSCS service emerged from the findings. The key areas these focused on included:

- Making additions or improvements to some of the key features of the service such as allowing annotations to be made to documents on the system, introducing alerts to notify staff when new documents are uploaded or to inform on case progression, allowing more than one receiving parent for appeals on behalf of a child and adding a notes page for recording hearing changes.

- Increasing uptake and understanding by ensuring that the digital option to make an appeal is as prominent as possible and promoting the National Digital Support Service.

- Ensuring continuity across the process, for example, by including relevant DWP staff details on a case and providing users with a named individual to contact about their case.

- Reducing delays at key points in the process.

2. Introduction to the Social Security and Child Support (SSCS) service

The SSCS Tribunal principally covers appeals against decisions on social security benefits taken by government departments (mainly the Department for Work and Pensions (DWP)[4] and HM Revenue and Customs (HMRC)).[5] It also covers some decisions by local authorities on entitlement to housing benefits.

Individuals ('appellants') can have a representative acting on their behalf, who submits the appeal in the appellants' name and/or prepares evidence or gives advice. Anyone can be a representative, including friends and family, though they are rarely solicitors. In addition, DWP or the tribunal may appoint someone (an 'appointee'), usually before the appeal, to act on behalf of the appellant and manage their benefits claim.

Many appeals are heard face-to-face at a tribunal venue, with the parties and the tribunal all present. Appeal hearings can also be held by telephone or by video. The appellant chooses which form of hearing is suitable for them. The judge and one or two non-legal experts decide the case.[6] The appellant and/or appointee can attend the hearing, or the decision can be made without a hearing based on the case papers alone. The respondent to the appeal (usually DWP or HMRC) might also be present at the hearing.

The First-tier tribunal in SSCS handles appeals against decisions relating to a range of benefits.[7] At the time of the analysis (May 2024), most but not all DWP benefit appeals had a digital channel option,[8] whereas none of the HMRC benefits were available to appeal through the digital channel.

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[4] The Department for Work and Pensions (DWP) is responsible for welfare, pensions and child maintenance policy. As the UK's biggest public service department, it administers the State Pension and a range of working-age, disability and ill health benefits to around 20 million claimants and customers. https://www.gov.uk/government/organisations/department-for-work-pensions/about

[5] Individuals can appeal against other providers of government benefits, but those constitute a much smaller proportion of all SSCS appeals.

[6] The judge can also make the decision alone without experts.

[7] https://www.gov.uk/courts-tribunals/first-tier-tribunal-social-security-and-child-support

[8] Internal stakeholders indicated that relevant benefit categories (appealed using the SSCS1 form) represent over 90% of the overall volume of appeals to the SSCS tribunal. See Appendix B for a full list.

Before the digital reform, all SSCS appeals were submitted using a paper form.

2.1 The SSCS digital reform – objectives, features and eligibility

The digital reform objectives centre around building a better service for public and professional users, making it simpler to understand, more streamlined and quicker. In particular:

- Enabling members of the public to appeal a decision about benefits and submit evidence online.

- Enabling the respondent to receive and respond to appeals digitally (i.e., digitally sharing documents).

- Delivering a case management system to handle cases digitally until they are ready to list for hearing and to manage post-hearing activities.

- Retaining access for people unable or unwilling to use digital systems by continuing to accept paper forms and using bulk scanning to digitalise them and speed up the service.

The Logic Model in Appendix A sets out in more detail how the SSCS digitalisation was anticipated to achieve these objectives.

Table 3 presents the main features of the reformed SSCS service. Two digital routes were created: Manage Your Appeal; and Submit Your Appeal.

Table 3   **User-centred features of the reformed SSCS**

Item	Manage Your Appeal (MYA)	Submit Your Appeal (SYA)
Description	Users can sign up and create login details before or after they have submitted their appeal.	Users can submit their appeal digitally without signing up to the digital portal.

Key Features	• Save the draft appeal and return to it later. • Track the progress of the appeal. • Upload evidence to support the appeal (evidence can also be sent by post). • Make a statement to support their appeal or ask for their details to be updated.	• Does not require registration or providing sign-up details. • Management of the case is conducted via email. • Users of the SYA route can, at any point, create an account and continue the process through the MYA route.

Source: Frontier Economics based on GOV.UK

Additional features of the SSCS digital reform include:

- Once users of either digital channel (MYA or SYA) start their digital appeal, they are informed that a Mandatory Reconsideration Notice (MRN) is required to continue with the appeal.[9]

- Bulk scanning was introduced to allow HMCTS to digitalise paper cases after they had been submitted.[10]

Most benefits can be appealed through the SSCS digital service. However, the digital reform rollout dates and the features introduced were different for each benefit. As such,

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[9] When people disagree with a decision about benefits and want to appeal the decision in a tribunal, they are required to ask for the decision to be first reviewed by the benefit provider (i.e., ask for 'mandatory reconsideration'). The Mandatory Reconsideration Notice is a document in which a record is kept of whether a decision has been changed and the accompanying reason.

[10] Bulk scanned paper cases are processed digitally by HMCTS staff. Public users who submit paper appeals can sign up to receive email and text notifications, as well as to receive a link to manage their cases digitally from that point.

each SSCS benefit type needs to be analysed separately. This evaluation focusses on two benefits:

- Personal Independence Payment (PIP): This benefit has the highest volume of appeals.[11]

- Universal Credit (UC): This benefit has the third highest volume of appeals and is likely to increase in prevalence as other benefits are subsumed within UC as part of wider benefits reforms.[12]

Table 4 presents the rollout dates of the key digital reform features for the two benefits, PIP and UC.

Table 4   Main digital reform features' release dates by benefit type

Feature	PIP	UC
MYA	March 2018	September 2019
SYA	July 2018	September 2019
Bulk scanning of paper cases	August 2019	November 2020

Source: Frontier Economics based on GOV.UK

For tribunal members (referring both to judges and non-legal members of the tribunal), the digital reform moves case management onto a digital platform (CCD). Tribunal members can complete the following actions online: viewing case details, accessing documents (rather than paper files), producing and issuing statements of reasons and writing up decision notices. At the time of analysis, hearings were also managed digitally within the reformed service via the ListAssist platform in early adopter locations.[13]

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[11] Please see appendix C for details about case volumes by benefit type.

[12] The second highest case type by volume over the period (Employment Support Allowance or ESA) was not included in the analysis. ESA is being replaced by UC, and as a proportion of total cases it declined from 37% in 2017 to 5% in 2022. Please see Appendix C for details about case volumes by benefit type.

[13] Integrated ListAssist was rolled out to Wales and Southwest England in March 2023.

For HMCTS staff, the digital reform means queries and case processing tasks are completed digitally on the Manage Cases platform and communication with tribunal members, legal professionals, and public users also happens within the online platform.[14]

2.2   Evaluation objectives

Evaluation of the reformed SSCS service aimed to understand:

- who is using the new digital service, and to what extent.

- what can be learned about the implementation of digitalisation.

- how users are experiencing the digitalised SSCS service.

- what outcomes are associated with the SSCS service digitalisation, and how these contribute to a justice system that is proportionate, accessible, and just.

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[14] Manage Cases, as with MyHMCTS, the judicial interface and the online platform for public users are separate interfaces that connect to CCD, where all records are held in a single system.

3. Impact evaluation – Contribution analysis

3.1 Contribution claims and evidence sources

Contribution analysis aims to assess to what extent the intervention can reasonably be considered to have contributed to the observed changes in the outcomes. Where feasible analysis was also undertaken explore differences between sub-groups. Further information on methodology can be found in the overarching evaluation report.

The analysis tested whether the digital reform has contributed to its objectives in two ways (the **contribution claims**):

1. User-centred features (Table 3) will make it easier for a wider range of appellants to submit and manage their SSCS appeals digitally. This should lead to increased satisfaction and perceived ease of use, which in turn would increase access to justice.

2. Digital features will reduce the time and resources required for case correspondence, processing, clarifications and corrections for public users. In addition, digital features would enable a more accurate and comprehensive appeal, making it easier to arrive at a conclusion about the case. This should reduce the average time to complete all or some stages of the user journey, contributing to a more efficient use of resources.

This analysis drew on evidence from:

- Management Information (MI) data relating to over 500,000 PIP and 78,000 UC appeal cases submitted from January 2019 to November 2022. The MI data included information about channel (digital, which combines the MYA and SYA features,[15] or paper), the average duration for completed cases, and the justice outcome of the cases (lapsed without hearing or those with hearings).

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[15] Due to data limitations, it was not possible to distinguish MYA and SYA cases in the data. As such, the two features are analysed together as the digital channel.

- Protected Characteristics Questionnaire (PCQ)[16] data from 31,058 cases (24,200 PIP and 6,858 UC) with a response to at least one question, an overall response rate of approximately 23% of PIP and 26% of UC cases since PCQs were introduced in January 2021.

- A survey of 1,001 public users.

- Qualitative interviews with 16 public users, two HMCTS staff who handle SSCS cases (of 14 interviewed), four non-legal professionals and 10 tribunal members (judges and non-legal members).

- Insights from internal stakeholders to identify mechanisms through which the digital service might have contributed to observed trends in the MI data and possible alternative explanations.

Further details of the methods, data, and limitations surrounding this analysis can be found in Appendix C and in the overarching report. A summary of fieldwork can be found in Appendix D. Discussion of ethical considerations can be found in Appendix E.

3.2   Analysis

3.2.1 Service uptake

The uptake level of the digital SSCS service is indicative of how accessible it is to the target population. An easily accessible digital service should see a substantial increase in its levels of uptake, while paper-based cases should decline in prevalence over time.

3.2.1.a   Management Information

Figure 1 shows that the digital uptake of UC (bottom chart) rapidly increased after the rollout of MYA and SYA in Q3 2019, reaching 53% in the next quarter. For PIP (top chart), digital uptake increased more slowly following the phased rollout of MYA and SYA starting in mid-2018, reaching more than 50% only from early 2020.[17] As shown in the charts, the data about the channel was incomplete up to Q4 2019 for both benefits. Prior to the rollout of SYA it is likely that most cases with an unspecified channel were submitted through the

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[16] Further information about the available PCQ information can be found in Appendix C.
[17] The full national rollout, including Scotland, was in July 2019.

paper channel. However, these cases have been left unspecified as it is not possible to identify where this might also reflect early testing of the service with the public. These results should therefore be interpreted with caution.

From 2020 (the year the COVID-19 pandemic began), digital uptake increased for both benefits, reaching 85% (PIP) and 89% (UC) by Q3 2022. This rate of digital uptake is higher than for other digital reform services.[18] This increase in digital uptake was accompanied by an overall decrease in volumes.

Figure 1 **PIP (top) and UC (bottom)– quarterly case volumes by channel – Q1 2017 to Q3 2022**

Source: *Frontier Economics based on MI data provided by MoJ*

Note: *Dates shown refer to the date cases were received by HMCTS rather than the date of disposal. This means there is a lag between the date shown and the actual date of an outcome. The data as shown can therefore reflect the influence of events on cases after they start. This may differ from the approach taken in the Ministry of Justice's published statistics. Caution should therefore be used when comparing these figures with published statistics.*

3.2.1.b Contribution of the reform

Evidence from fieldwork and consultation with internal stakeholders identified several ways in which the reform may have contributed to the observed trends:

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[18] For example, Probate digital uptake was only 72% in Q3 2022 for public users.

- **User-focused features of the reform**:[19] The ability to upload appeals and track cases online is likely to have made the digital SSCS channel more accessible and transparent. The choice of two digital SSCS options (MYA and SYA) may have also helped to meet different public user needs.[20] Users of the SSCS service who were interviewed for this evaluation did not provide any reasons for choosing a specific digital SSCS option. An overall positive public view of the reform (such as that expressed by public users in this study) is likely to have contributed to the high proportion of digital cases observed at the later stages of the reform period (see section 4.2).

3.2.1.c   Alternative explanations

Evidence from fieldwork and consultation with internal stakeholders identified two plausible alternative explanations for the trend in digital uptake. Further evidence, however, might highlight others.

- **General trends in levels of digital capabilities**: HMCTS stakeholders indicated that the onset of COVID-19 in March 2020 would have likely improved the general population's attitude toward, and ability to use, digital services. Research by BT found that 60% of the general public (including most of those aged 50 or over) felt more confident using digital public services than before the pandemic (Taylor, Cardwell, & Harden, 2021). This general shift is further supported in an evidence review by DWP (2024). This suggests that SSCS users might have had greater openness to trying online options during the analysis period, which is consistent with the increase in digital uptake from early 2020 for both PIP and UC. Digital uptake for PIP had reached 39% by the end of 2019, but then steeply increased to 52% in Q1 2020 and 70% in Q2 2020. For UC, the uptake increased quickly to 59% in Q1 2020, and like PIP, increased by nearly 20 percentage points to 78% in Q2 2020. These trends suggest that the pandemic is likely to have contributed to the higher uptake observed in later stages of the reform.

- **Users' attitude towards digital channels for SSCS:** Users may not consider SSCS to be a legal service, as may be more likely the case with other digital reform services

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[19] For details about the SSCS digital reform's user-centred feature, please see Table 3.

[20] Some users might prefer to have a quick way to submit the claim without the need to register with the online platform, while others prefer to take a bit longer and register with the service to be able to track their application digitally.

such as money claims (Franklyn, Budd, Verrill, & Willoughby, 2017). Their behaviour may, therefore, be expected to align with other important, though non-legal, services. A 2022 survey of internet users in the UK found that two-thirds (65%) of respondents used the internet to manage their finances, while only half (52%) used it to access/communicate with local council/Government information and processes (Ofcom, 2022). Were users to see SSCS as a financial or administrative action rather a legal one, it could partly explain a preference for making appeals relating to benefits decisions online compared to using digital channels for other services. However, there is little other evidence to underpin this hypothesis.

3.2.2 Case management outcomes

SSCS appeals can be concluded or disposed of in the following ways:

- at a hearing - where the tribunal members decide in favour or not in favour of the appellant,

- they are lapsed - where DWP[21] decide to revise the decision to the appellant's advantage, and the appeal lapses (comes to an end) after acceptance by the appellant,

- they are struck out - where the tribunal brings all or part of the appeal to an end because, for example, a party failed to comply with the Tribunal's directions[22], or

- they are withdrawn by the appellant.

This report analyses the first two case management outcomes above, because they represent the most common outcomes, covering the largest proportion of cases.

The average time to conclude an SSCS case (or reach certain stages of the journey) indicates how the reform's digital features support proportionate and efficient service provision. Reducing the time required to complete SSCS cases should reduce the resources required throughout the whole process, both for service providers and users.

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[21] DWP is the relevant public authority for the benefits included in this analysis. However, this also applies where appeals are made against decision by other relevant bodies, such as HMRC.

[22] Other reasons include, but aren't limited to, the tribunal not having jurisdiction, either party failing to co-operate with the tribunal so that it can't deal with the proceedings fairly or justly, or there being no prospect of the appeal succeeding.

Moving more of the caseload to digital channels should reduce the time needed to physically handle case documents. This should then free up time in the system for other cases.

The trend in the relative proportions of different digital case management outcomes (cases that had at least one tribunal hearing and cases that lapsed) indicates how the reform features support an efficient judicial process. Although separate outcomes, improvements in the quality and sharing of information through the system should support more efficient decision making by the tribunal and DWP respectively: by allowing the tribunal to make more decisions 'on the papers', and for DWP to reconsider initial decisions and preclude the need for a hearing. Reducing the proportion of cases with a hearing and increasing the proportion of cases that were lapsed would both therefore imply a more efficient and quicker overall process.

3.2.2.a   Management Information

The available data recorded the date the appeal was received and the date of the first hearing, or for cases that were lapsed, the date when the decision was made. Cases are presented here based on their appeal receipt date.

Figure 2 shows PIP's (top chart) and UC's (bottom chart) average case duration to first hearing (for both paper and digital cases combined). For both PIP and UC, since early 2020, there has been little difference in case duration between digital and paper cases. Digital cases have had slightly shorter case duration than paper cases at times.

Figure 2   PIP (top) and UC (bottom) cases - average (mean) time from appeal to first hearing – Jan 2017 to Sept 2022
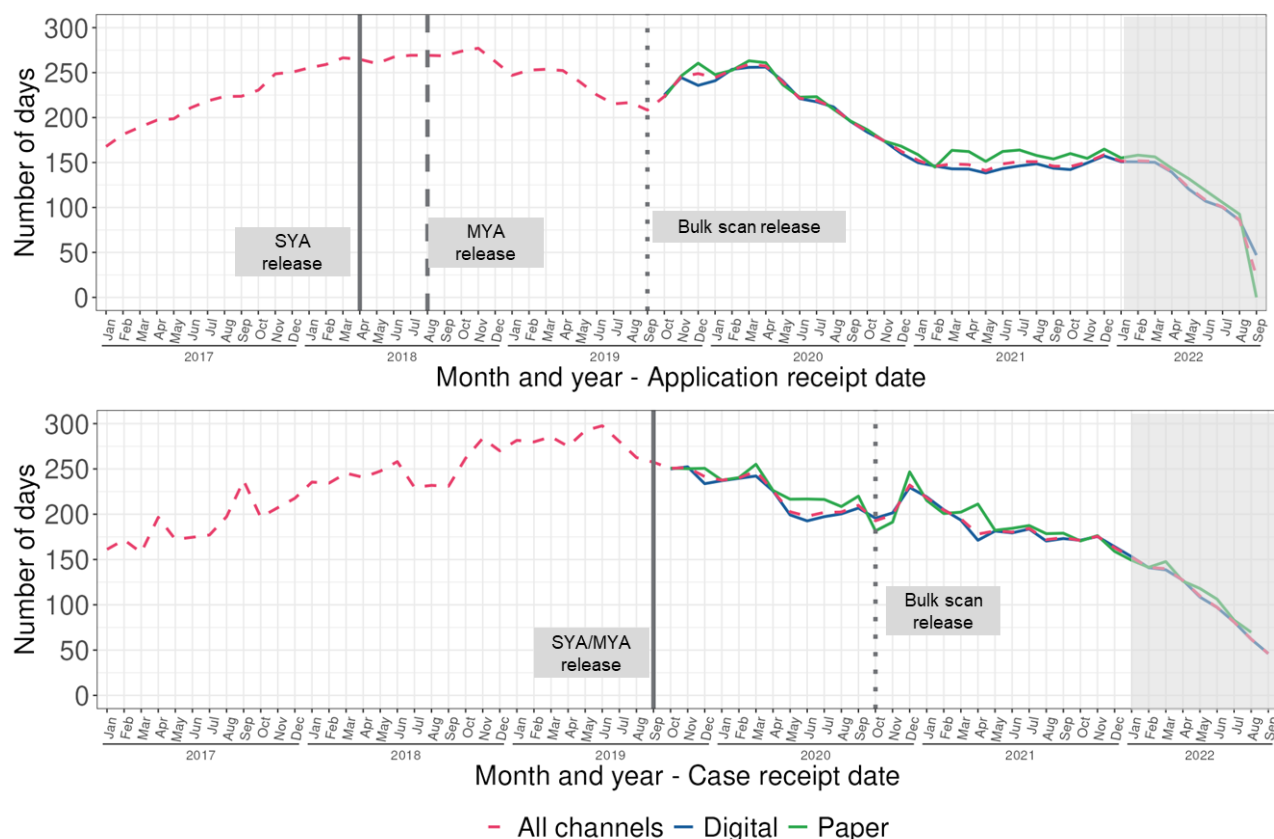
Source: Frontier Economics based on MI data provided by MoJ

Note: The grey area (Jan-Sep 2020) indicates periods with a high proportion of cases that were flagged as "Not yet disposed", which identifies cases that were still unresolved or had not had their first tribunal hearing when the data was extracted. The relatively high level of those cases means that cases that already had their first hearing would have been shorter than the average. As such, case durations for this period are excluded from the analysis. Please see Appendix C for further details. Dates shown refer to the date cases were received by HMCTS rather than the date of disposal. This means there is a lag between the date shown and the actual date of an outcome. The data as shown can therefore reflect the influence of events on cases after they start. This may differ from the approach taken in the Ministry of Justice's published statistics. Caution should therefore be used when comparing these figures with published statistics.

Figure 3 shows that the average duration of PIP and UC cases that lapsed without a hearing was highly volatile over the analysis period. Only from around January 2021 was the duration of digital cases shorter than for paper ones. The reduction in the average duration of both PIP and UC digital and paper cases from January 2020 to January 2021 coincides with the onset of COVID-19 and the associated drop in case volumes.

Figure 3   PIP (top) and UC (bottom) cases – average (mean) case duration of cases that lapsed without a hearing– Jan 2017 to Sept 2022

Note: The grey area (from Jan 2020) indicates periods with a high proportion of cases that were flagged as "Not yet disposed", which identifies cases that were still unresolved or have not had their first tribunal hearing when the data was extracted. The relatively high level of those cases means that the cases that already had their first hearing would have been shorter than the average. As such, these parts of the charts should not be discussed in the analysis. Please see Appendix C for further details. Dates shown refer to the date cases were received by HMCTS rather than the date of disposal. This means there is a lag between the date shown and the actual date of an outcome. The data as shown can therefore reflect the influence of events on cases after they start. This may differ from the approach taken in the Ministry of Justice's published statistics. Caution should therefore be used when comparing these figures with published statistics.

Figure 4 below shows on the left the percentage of PIP cases that had at least one tribunal hearing (top) and that lapsed without a hearing (bottom), while on the right, it presents the equivalent for UC. A decrease in the proportion of cases with a hearing and a corresponding increase in the proportion of cases that were lapsed would indicate the overall SSCS process is more efficient.

For both benefits, the trends in the proportions of the two case durations broadly mirror each other, that is, fewer cases will need a hearing if more cases lapse without a hearing.[23]

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[23] It is also possible for cases to be withdrawn and struck out although these form a small proportion of overall cases. Cases can also be decided 'on the papers' where neither party asks for a hearing. A small proportion of cases 'not yet disposed' may also be included, particularly towards the end of the period under analysis. As such, proportions of cases at hearing and lapsed cases will not sum to 100%.

In general, PIP saw a decrease in the proportion of cases with hearings, accompanied by an increase in the proportion of cases lapsing without a hearing, until Q1 2021, after which a reverse trend was observed.

The trend for UC was more volatile compared to PIP. For UC, the average proportion of cases lapsing without a hearing dropped from mid-2019 to its lowest in Q1 2020 (16%), while the proportion of cases at hearings reached its maximum. The trend then reversed, with the proportion of cases lapsed without a hearing decreasing while the proportion of cases at hearings increased slightly.

Trends were roughly similar for digital and paper across both cases disposed and lapsed for the two benefits.

Figure 4   PIP (left) and UC (right) cases – proportions of cases disposed at hearing and cases that lapsed without a hearing – Q1 2017 to Q3 2022

3.2.2.b   Contribution of the reform

Evidence from fieldwork presents a possible way in which the reform may have contributed to the observed trends:

Features of the digital channel: The observed similarity in the digital and paper channel trends for both PIP and UC did not coincide with reform-related events, which might suggest that the reform contributed less to observed changes than other factors. However, evidence from interviews and fieldwork suggests that all involved parties perceived the digital service to have improved the timeliness of the cases, with the exception of judges who suggested it takes them longer to complete particular parts of the case processes. Alternative explanations

Evidence from consultation with internal stakeholders identified one alternative contributor to these trends.

- **Changes in benefit decisions during COVID-19:** During COVID-19, requirements for benefits to be granted were relaxed across all benefits (Department for Work and Pensions, 2022).[24] Figure 1 shows a corresponding reduction in volumes of appeals for both benefits (PIP and UC) from Q2 2020 to Q3 2021, likely leading to shorter case durations. That relaxation might also explain the increase in the proportion of cases that lapsed without a hearing (i.e., in favour of the appellant) during 2020 observed for both PIP and UC. This may also have affected the mix of cases being appealed such that appeals took less time.

3.2.2.c   Sub-group analysis

The analysis of how outcomes varied between subgroups used PCQ information from digital cases. PCQ information was not available for paper cases, which limits the ability to

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[24] https://www.gov.uk/government/statistics/esa-outcomes-of-work-capability-assessments-including-mandatory-reconsiderations-and-appeals-september-2022/esa-work-capability-assessments-mandatory-reconsiderations-and-appeals-september-2022#what-you-need-to-know

assess whether the findings below are specific to the digital service or relevant to SSCS as a whole.[25] As such, the findings should be treated as indicative rather than conclusive.

PCQ questions were included in the digital appeal form from January 2021 for both PIP and UC. From that point until November 2022, an average of 23% of PIP cases and 26% of UC cases had PCQ data for at least one question (24,200 and 6,858 cases respectively). Response rates increased during this period.[26] Findings should be treated with caution due to these relatively low response rates.

For both PIP and UC, the analysis looked at the differences in digital uptake and case duration for different public user groups that share particular characteristics.

The analysis found statistically significant differences in case management outcomes for appellants using the digital services depending on their age, ethnicity and main language, as follows:

- **Age:** PIP appellants' ages were skewed towards the older population. This is expected as the distribution of PIP claimants[27] is also skewed towards the older population, with 75% of claimants aged over 75.[28] For UC, the proportion of appellants aged 25 or younger has decreased over time, reflecting a decrease in the proportion of UC claimants aged under 25 (from 36% in 2017 to 12% in 2023).[29] Internal stakeholders indicated that this may be because UC has been absorbing some other benefits which may have impacted the age distribution of both UC claimants and appellants.

- **Ethnicity and language:** 88% of PIP and 79% of UC appellants who provided PCQ information identified as white, which is broadly in line with the population (81% (Office for National Statistics, 2022)). For both PIP and UC, white appellants experienced shorter case durations for cases with hearings than

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[25] PCQ forms have been introduced for paper cases since the analysis period.

[26] For further details see appendix C.

[27] 'Claimants' here refers to the person claiming/receiving the benefit, as distinct from the person who starts the appeal (which may be the claimant, or a person appointed by DWP to manage their benefits on their behalf).

[28] Based on DWP benefits statistics, available at Stat-Xplore - Home.

[29] Based on DWP benefits statistics, available at Stat-Xplore - Home.

appellants from ethnic minority backgrounds: 142 compared to 158 days and 158 compared to 169 days, respectively.[30] Analysis by HMCTS (2023) suggests that some of this variation might be accounted for by regional variations in demographics. Further investigation is needed to more fully understand the reasons for these differences.

- The proportion of PIP appellants who provided PCQ information and said English/Welsh was their main language was higher (94%) than the general population figure of 91% (Office for National Statistics, 2022). Conversely, the corresponding proportion of UC appellants was lower (85%). Both PIP and UC appellants whose main language is English/Welsh experienced shorter case durations for cases that lapsed without hearings and cases disposed after first hearing than appellants with other main languages: 142 compared to 165 days and 158 compared to 177 days, respectively. Although the reasons for this are not clear, internal stakeholders have suggested that there could, for example, be delays related to the need to identify and source interpreters, and hearings may be postponed if interpreters do not attend the hearing. Analysis by HMCTS (2023) suggests that regional variations in demographics may partially explain these patterns. Recent research found that language barriers can have an impact on individuals' ability to access help and information about legal procedures (Hunter, et al., 2022). Not providing digital services in other languages could be a barrier to some populations using digital services. This finding suggests that access to the service and ease of use might be lower for these sub-groups.

- **Sex:** For both PIP and UC, more females than men used the digital channel.[31] At this stage, the reason for this is not clear, and this needs further investigation.[32]

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[30] Shorter durations were also observed when looking at cases that lapsed without a hearing.

[31] Out of the appellants that provided PCQ information, 62% of PIP applicants identified as female, and 54% of UC identified as female.

[32] There were no statistically significant differences in case duration by sex.

Given the limitations in the data available on the characteristics of SSCS service users, further research[33] is needed to enable analysis that can compare digital and paper case management outcomes for different population groups.

3.3   Analysis limitations

There are several limitations to the analyses above:

- **Insufficient data to identify cases submitted by legal and non-legal professionals:** As MyHMCTS was not available for SSCS professionals for the period covered in the analysis, the dataset did not include information that would allow distinction between different types of representatives The analysis was therefore not split by public users and legal professionals. However, internal stakeholders suggested that cases with legal representation form less than 1% of cases,[34] which means that this limitation is not likely to significantly impact the conclusions.

- **Limited difference between the paper and digital channels:** The paper channel was non-digital only at the submission stage and the bulk scanning phase (where human input is required for validation of the scanned information). After that point, the management of paper and digital cases was the same. This limits the extent to which any material difference between the effects of the digital and paper channels can be seen in the impacts of interest. Similarly, the analysis was not able to distinguish between the MYA and SYA digital routes to assess the impact that managing cases online through MYA might have had.

- **Limited conclusions regarding other SSCS benefit appeals:** The evaluation focuses on two benefit appeals, PIP and UC. These conclusions may not be applicable or relevant to other benefits given: (i) different contextual drivers

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[33] HMCTS published a summary Access to Justice Assessment in December 2023 (HM Courts & Tribunals Service, 2023) but did not identify the same differences in outcomes shown here. That analysis however focussed on a more limited timeframe (March to August 2021) and so the results are not directly comparable. An updated analysis (HM Courts and Tribunals Service, 2024) did find some differences in timeliness by ethnicity and main language that were still evident even when controlling for region.

[34] In addition, for certain periods in the analysis, information about representation was missing.

impacting each benefit appeal; and (ii) the different rollout timelines of the digital reform for different benefits.

- As described in the overarching evaluation report,[35] the generalisability of the surveys may also be limited by the sample being selected randomly with fieldwork stopped as quotas were reached, and a largely online approach with mixed response rates.

3.4 Contribution Narrative

The analyses above suggested that contextual drivers like COVID-19 are more likely than the reform to have contributed to the observed changes:

- The mix of evidence suggests that while digitalisation (and apparent accessibility) may be considered a necessary contributor to the uptake of digital SSCS services, it was not on its own sufficient to drive the shift to online services. Both PIP and UC have a relatively high digital uptake (85% and 89%, respectively, by Q3 2022). However, despite the digital reform for PIP being introduced in 2018, there was little digital uptake until early 2020. UC digital reform was introduced in late 2019, and the pace of uptake was rapid, again coinciding with early 2020. This overlaps with the onset of the COVID-19 pandemic in early 2020, suggesting that the move to the digital service was accelerated by the related increase in digital confidence rather than the digital reform by itself.

- Case durations for PIP and UC cases overall declined from early 2020 following the rollout of SYA and MYA (in 2018 and 2019, respectively, for PIP and UC) and the introduction of bulk scanning (in 2020). However, this also coincided with the COVID-19 pandemic, which led to a relaxation of benefits approval by DWP. This might also have led to lower caseloads and improved case durations. Therefore, it is not possible to draw conclusions on the relative contribution of each of these concurrent changes.

- Across the case management outcomes, trends between the digital channel (SYA and MYA) and the paper channel were very similar. The paper channel differed from the digital one at the public user-facing stages (when the form is completed and documents

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[35] Available at: HM Courts & Tribunals Service Reform: Digital Services Evaluation - GOV.UK

submitted) and the need for the form to be bulk scanned into the system – a step requiring human input to validate the scanning process. In theory, those additional steps that occur in the paper channel should lead to a longer case duration for paper cases. However, material differences were not observed between the digital and paper channels. This suggests that keeping a paper channel for SSCS users while digitalising the rest of the processes can lead to similar outcomes as the digital channel whilst providing another option for users to access the formal justice system.

■ The PCQ analysis of SSCS suggests that appellants who self-identify as from an ethnic minority background and appellants whose main language is not English or Welsh experience longer case durations, both in PIP and in UC. More females than males used the digital channel. Further data collection and analysis are necessary to understand this in more detail.

Future research would improve understanding of the contribution of digital reform. For example:

- Collect further feedback from users to better understand the reasons for choosing the digital channel. This can improve understanding of whether the features of the reform impact the channel chosen and whether the high digital uptake of SSCS is due to contextual factors.

- Further investigation into the differences in outcomes of people who are from ethnic minority backgrounds and those for whom English/Welsh is not their main language. Research with appellants in these groups can explore if they experience a language barrier and what impacts it has on their cases.

- Further analysis of the cohort who apply for and are denied benefits (i.e., those who might appeal benefits through SSCS). This might help understand if the skewness towards females in the SSCS digital channel is due to reform, or to them being more likely to be denied the benefit in the first place.

4.   Process evaluation

4.1   Process evaluation analysis

The process evaluation aimed to assess whether the SSCS service was implemented as intended, what worked well, were there any barriers to implementation and why these occurred.

This chapter draws on qualitative and quantitative primary research with users of the social security and child support (SSCS) service. Unlike the MI analysis, the primary research included users who had appealed any SSCS1 benefit[36] through the reformed service.

The quantitative evidence is drawn from a mixed mode online and telephone survey of 1,001 public users of the SSCS service over two periods:

- Those with cases opened in November – December 2021 (400 users)

- Those with cases opened in February – April 2023 (601 users).

- Over both periods, the public user respondents were selected from those marked on the system as having submitted their benefit appeals digitally. Of these, 745 respondents recalled using the digital channel and 256 reported they did not.[37] After weighting, those who reported using the digital channel accounted for 76% of SSCS public user survey respondents.

More details are available in section 4 of the overarching evaluation report.

The qualitative research involved:

- Public users of the SSCS reformed service - 16 interviews (in January and October 2023)

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[36] See Appendix B.

[37] This may have been due to an error in recording the channel on the system, poor recall, their case later 'dropping out' to be processed on paper or someone else helping/filling in the online application for them. Their responses have been included in the survey findings presented in this chapter.

- Judiciary and HMCTS staff - 10 interviews with SSCS tribunal judges/members (November 2023),

    - three salaried judges, two fee-paid judges.

    - two disability-qualified tribunal members, two medically qualified tribunal members, one financially qualified tribunal member.

- Two interviews with HMCTS staff who worked on SSCS cases (of 14 interviewed across all services covered) (October/November 2023), and

- Department for Work and Pensions (DWP) staff – four interviews with those working on benefit tribunal claims (three operational staff responsible for preparing responses to appeals and one presenting officer who represents DWP at hearings). (November/December 2023)

Discussion of ethical considerations can be found in Appendix E.

4.2 SSCS process evaluation findings

The findings in this chapter are organised into sections relating to the research questions that underpinned the process evaluation.

4.2.1 Was the service implemented as intended?

All cases within the scope of this evaluation were intended to move over to the new reformed system for managing SSCS cases by the time of the research (2023-2024). This appeared to be largely what happened.

Digital processes appear to have made the process easier for public users, improving access to justice. A few would not have decided to appeal if the digital service had not been available.

MI analysis indicates that the majority of cases were submitted digitally by Q3 2022 (85% of PIP cases and 89% of UC cases). Additionally, cases submitted on paper were bulk scanned into the digital system by HMCTS staff. The limitations on the generalisability of the survey are discussed in section 3.3 above.

Three per cent of public user survey respondents reported that they had decided to withdraw or give up on their case (which could potentially be an indication of not securing access to justice), and four per cent said that the other side withdrew their case or gave up on progressing it. There was no significant difference in withdrawal rates between those who recalled using the digital channel and those who did not.

In qualitative interviews, some public users stated that the availability of the digital service had been a key influence in their decision to make an appeal because they thought it would be an easy and quick process. However, others mentioned that they were not aware that there was any alternative to the digital service and were initially concerned about security and their own lack of familiarity with digital processes. Although those interviewed went ahead despite their concerns, it is possible that there were others who decided not to go ahead if they had similar concerns and were not aware of an offline alternative.

Most tribunal judges/members reported that a large majority of their SSCS cases now came via the reformed system. However, a few judges/members flagged that the majority of their SSCS cases still came via the legacy system, and they had only had a few reformed cases.

Tribunal judges/members nearly all used the case management system. Judges/members described using the system for:

- digitally accessing, reading, and annotating papers (or 'digital bundles' or 'stitched bundles') before hearings and looking at them during hearings.

- digitally producing and issuing statements of reason and decision notices.

- writing case decisions.

DWP staff interviewed mentioned using Manage Cases to access the details of appeal cases and hearings, upload the bundle of documents and file responses.

4.2.1.a Expectations, initial opinions, and unintended consequences

All parties expected the reforms to lead to time savings and reduce delays. These expectations seem to have been met with almost no unintended consequences. An exception to this is that judges reported they were now finding it harder to annotate documents and to estimate upfront how much work a case will involve.

Tribunal judges/members commonly accepted the reform as a predictable, necessary change: they were neither especially enthusiastic nor concerned about working digitally. Several had experienced a switch to digital work in previous roles (e.g., in the health system or other government departments) and felt confident, due to this experience, that they would manage the new system. A few judges/members were initially not confident in producing the decision notices.

Positively, tribunal judges/members commonly expected it would be beneficial to them and the environment not to have such large volumes of paper to carry and keep secure. For SSCS cases in particular, the legacy system could result in two large bundles, as one was a redacted version, which they said felt wasteful. Some hoped it would improve information flow.

Most tribunal judges/members anticipated technical glitches during the implementation. Some expected that they would not be issued with suitable computers, have sufficiently good internet connections, or be trained in digital security when using their own devices.

They were also concerned that over the longer term, there would be too little investment, the software would be too basic, and it would provide a poor service for end users. One judge/member feared caseloads would increase on the assumption the new system would make the process faster.

DWP staff considered the reformed service to be long-awaited and eagerly anticipated the improvements that it would make to the efficiency of their working lives. They believed that the reformed service had the potential to remove the need to print and bundle up large volumes of documents, which would save them time. They also expected advantages in terms of reducing instances of lost documents holding up the progress of cases. Few drawbacks were envisaged other than concerns about whether the system would be able to cope with very large documents being uploaded.

In the survey, three-quarters of SSCS public users (75%) recalled receiving information at the outset of their appeal about what would happen at each stage. In most cases, this information was proactively given to them by HMCTS (85%), and only a minority had to actively seek it either from HMCTS (9%) and/or from another source (12%).

Of those who received information, four-fifths (80%) agreed that the information gave them a good understanding of what would happen.

4.2.1.b Training

More training – particularly for the judiciary – could have led to a more seamless introduction to the new service. Even after the service had been fully rolled-out, participants reported that additional training could help to ensure that the full potential of the reformed service is realised.

Tribunal judges/members mentioned that training was insufficient, and they had to put in considerable time and effort to make sure they used the system as efficiently as possible. Several judges/members said they would have preferred a more formal, in-person training offer. They suggested that having training days dedicated to the new system as a group would have been beneficial. Others were willing to access the online training.

Most judges/members now felt confident using the system, but some thought they might be able to improve their efficiency with additional training as they were learning about some aspects only via tips from colleagues. Time was a limiting factor for judges.

> "I'm sure there are things I could learn that would make it better. The training that we've had has been quite ad hoc. I think it could be a little more focused."
>
> **Tribunal judge/member**

A test version where they could practice on non-live cases was suggested as a way to improve efficiency with no risk of a mistake.

DWP staff also stated that they had not received much training on the new system, but they were not overly concerned about this as they had found the system intuitive to use.

4.2.1.c Efficiency, ease of use, reliability, and technical issues

Despite highlighting improved efficiency of submitting documents digitally, public users had mixed views on whether the time taken to process their case was reasonable.

There is some evidence to suggest that the reformed service is not working quite as intended for judges and HMCTS staff, with some technical issues preventing them from fully capitalising on the potential efficiencies.

Most judges/members reported that cases were taking longer, partly because they had to undertake more administrative tasks under the reformed system and partly because navigating through the papers took longer. They felt this risked access to justice being delayed as users were not getting decisions on the day, and some cases were not heard at all on their scheduled day. However, others felt there was little difference overall or that initial increases in time had since been reversed. The data shown in the impact evaluation section above shows that case durations declined overall, but this may not necessarily reflect individual judges' experiences.

In qualitative interviews with public users, those using the reformed service generally felt that it was more efficient for them to upload documents than to send them in the post.

Ideally, these efficiencies should result in shorter processing times for SSCS cases. Public users had mixed views on the time taken to process their case (Figure 5), and there was little difference by whether they reported using the digital channel or not: two-fifths agreed that the time taken was reasonable (41%), but a similar proportion disagreed (38%).

Figure 5   Public users' extent of agreement with 'the time taken to process your case was reasonable'

Summary: 41% agree

Summary: 38% disagree

| 13% | 29% | 19% | 16% | 22% |

■ Agree strongly   ■ Agree   ■ Neither agree nor disagree   ■ Disagree   ■ Strongly disagree
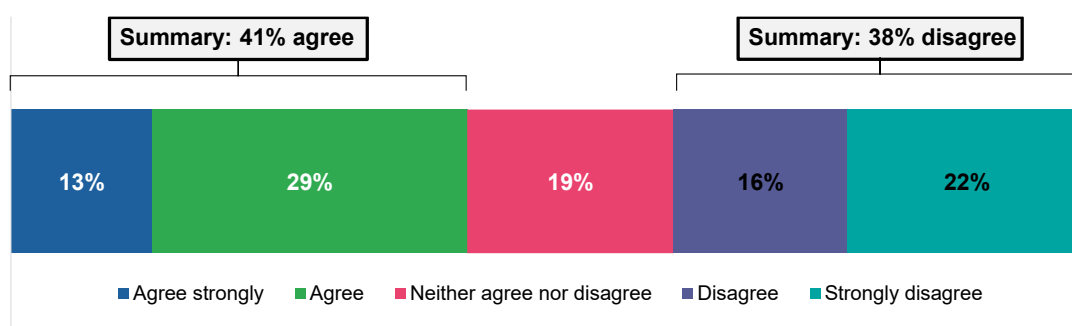
Source: IFF research

Note: E1: Extent of agreement: the time taken to process your case was reasonable. Base: All SSCS public users (1001) (Don't know not shown: 1%)

As shown in Figure 6 below, SSCS public users generally found it easy to find the form to make their appeal (66%), to start the appeal (66%), to provide documents or other evidence (61%), and to respond to any queries raised about their case (58%). Over half (54%) also reported that it was easy to keep track of what was going on in their case.

Figure 6   **Public users' ease of use of digital and paper processes**
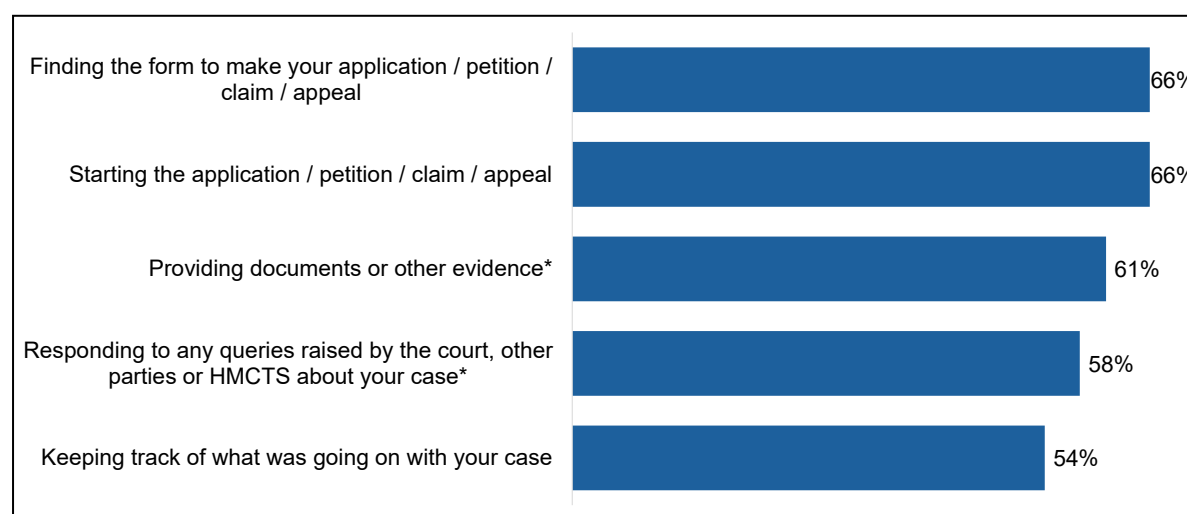
Finding the form to make your application / petition / claim / appeal — 66%

Starting the application / petition / claim / appeal — 66%

Providing documents or other evidence* — 61%

Responding to any queries raised by the court, other parties or HMCTS about your case* — 58%

Keeping track of what was going on with your case — 54%

A fifth of public users experienced technical difficulties during their case (22%); 11% of digital public users mentioned losing information previously entered, followed by the website crashing (9%) and being locked out of their account (8%).

In qualitative interviews, public users indicated that the service compared favourably with their expectations. They felt that it was better and easier to use than other Government digital services that they had experience with (for example, the Universal Credit service or HMRC services).

Administrative difficulties (for example, inconsistent filing protocols and difficulty viewing large files digitally) within the reformed service were a common, but not universal, cause of frustration among judges/members. Some felt that these issues were exacerbated by administrative staff being under-resourced.

> "The layout, and the way information is stored, and functionality is making it a lot more time consuming to either find documents or to undertake the tasks you want to undertake. Things that on paper might have taken seconds or minutes can be taking ten or fifteen minutes." **Tribunal judge/member**

Several judges/members found annotating or highlighting text in the digital files difficult (some had reverted to paper notes while others downloaded them).

"The digital bundles we get are not easy to work with…you can't do, to me what are basic things…you can't highlight, you can't post-it…basic things…. all you can do is bookmark, so that is extremely limited." Tribunal judge/member

Tribunal judges/members felt the case management system was unavailable too frequently, but that reliability had improved over time. This unavailability was attributed to the system being 'unstable' or taken offline for updates and fixes, but often, they did not know if it was an issue with their account, case, or a system-wide problem. With all jurisdictions using the same system, the SSCS service was still affected when changes were made for other jurisdictions.

If the portal could not be accessed, there was no backup option. Judge/members felt they needed to prepare in advance in case the system was not available the night before a hearing. Some judges/members had been left unable to access papers prior to the morning of a tribunal, some had to adjourn cases.

"If the system goes down, there is a knock-on effect. .... At one time, cases had to be adjourned because the system went down. It was happening two to three months ago quite frequently and it seems to be sorting out, but there's no backup if we can't see the bundles." **Tribunal judge/member**

4.2.2 How do the new digital processes facilitate or impede access to justice in practice?

The majority of public users reported an outcome in their favour, with only 3% withdrawing their cases. From a public user perspective, impressions of the fairness of processing and outcomes were high for the reformed service (although a comparison with perceived fairness of the legacy service was not possible).

4.2.2.a   Fair handling

In the public user survey, satisfaction levels with the outcome of their appeal were reasonably high (64% were satisfied including 45% who were very satisfied).

As shown in Figure 7 below, over half of SSCS public users agreed that their case was given an appropriate amount of care and attention (53%), their case was processed fairly

by HMCTS (57%) and that they had confidence in how the tribunal handled their case/application (54%).

Figure 7   Public users' extent of agreement with statements about trust in handling of case
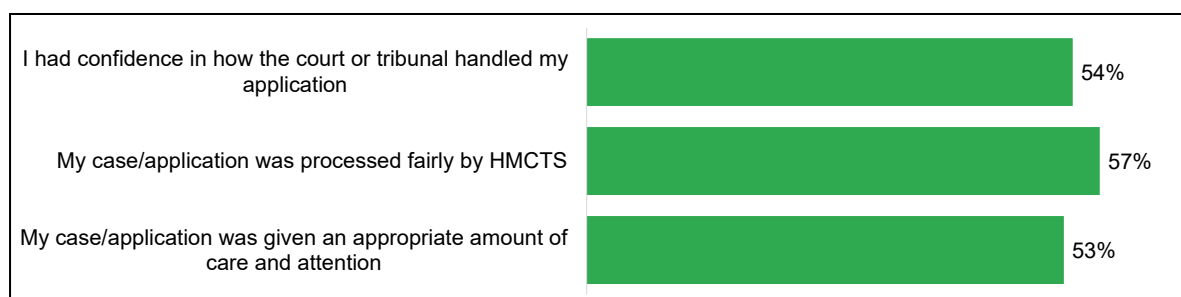
Source: IFF research

Note: H4: To what extent do you agree that…? Base: All SSCS public users (1,001); Chart shows proportion answering, 'agree strongly' or 'agree'.

4.2.3 What are the types and levels of user and case (administrative) errors, why do these occur, and how do these compare to the non-digital process?

The evidence does not suggest that the volume of errors differed substantially between the reformed and legacy systems (although there is a slight suggestion that user errors could be less common).

In the survey of SSCS public users, only a small minority reported that they made mistakes or omissions in the information that they provided for their appeal (8%). The most common errors they reported were misunderstanding what they were being asked for, failing to provide some information initially, and mis-entering some information.

Tribunal judges/members thought the issues they observed around documents being filed in the wrong place, mislabelled or missing were likely to be user errors, rather than system errors.

DWP staff mentioned that errors could still sometimes occur with Manage Cases but felt that these were less frequent than under the legacy system. The types of errors they mentioned were:

- Missing or incorrect party details (e.g. addresses or NI numbers)

- The wrong documents being pulled through from Manage Cases (usually when there are a lot of documents involved)

- Uploading a response to the wrong case

- Appellants uploading the same document multiple times.

Judges/members felt that the fact that the reformed system allowed for recording of all communication (including details of telephone calls) has helped to identify errors and so avoid them in future.

At the same time, they also reported that there were some errors specific to using the digital system, such as:

- documents being scanned upside down.

- judges/members not realising additional evidence had been submitted.

- clerks not realising how large a bundle is so not allowing sufficient time for the case; and

- clerks sending links to the wrong cases.

In the SSCS public user survey, one in six users (16%) reported that HMCTS had made an error in processing their appeal. The most common error they reported was HMCTS appearing to misunderstand the information provided.

4.2.4 Where digitalisation is the only change to a service, how consistent are processes between digital and non-digital channels?

Across all user groups, there was little evidence to suggest fundamental differences between the processes involved with digital and non-digital channels.

Tribunal judges/members reported that the biggest difference in the process was that they, rather than court clerks, had to write the decisions for cases.

DWP staff mentioned that they sometimes experienced delays in uploaded decisions, which could cause them difficulties if the appellants knew the outcome ahead of them (for example, if the appellant then got in touch to ask when they would receive payments and

the DWP was not yet aware that the case had been decided in the appellant's favour). This could be linked to this change in procedure.

From the perspective of DWP staff, there were no real differences in the process that they were undertaking; it was just that the movement of documents was now largely being conducted through digital uploads rather than printing and postage.

4.2.5 What are the barriers and enablers to accessing digital services, and do these vary across user characteristics?

4.2.5.a Ease of access for public users

Having a high digital capability, being younger, having a higher income, and not having a health condition or disability were associated with higher uptake of the digital service. A lack of awareness of the digital channel was the most common reason for opting for the paper channel.

The survey of SSCS public users indicated that two thirds (67%) of those making an appeal recalled starting their case/making their initial application using the online form on GOV.UK. In comparison, a fifth (21%) recalled using a paper form that they sent in the post. Very small proportions reported using other channels (such as emailing a .pdf of the form), and a tenth (10%) could not remember how they made their initial application.

Among those with high digital capability,[38] over three-quarters (77%) recalled starting their appeal using the online form compared to three-fifths (60%) of those with mid capability and around half (48%) of those with low capability. Those aged 35-44 were particularly likely to use the digital process (72% compared with 62% of those aged 55-64 and 59% of those aged 65+). Those who said they had a health condition or disability that impacted their digital capability were also less likely than average to recall using the GOV.UK form (59%). Other than this, there were no differences in the likelihood of using the digital process to start the appeal by protected characteristics.

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[38] Digital capability was assessed using a standard survey question asking respondents about their use of the internet to carry out a set of 8 different activities on a 4-point scale (1=" Yes I have done this" to 4= "Don't know what this is"). Those with an aggregate score of 8 (indicating they have used the internet to do all 8 activities) were defined as 'high capability', those with a score of 9-16 as 'mid capability', and scores of 17 or higher were defined as 'low capability'.

Among those who did not use the online form on GOV.UK to start their appeal, the most common reason given for not selecting the digital channel was a lack of awareness of the digital service (24%), as shown in Figure 8. Some of the other reasons given indicate barriers relating to accessibility.

Figure 8   Public users' reasons for not using the online/digital service for initial appeal

Once they had submitted their appeal, half (51%) of all SSCS public users who started their appeal online said that the online/digital/GOV.UK service was their main method of communication with HMCTS, and a further sixth (17%) said that it was email. A minority switched to offline methods of communication (13% telephone and 11% paper forms). Among users who said they did not start their appeal using the online appeal form, over a quarter (27%) said that their main method of communication was telephone, and two-fifths (42%) said that it was paper. A small minority of paper users said email was their main method (15%).

Over half of SSCS public users reported accessing the service mainly using a mobile phone (56%). The next most common device mentioned was a laptop (25%).

4.2.5.b Ease of access for the judiciary, HMCTS staff and non-legal professionals

Access to appropriate equipment can be a barrier to access for the judiciary.

Judges considered that documents being accessible anywhere was a positive change in terms of enabling their use of digital services. However, several judges/members thought HMCTS should provide them with laptops, as these were not always available at venues (or were slow or unreliable). Some were concerned about security when using their own devices (including tablets). One judge/member also reported that some tribunal members had resigned because they could not access laptops and the internet, and some older members had resigned because they were not offered time and support with the reformed system.

> "I think they've lost some really good tribunal members who haven't been brought along with the process" **Tribunal judge/member**

The reform has however opened access for those who cannot physically work with large volumes of paper: one judge/member only felt able to start their role when it was agreed (as a reasonable adjustment) that they could work only on digital cases.

Tribunal judges/members reported that some public users did not have access or were not confident using the internet and may access it from a library (which they felt might not be appropriate for this sort of activity).

4.2.5.c 'Dropping out' from the digital channel to the paper channel

In qualitative interviews, DWP staff and HMCTS staff stated that they felt it was extremely rare for cases to drop out of the reformed system and then continue using the legacy system.

4.2.5.d Support and how issues are resolved

Support services could work better. Judges felt that IT support did not appreciate the urgency of their requests. Among public users, awareness of the HMCTS Digital Support Service was low (and some of those unaware would have liked assistance).

A relatively small proportion of SSCS public users reported receiving support or assistance with making their appeal (15%). Where support was received, this was most commonly from a family member or friend who was not legally qualified (50% of those receiving

support) or a charity/support organisation (35%). The HMCTS Digital Support Service was only used by a tenth (11%) of those receiving support (14% of digital users overall).

Generally, awareness of HMCTS Digital Support Service was quite low - only 21% of SSCS public users who did not receive support from HMCTS were aware that it was available. Of those unaware, three-fifths (61%) stated that they would have liked to access this support if they had known it was available. None of those interviewed in the SSCS public user qualitative interviews had made use of any support offered.

Tribunal judges/members reported the IT support lacked understanding of their roles and the urgency of their requests. Automated acknowledgements might not be followed up for several days, and they often had to devise their own workaround or ask colleagues for help. Some colleagues advised downloading documents to annotate and highlight them more easily. Tribunal judges/members felt frustrated that this was not how the system was intended to work. Tribunal judges/members felt that digital support officers at the courts were underpaid and under-trained and so could not always offer support.

> "[The role of digital support officer] was resourced by HMCTS with existing members of staff … but for what they pay them and what they are required to do it is not worth it – an extra two or three quid a day for running after often quite difficult and bad-tempered judges to resolve IT issues well beyond their pay grade and experience." **Tribunal judge/member**

One judge/member reported that transitioning the support to a new team had caused recent delays as they build an understanding of the system and different jurisdictions.

However, several judges/members reported being satisfied with the help received on specific issues, and some reported IT issues were resolved quickly.

4.2.6 How does the new digital process impact users' experience?

Public users generally seem to have had a positive experience of using the reformed service.

For HMCTS staff and for DWP staff, the reformed service has greatly improved their working lives.

For the judiciary, experiences of the reformed service have been more mixed.

4.2.6.a   Overall public user experience and views on the reformed service

Around two-thirds of SSCS public users (65%) were satisfied with the service they received from HMCTS, see Figure 9.

Figure 9   Public users' overall satisfaction with the service they received from HMCTS

Summary: 65% satisfied   Summary: 18% dissatisfied

| 38% | 27% | 15% | 9% | 10% |

■Very satisfied ■Satisfied ■Neither satisfied nor dissatisfied ■Fairly dissatisfied ■Very dissatisfied
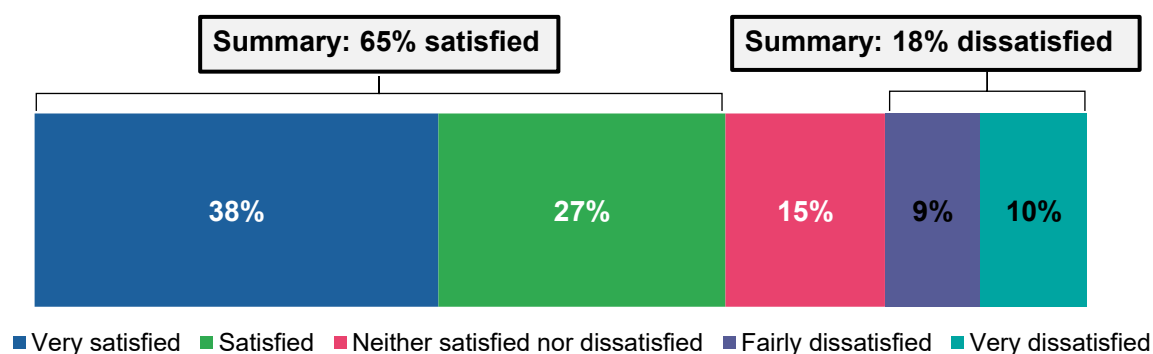
Source: IFF research

Note: H5 Leaving aside the outcome of your case, how satisfied were you with the service you received from HMCTS overall. Base: All SSCS public users (1,001), Don't know responses are not shown (1%).

In the interviews, the majority of public users praised the convenience of the digital service because it meant they did not have to print and post physical documents.

> "Awesome, because I never had any problems with it, and it saves the hassle of posting off letters and waiting for them to return. It is very time saving… and it is not cheap to post letters off these days and get them recorded."
>
> **Public user (SSCS)**

Most public users felt they were kept fully or partially informed (50% fully informed, 32% partially informed), with more than half (59%) recalling receiving notifications or updates about what stage their appeal had reached. Among those who received notifications, most (78%) said that they received the right amount, although a few (17%) said they did not receive enough. Hardly anyone felt they received too many notifications or updates (2%).

Half of SSCS public users who either started their appeal online or used online channels as the main way to communicate with HMCTS (53%) said that they made use of the facility to track the progress of their cases using the online service.

In qualitative interviews, feedback was mixed around the quality of communications. Sometimes SSCS public users reported receiving communications by email and by letter, and it was unclear to users whether they were duplicates of each other or represented a different step in the process. Some still felt that they could have benefitted from more notifications about how long each step would take and what was happening at the HMCTS end during this time. During long waits for information, some users had tried to make contact by phone to see what was happening and had found this unsatisfactory (e.g. waiting a long time to get through to an agent).

In the survey of public users, two-thirds (68%) of those who used the digital channel (i.e. they either started their appeal online and/or used an online channel as the main way to communicate with HMCTS) said that they would use this channel again in the future if they had to appeal another decision (13% said that they would not choose to represent themselves in future, 5% said they would use a paper service). A third of those who used the paper service also said they would select the digital channel in future (32%), with a quarter (25%) saying that they would choose paper again (the remainder had no preference or stated that they would not choose to represent themselves again in future).

Similarly, in the interviews with SSCS public users, most felt that their case had been handled fairly and that they would recommend the digital service to others (provided they had some digital skills or access to someone to help them).

4.2.6.b *Judges' overall views and impact on working life for the judiciary, HMCTS staff and non-legal professionals*

Tribunal judges/members often had a range of issues with the reformed service, and all felt the reform had had a substantial impact on their working lives.

Most said it meant working more out-of-hours: whilst some liked the flexibility of working where and when they wished, others found their personal lives disrupted. Increases in their volume of work were largely attributed to more administrative work and the time taken to locate the files they needed.

Tribunal judges/members widely welcomed not having to carry around or be responsible for the security of large numbers of confidential documents at home or when travelling when

cases could involve thousands of pages. It also avoided having to courier documents between judges if one was ill or having to go to a post office to collect them securely.

> "It used to be that you'd get a massive two-inch paper bundle per case…The fact it's digital means it's much more secure, safer and easier."
>
> **Tribunal judge/member**

Some commented it was harder to judge the case workload, as previously they could see this from the physical size of the paper bundle.

One judge/member found they were networking less informally and not building up relationships with HMCTS staff. Another mentioned it was difficult to take a lunch break as this time was needed to write decision notices.

DWP staff were very satisfied with the Manage Cases service. They felt that the time saved from being able to upload documents rather than having to print and post them was considerable. They also really appreciated having instant access to information about cases.

> "Even our staff who loved their paper cases and holding that bundle and were not very IT savvy, even they have converted completely!" **DWP staff member**

4.3   Potential Improvements

Research participants expressed some specific suggestions on how the digital system could be improved. These suggestions do not take into account any changes since fieldwork was conducted (January to December 2023).

Suggestions made specifically by research participants

- Providing users with a named individual to contact about their case. *(Public users)*

- Making training and appropriate IT equipment available. *(Judiciary)*

- Enhancing functionality to annotate documents on the system. *(Judiciary)*

- An alert system to notify judges/members when new documents are uploaded. *(Judiciary)*

- Including relevant DWP staff details to maintain continuity on a case. *(DWP staff)*

- Allowing more than one receiving parent for appeals on behalf of a child. *(DWP staff)*

- Reducing delays from the two-factor authentication process. *(DWP staff)*

- Giving DWP staff access to the stitched bundle so page numbers match those seen by judges. *(DWP staff)*

- A notes page for recording hearing changes. *(DWP staff)*

Suggestions based on analysis

Analysis of the interviews also provided areas for potential improvements:

- Ensuring that the digital option to make an appeal is as prominent as possible.

- Additional notifications about the progress of their case (e.g. more text alerts to signal a change in the status of the case).

- Clarifying where duplicate digital and paper-based notifications are copies of each other.

- Promoting the National Digital Support Service as prominently as possible.

- Reducing delays in uploading decisions.

- Further investigation into potential differences in digital uptake and case duration between different groups.

5.   Conclusions

5.1   Impact evaluation key findings

Overall, findings from the impact evaluation suggested that contextual drivers like COVID-19 are more likely to have contributed to high service uptake (to over 85% in PIP and 89% in UC) and reductions in case duration (to around 50 days for both PIP and UC) rather than the reform.

There is mixed evidence regarding the reform's impact on improved digital uptake and overall access to justice. Evidence suggests that while digitalisation is a necessary contributor to the uptake of digital SSCS services, it was not on its own sufficient to drive the shift to online services. Both PIP and UC have a relatively high digital uptake. However, these high uptake rates coincide with the pandemic beginning in early 2020, rather than with the introduction of the digital reform for these services, which occurred in 2018 for PIP and 2019 for UC.

No firm conclusion can be drawn on the contribution of digital reform to improved efficiencies and speed of access to justice. There was a small improvement in digital case duration for both PIP and UC. However, once again, this coincided with the beginning of the pandemic and was possibly related to lower caseloads due to the relaxation of DWP rules during COVID-19.

5.2   Process evaluation key findings

There is mixed evidence regarding whether the SSCS service was implemented as intended. On the one hand, Judges and HMCTS staff reported that most cases are now processed on the reformed system. In addition, public users generally found the stages of making an appeal easy. On the other hand, professional users, particularly the judiciary, reported that more training could have led to a more seamless implementation.

When it came to user experience of the SSCS digital system, findings were mostly positive. Public users' satisfaction with the reformed service was high and DWP staff reported that

the reformed service made their working lives much easier. However, experiences were more mixed for the judiciary. Although there are some additional error types possible for digital cases, there was no evidence to suggest administrative or user errors are any more or less common overall using reformed processes. The incidence of SSCS appeal cases dropping out of the reformed system to be processed on the legacy system was also reported to be low, suggesting a satisfactory user experience.

There were mixed findings regarding the impact of the reformed service on access to justice outcomes. In the interviews, some public users said that they would not have gone ahead with their appeals if the digital service was not available, suggesting that the service facilitated access to justice. However, public users did have mixed feelings on whether the time taken to process their case was reasonable. Additionally, judges mentioned a few issues with the reliability of the digital service, and that their administrative tasks were taking longer. This could be considered to impede or delay access to justice for some.

5.3   Implications

Several suggestions for improvements to the digital SSCS service emerged from the findings. The key areas these focused on included:

- Making additions or improvements to some of the key features of the service such as allowing annotations to be made to documents on the system, introducing alerts to notify staff when new documents are uploaded or to inform on case progression, allowing more than one receiving parent for appeals on behalf of a child and adding a notes page for recording hearing changes.

- Increasing uptake and understanding by ensuring that the digital option to make an appeal is as prominent as possible and promoting the National Digital Support service.

- Ensuring continuity across the process, for example, by including relevant DWP staff details on a case and providing users with a named individual to contact about their case.

- Reducing delays at key points in the process.

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Appendix A
SSCS logic model

Figure A1 presents the logic model for the SSCS digital reform. It shows the links between inputs and activities and how those lead to the anticipated outputs, outcomes and longer-term impacts.

Several inputs were required for the digitalisation of the SSCS service. Financial and time resources (i.e., inputs) were required from the government, HMCTS staff, the judiciary and service users. In addition, introducing other digital aspects within HMCTS and releasing the Common Components were also essential for the rollout of the digital SSCS services. Those inputs enabled appellants to submit (in the case of the SYA[39] route) and manage (in the case of the MYA[40] route) their cases, including the ability to upload documents, evidence and further information about their appeal. The fact that users can upload documents digitally and follow their case means that the process can be streamlined, which would be expected to lead to reduced time and resources required for case processing.

Cases were further streamlined as the digital channel allowed users to provide a more detailed explanation for their appeal. This was expected to have provided a better and more in-depth understanding of the case, assisting the tribunal decision process and making it quicker. The ability to track cases online would be expected to lead to improved user satisfaction due to improved information through notifications and the ability to directly monitor case progress. Lastly, the online services, which also include support and easy access to case documents, would be expected to lead to increased efficiencies and optimise resource usage. All those impacts should have led to improved access to the formal justice system overall and further assisted with increasing access to justice.

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[39] Submit Your Appeal.
[40] Manage Your Appeal.

SSCS logic model

INPUTS	ACTIVITIES	OUTPUTS	OUTCOMES	IMPACTS	
Government capital funding R&D, equipment and software	**Research** understanding journeys to inform intervention design	Average time to case completion by user and case characteristics	**Staff productivity.** Change in time and effort required by staff to process applications and progress cases.	**Efficiency of public funded services** due to changes in process.	**PROPORTIONATE:** The cost, speed and complexity are appropriate to the nature of the case
DWP and HMRC inputs	**Technical design & build.** Set-up, migration, QA, data security		**Speed of service.** Change in time to reach a stage in the process	**HMCTS staff and judiciary satisfaction** due to more efficient processes	
HMCTS staff time - designing and administering the service.	**Service design.** Designing the service process to address Business and survey delivery needs	Number of appeals by application type	**Travel.** Change in time and money for (welfare) users	**User satisfaction of the service** driven by faster and easier access.	**ACCESSIBLE:** Affordable, intelligible, and available for use by all
	Documentation. Creation of digital operation documents	Number of appeals completed/ outstanding	**Transparency.** Change in users' understanding of the process.		
Judiciary time. Time for judges to sign off the reforms and learn/use the platform	**User support** is provided by CTSCs and National Digital Support Service.	Number of lapsed appeals	**Ease of use.** Change in citizens' access to the service (convenience, flexibility, application channels).		**JUST:** The independent judiciary are supported by processes that are modern, transparent and consistent
	Model Office/Model Court approach testing and optimising the reformed service	Reported appellant satisfaction by representation type	**Information flow.** Change in quantity and quality of tools available to the judiciary	**Perception of outcomes.** Reliable and accessible justice system.	
Service user time Users time for signing to the online services and learning the platform.	**Common components** ▪ Scheduling & Listing ▪ Reference master data ▪ Bulk Scanning ▪ And others	Number of adjournments	**Quality of service.** Change in case errors	**Accuracy of service** from fewer errors.	
				Users' well-being due to reduced stress.	**WIDER GOALS:** Transparent, future-proofed, flexible, sustainable
			Change in paper use. Change in the amount of paper needed in all parts of the user journey and the costs related to it.	**Environmental impact.**	

Creation of an end-to-end digital journey to appeal a benefit decision. DWP, HMRC and First Tier Agencies have direct digital access to core case data. For both appellants and representatives, the digital journey includes:
- Evidence Share Portal for Submit Your Appeal (SYA).
- Appellants can choose whether to sign up for Manage Your Appeal (MYA) which can be used to track the appeal and upload audio/video evidence, written statements etc.

Appendix B
Full list of SSCS tribunal benefits

Individuals can appeal decisions about the benefits in the list below to the First-tier (SSCS) Tribunal. Of these benefits, at the time of the analysis in early 2024, only benefits that would previously be appealed by submitting a specific form (the SSCS1 form, indicated in **bold**) appeals had a digital channel.

- **Attendance Allowance**

- **Bereavement Benefit**

- **Bereavement Support Payment Scheme**

- **Carer's Allowance**

- Child Benefit

- Child Support[41]

- Child Tax Credit

- Child Trust Fund

- Compensation Recovery Scheme (including NHS recovery claims)

- Diffuse Mesothelioma Payment Scheme

- **Disability Living Allowance**

- **Employment Support Allowance**

- Guardian's Allowance

- Housing Benefits

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[41] Child Support appeals cannot be made through the online portal, but paper forms are bulk scanned into the reformed system.

- Home Responsibilities Protection

- **Incapacity Benefit**

- **Income Support**

- **Industrial Injuries Disablement Benefit**

- **Jobseeker's Allowance**

- **Maternity Allowance**

- **Pension Credit**

- **Personal Independence Payment**

- **Retirement Pension**

- Road Traffic (NHS Charges)

- Severe Disablement Benefit

- Sure Start Maternity Grant

- Social Fund

- Tax credits

- Tax-Free Childcare

- **Universal Credit**

- Vaccine Damage Payment

- Winter Fuel Payment.

Appendix C
SSCS impact evaluation technical appendix

This appendix includes technical information about the data used in the MI analysis. It includes a basic description of case volumes and types, and specific data quality considerations relevant to the selection of data for analysis. It includes a summary of the final scope of, and steps taken to prepare, the data included in the analysis. Further information on methodology and fieldwork can be found in the overarching report.[42]

MI data analysis supporting information

The MI data included amalgamated case-level information sourced from the GAPS2 (SSCS legacy data) and CCD (SSCS reform data) systems. The data analysis was based on the available data with respect to:

- Volume of and period covered by cases that were available in both datasets.

- Types of cases included in the datasets and the ability to make various comparisons.

- Available variables relevant to outputs and outcomes of interest.

Volume of cases and period of analysis

The dataset included information on over 920,000 legacy and reform cases started between January 2017 and November 2022.

Type of cases included in the analysis

The impact evaluation of SSCS is focused on PIP (Personal Independence Payment) and UC (Universal Credit) appeals. The data included information on other

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[42] Available at HM Courts & Tribunals Service Reform: Digital Services Evaluation - GOV.UK

benefit types. Figure C1 shows that the most common benefits in the data were PIP (56%), Employment and Support Allowance (ESA) (23%) and UC (9%).

**Figure C1   Total number of appeal cases by benefit**
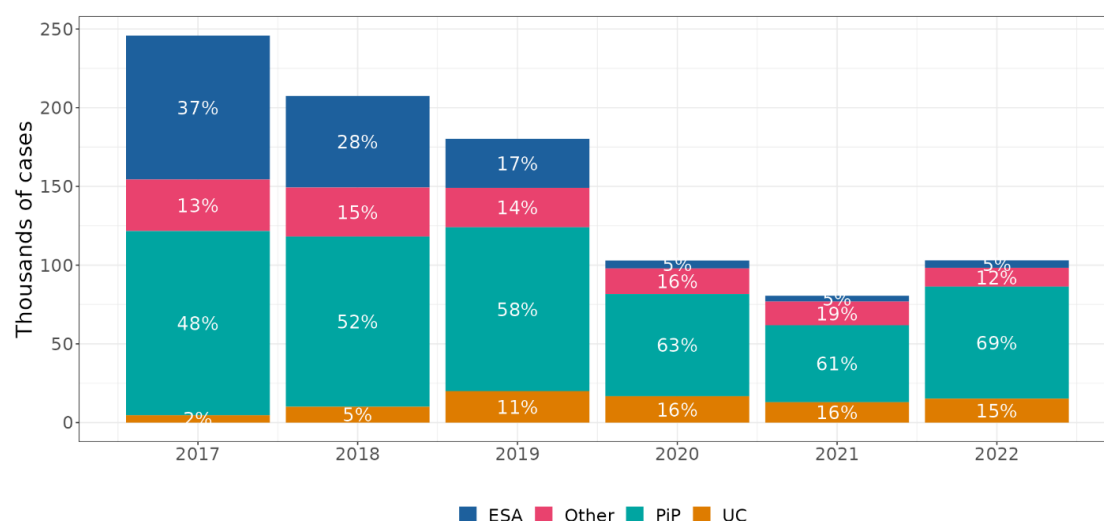
The proportion of UC cases of all cases increased (from 2% in 2017 to 15% in 2022), while the proportion of ESA cases decreased (from 37% in 2017 to 5% in 2020). MoJ/HMCTS indicated that one of the reasons for the decrease in ESA cases was that UC is replacing income-related ESA benefits.

The dataset included limited information regarding whether the appellant is represented, with around 40% of the observations indicating whether the case is represented or not. Out of those, 56% were flagged as having a representative.

The data also included information on the channel of the appeal (i.e., digital or paper). Before the rollout of the digital reform, only the paper channel was available. Three options were available over the reform period: two digital (MYA and SYA) and one paper. The MYA and SYA routes were analysed together as one digital channel. From Q3 2019, with the introduction of bulk scanning of paper cases, the processing of paper cases by HMCTS was done digitally as well (after those were bulk scanned and validated by a human).

Figure C2 presents the quarterly proportion of cases flagged as "Yet to be disposed" out of the appeals submitted in that quarter based on the time of the data extraction.

Figure C2   PIP (top) and UC (bottom) – quarterly proportion of cases that were "yet to be disposed" at the time of data extraction
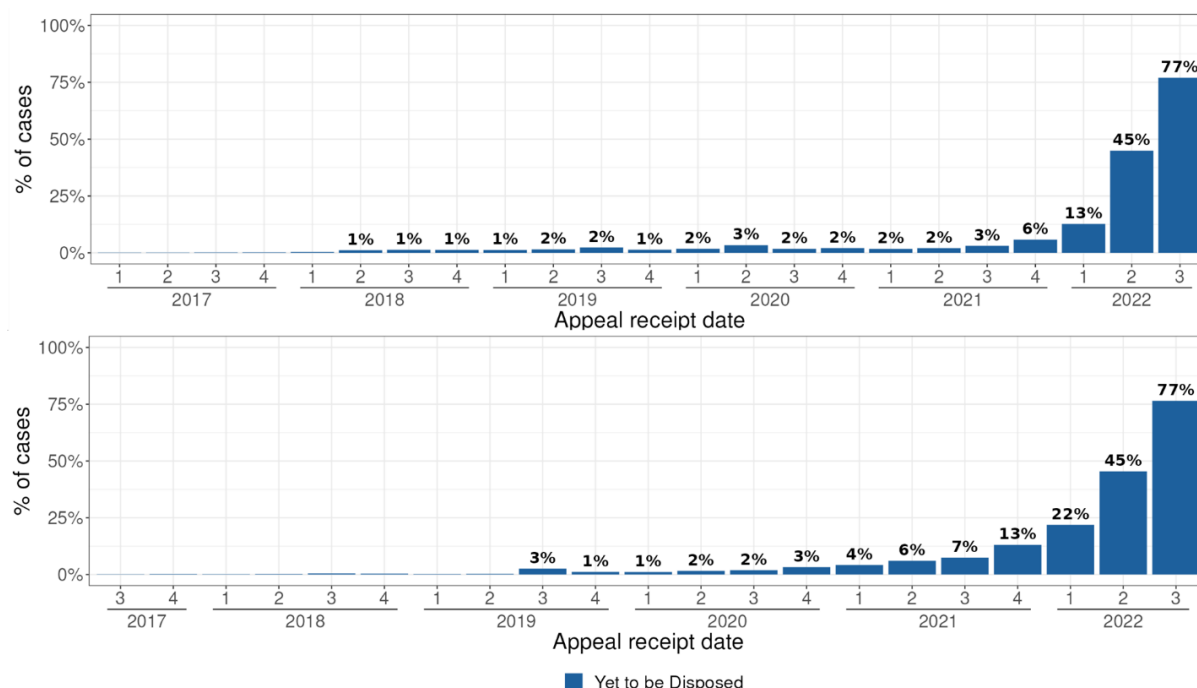
Source: *Frontier Economics based on MI data provided by MoJ*

Note: *Dates shown refer to the date cases were received by HMCTS rather than the date of disposal. This means there is a lag between the date shown and the actual date of an outcome. The data as shown can therefore reflect the influence of events on cases after they start. This may differ from the approach taken in the Ministry of Justice's published statistics. Caution should therefore be used when comparing these figures with published statistics.*

Data on the characteristics of the users

The reform data also included information from some appellants' PCQs.[43] The questions included in the PCQs in SSCS are less comprehensive than for other services, as they do not include information on disability or age.[44] Figure C3 shows that the PCQ response rate for both benefits increased over the analysis period. The proportion of PIP appeals with PCQ information increased from 8% in 2021 Q1 to 27% in 2022 Q3, while the proportion of UC appeals with PCQ information increased from 11% in 2021 Q1 to 27% in 2022 Q3.

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[43] For the subsequent analysis regarding PCQs, the cases where there was an appointee were excluded to make sure that the PCQs refer to the appellant (i.e. 3.6% of the cases).

[44] Disability-related questions are not collected on SSCS PCQ forms as they are regarded as highly sensitive information in this context. Age questions were excluded as the SSCS appeal form already included the date of birth.

Figure C3   PIP (top) and UC (bottom) – quarterly proportions of cases with and without PCQ information

Summary of analysis and detailed data preparation steps

Table C1 sets out the scope and key steps in preparation of the data used in the MI analysis.

Table C1   Scope and cleaning steps for the SSCS MI data

Description of data sets received	1 anonymised dataset, including combined information from the GAPS2 (legacy) and the CCD (reform) information management systems

Available information (raw data)	920,205 observations from 3 January 2017 to 9 November 2022
Cleaning steps	No duplicates found in the raw data.
	Removed cases from 2022 Q4 given it was not a full quarter at the time of receipt (10,546 cases removed)
	Retained only PIP and UC cases for analysis (324,868 cases relating to other benefits removed)
Available information (clean data)	For PiP: 506,594 cases started from 3 January 2017 to 30 September 2022
	For UC: 78,197 cases started from 3 January 2017 to 30 September 2022
Information on relevant subsets/cuts of the sample	Available comparisons:
	• **Legacy vs reform**: information on legacy vs reform cases derived from rollout dates.
	• **Channel type:** information available for paper and digital appeals from the reform period.
	Unavailable comparisons:
	• **Representation type:** information regarding representation type not of sufficient quality for analysis (i.e. large proportion of cases where representation was not specified)
Available PCQ information	2,578 observations with information available on all PCQs; 40,460 observations with information available on at least one PCQ.
	Removed 3,927 observations of cases that had an appointee and it was not clear in the data if PCQs were referring to the appointee or the appellant.

	PIP: 24,200 observations with information available on at least one PCQ from Q1 2021 to Q3 2022. UC: 6,858 observations with information available on at least one PCQ from Q1 2021 to Q3 2022.
Information on relevant subsets of the sample for observations with PCQs	Cases with information on PCQs are only available for: • Public user cases • Digital cases. For the PCQ analysis: data restricted to public user digital cases after 2021 Q1 and differences in outcomes for groups of interest calculated based on the totals (i.e., not quarterly or annually)
Key case management outcomes of interest	Trends over time of: • Digital uptake: proportion of digital cases vs paper cases out of total cases (including those with an unspecified channel) • Timeliness: (i) the average number of days from the date the case is received until the case outcome date for cases at a hearing (upheld or in favour) and cases lapsed without hearing; and (ii) proportion of cases that are lapsed vs proportion of cases that go to court (i.e. at a hearing)
Level of granularity	Quarterly/ monthly trends over time (until 2022 Q3 where the information is not complete), split by: • Channel (i.e., digital vs paper)

Source: Frontier Economics

Appendix D
SSCS fieldwork summary

Table D1	Summary of fieldwork			
Audience	**Quantitative Surveys**	**Fieldwork dates**	**Qualitative interviews**	**Fieldwork dates**
Public users	1,001	December 2022 to March 2023 and November 2023	16	January 2023 and October 2023
Judges/tribunal members	n/a	n/a	10 Judges/tribunal Members	November 2023
HMCTS staff	n/a	n/a	2	October 2023 to November 2023
DWP staff	n/a	n/a	4	November 2023 to December 2023

Appendix E
Ethical Considerations

This research was designed and conducted in accordance with the professional guidance on Ethical Assurance for Social Research in Government (Government Social Research, 2021). Some key ethical considerations are discussed below.

Minimising the risk of harm

Involvement in any legal process can be a stressful experience, some of which may be related to interactions with or perceptions of HMCTS itself. Unsolicited or unexpected communications from HMCTS, MoJ, or their representatives could risk causing or exacerbating any distress from involvement in a live case. There is also the risk that the research itself might incompletely capture, or unintentionally influence the formation of, participants' experiences of issues yet to be resolved. Only closed cases (or cases deemed to be closed by proxy) were included in fieldwork to minimise this distress and maintain the validity of the research.

Any participants in legal proceedings could from time to time be considered vulnerable. However, certain types of case were considered to involve an inherently higher degree of sensitivity and risk of distress from involvement in research. For this reason, domestic abuse, forced marriage, and female genital mutilation cases were excluded from this research, as the benefits of their inclusion were not considered to outweigh those risks. To minimise the risk of distress more generally, recruitment materials made clear that surveys and interviews were interested in participants' experience of the process and systems, rather than the content of their case.

Informed consent and right to withdraw

Public users were invited to take part in the surveys and interviews in advance by email (or for public users by post where an email address was unavailable). This invitation set out the purpose of the fieldwork, the voluntary nature of participation and their right to withdraw. It also made explicit the confidential nature of participation and that this would have no effect on their interactions with HMCTS. This information was further repeated at the start of the fieldwork.

Judiciary, HMCTS staff and other professional users were recruited through gatekeeper processes. These were informed of the purpose of the research and the voluntary and confidential nature of participation, and that participation would not have any effect on their employment or interactions with MoJ or HMCTS in both recruitment communications and at the start of fieldwork.

Enabling participation

Public users were offered a £30 voucher for participation in interviews to recognise the time and inconvenience incurred, and to support the participation of those for whom the costs of participating (in time, arranging childcare, use of phone data) might be a barrier.

Telephone surveys and interviews were available as an option for digitally excluded or less digitally capable individuals. Interpretation was also available for interviews and surveys for those unable to participate in English.

Confidentiality and disclosure control

Responses to fieldwork were held separately by IFF Research from participant details and not shared with HMCTS or MoJ.

Quotations were either selected to avoid disclosive material, or disclosive material was redacted. When attributing quotations for small populations (such as HMCTS staff), descriptions of participants were kept as generic as possible to minimise the risk of identification.