PARLIAMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO

Fifth Session (2014/2015)

TENTH PARLIAMENT

TENTH REPORT

OF THE
JOINT SELECT COMMITTEE ON
MINISTRIES, STATUTORY AUTHORITIES
AND STATE ENTERPRISES
(GROUP 1)

Inquiry into the administration and operations of the National Insurance Board of Trinidad and Tobago [with particular focus on the Board's relations with the National Insurance Appeals Tribunal (NIAT)]

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The Joint Select Committee on Ministries, Statutory Authorities and State Enterprises (Group 1)

Contact the Committee's Secretariat
Telephone: 624-7275 Extensions 2277/2288/2282, **Fax:** 625-4672
Email: jscgroup1@ttparliament.org

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ON

Inquiry into the administration and operations of the National Insurance Board of Trinidad and Tobago [with particular focus on the Board's relations with the National Insurance Appeals Tribunal (NIAT)]

Date Laid: HoR: 28.11.2014 Senate: 25.11.2014

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ACRONYMS & ABBREVIATIONS

LRC	LEGISLATIVE REVIEW COUNCIL
MOU	MEMORANDUM OF UNDERSTANDING
NIAT	NATIONAL INSURANCE APPEALS TRIBUNAL
NIBTT	NATIONAL INSURANCE BOARD OF TRINIDAD AND TOBAGO

EXECUTIVE SUMMARY

In contrast with the inquiry conducted in 2013 which focused primarily on the administration and operations of the National Insurance Appeal Tribunal (NIAT), the Committee sought to acquire greater insights into the operations of the National Insurance Board of Trinidad and Tobago (NIBTT), with a view to determining how these operations affect the processing of appeals lodged with the Tribunal by clients of the Board.

Building on its previous examination of NIAT in 2013, the Committee sought to acquire a clearer understanding of the major issues impacting the work relationship between NIAT and the NIBTT with a view to proposing feasible recommendations for addressing the related issues. Some of the challenges identified by the committee were:

i. differences in interpretation of the provisions of the National Insurance (Appeals) Regulations, particularly with regards to the adherence to statutory timeframes;

ii. a lack of appropriate channels for information sharing between the Board and the Tribunal;

iii. a general lack of understanding and appreciation of the processes and procedures associated with the National Insurance system on the part of clients and by extension the general public;

iv. the submission of unnecessary appeals by clients;

v. insufficient technical and human resource capacity within NIAT to address the backlog of matters which are currently being considered or are yet to be heard;

vi. inconsistences and discrepancies in client records held by the Board which has resulted in significant delays in the processing of benefits; and

vii. shortcomings in the customer service provided to clients at service centres which has also adversely affected the NIBTT's ability to effectively manage documentation regarding appeals.

Notwithstanding the challenges itemised above, the Committee noted that efforts were being made to address the issues which have caused a strain in the relationship between the two entities. Some of the notable interventions include:

i. the establishment of an Appeals Department with responsibility for liaising with the Tribunal in dealing with appeals;

ii. the Board has collaborated with other Ministries and departments of government for the purpose of obtaining essential information; and

iii. the Board was in the process of reviewing its internal procedures as it relates to dealing with appeals. This was expected to include the introduction of electronic data sharing and the establishment of specific timeframes for the submittal of Benefit Unit files to NIAT.

Relative to these and other issues outlined in this Report, the Committee has proffered a number of findings and recommendations that it anticipates will assist in enhancing the National Insurance Appeals process. These findings and recommendations are outlined in chapter 4.

Having considered the current state of the national insurance system, the Committee, noted that the clients serviced by both NIBTT and NIAT would be approaching these entities under difficult and vulnerable circumstances. It is therefore imperative that the necessary resources be allocated to improve the operations of both entities. We therefore submit this, our second report, which focuses on the National Insurance Appeal process for the consideration and action of the Parliament, NIBTT, NIAT and the Ministry of Finance and the Economy. We trust that this document would be given due consideration as we work towards improving the standard of service rendered by these two entities.

MEMBERS OF THE COMMITTEE

Mr. Elton Prescott, SC[1]
Chairman

Dr. Dhanayshar Mahabir[2]

Mr. Emmanuel George

Mr. Jairam Seemungal, MP

Mrs. Carolyn Seepersad-Bachan, MP

Mr. Gerald Hadeed[3]

Mr. Ganga Singh[4]

Ms. Stacy Roopnarine, MP

Dr. Delmon Baker, MP

Mr. Faris Al Rawi

Dr. Amery Browne, MP

Mrs. Patricia McIntosh, MP

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[1] Mr. Elton Prescott, SC replaced Mrs. Corrrine Baptiste McKnight w.e.f. 23.09.2013

[2] Dr. Dhanayshar Mahabir replaced Prof. Harold Ramkissoon w.e.f. 23.09.2013

[3] Mr. Gerald Hadeed replaced Mrs. Christlyn Moore w.e.f 23.09.2013 who replaced Mr. Danny Maharaj w.e.f. October 16, 2012.

[4] Mr. Ganga Singh replaced Mrs. Verna St. Rose-Greaves with effect from October 16, 2012.

1. THE COMMITTEE

Establishment

1.1 Section 66 of the Constitution of Trinidad and Tobago declares, that not later than three months after the first meeting of the House of Representatives, the Parliament shall appoint Joint Select Committees to inquire into and report to both Houses in respect of Government Ministries, Municipal Corporations, Statutory Authorities, State Enterprises and Service Commissions, in relation to their administration, the manner of exercise of their powers, their methods of functioning and any criteria adopted by them in the exercise of their powers and functions.

1.2 Motions related to this purpose were passed in the House of Representatives and Senate on September 17, 2010 and October 12, 2010, respectively, and thereby established, inter alia, the ***Joint Select Committee to inquire into and report to Parliament on Ministries with responsibility for the business set out in the Schedule as Group 1, and on the Statutory Authorities and State Enterprises falling under their purview with regard to their administration, the manner of exercise of their powers, their methods of functioning and any criteria adopted by them in the exercise of their powers and functions.***

1.3 The entities which fall under the purview of the Committee are attached as ***Appendix I***.

Members

1.4 The Committee comprises the following members:

1. Mr. Elton Prescott, SC - Chairman
2. Dr. Dhanayshar Mahabir - Vice Chairman
3. Mr. Jairam Seemungal, MP - Member
4. Mrs. Carolyn Seepersad-Bachan, MP - Member
5. Ms. Stacy Roopnarine, MP - Member
6. Dr. Amery Browne, MP - Member

7. Dr Delmon Baker, MP - Member
8. Mrs. Patricia Mc Intosh, MP - Member
9. Mr. Emmanuel George - Member
10. Mr. Ganga Singh - Member
11. Mr. Faris Al Rawi - Member
12. Mr. Gerald Hadeed - Member

Changes in Membership

1.5 **Mrs. Corrine Baptiste McKnight** was appointed to the Committee on October 12th, 2010 and served as the Committee's Chairman from October 22nd, 2010 until the termination of her Senatorial appointment on August 01st, 2013. **Prof. Harold Ramkissoon** served as a Member of the Committee with effect from October 12th, 2010 until the termination of his Senatorial appointment on August 31st, 2013. Mrs. Christlyn Moore served as a Member of the Committee with effect from October 16th, 2012 until the termination of her Senatorial appointment on September 06th, 2013. Mrs. Baptiste-McKnight, Prof. Ramkissoon and Mrs. Moore were replaced by **Mr. Elton Prescott, SC, Dr. Dhanayshar Mahabir** and **Mr. Gerald Hadeed** who were appointed to serve on the Committee with effect from September 23rd, 2013.

Secretarial Support

1.6 The following officers were assigned to assist the Committee:

- Mr. Julien Ogilvie - Secretary
- Mr. Indar Sieunarine - Assistant Secretary
- Ms. Katharina Gokool - Graduate Research Assistant

Powers

1.7 Standing Orders 71B of the Senate and 79B of the House of Representatives delineate the core powers of the Committee which include *inter alia*:

- to send for persons, papers and records;
- to adjourn from place to place;

- to appoint specialist advisers either to supply information which is not otherwise readily available or to elucidate matters of complexity within the Committee's order of reference; and
- to communicate with any other Committee of Parliament on matters of common interest.

2 INTRODUCTION

Background

2.1 At its Twenty-Second Meeting held on Friday October 25, 2013, the Committee agreed to conduct an inquiry into the administration and operations of the National Insurance Board of Trinidad and Tobago (NIBTT) [with particular focus on the Board's relations with the National Insurance Appeals Tribunal (NIAT)]. In the Committee's Seventh Report on the administration and operations of the NIAT, the Committee identified certain shortcomings in the appeals process, which it believed emanated from the operations of the NIBTT. As such, in an effort to acquire the perspective of the NIBTT on the issues affecting the administration of appeals made against it and to understand how the operations of the Board may be impacting the appeals process, the Committee agreed that an examination of the administration of NIBTT in relation to its interface with NIAT was required.

Objectives

2.2 Against this background, the Committee identified the following as the primary objectives of the inquiry:

i. to understand in greater depth the existing work relationship between the NIBTT and NIAT, with specific reference to appeals, providing in response organizational structure between NIB, NIAT, and the MOFE, reporting relationships, obligations of each entity, reference to sanctions and/or consequences for omissions, breaches and/or failures with respect to obligations;

ii. to be apprised of the practices and procedures observed by the NIBTT in the processing of appeals filed against decisions of the Board;

iii. to comprehend the staff composition and utilization at the NIB particularly with respect to the employees responsible for treating with Claims and Benefit Unit files;

iv. to gain insight into the claims process; and

v. to understand the possible causes of the delay in submission of Benefit Unit Files to NIAT.

Conduct of the Inquiry

2.3 The Committee held one (1) public hearing with representatives of the National Insurance Board of Trinidad and Tobago (NIBTT) and the National Insurance Appeals Tribunal on Friday January 17, 2014.

2.4 In preparation for the hearing, the Committee communicated with the NIBTT to solicit initial written responses. These responses were received on December 19, 2013 and were used as the basis for supplementary questions pursued at the hearing.

2.5 At the public hearing, the NIBTT was represented by the following officials:

- **Mr. Adrian Bharath** — **Chairman**
- **Ms. Karen Gopaul** — **Acting Executive Director**
- **Mr. Keston Nancoo** — **Board Member, Chairman, Human Resource Committee**
- **Mr. Albert Vincent** — **Director**
- **Mrs. Niala Persad-Poliah** — **Executive Manager, Legal Services**
- **Ms. Greta Stephen-Henry** — **Acting Executive Manager, Insurance Operations**

2.6 The Appeals Tribunal was represented by:

- **Ms. Herschel Joseph** — **Research Officer I**
- **Mr. Rohit Ramsumair** — **Acting Administrative Officer II**

2.7 Several issues raised at the hearing warranted detailed responses. These responses were submitted in writing to the Committee dated February 14, 2014.

2.8 The Minutes of the meeting during which the public hearing was held is attached as ***Appendix II***.

2.9 The Verbatim Notes of Evidence of the hearing is attached as ***Appendix III.***

2.10 The draft of this Report was considered and approved without amendment at the meeting of the Committee held on Friday November 07, 2014.

3 THE EVIDENCE

3.1 Hereunder is a synopsis of the oral and written evidence obtained from the NIBTT.

Existing Work relations with NIAT

3.2 National Insurance Appeals Regulation 14, provides for the service of documents to the Board via the Corporate Secretary. Therefore, Notices of Appeals generated by NIAT are submitted to the office of the Corporate Secretary. Notices are also copied to the offices of the Executive Manager, Insurance Operations and the Manager, Appeals.

3.1 The NIBTT submitted that it has maintained a cordial relationship with both the Chairman and Registrar of the Tribunal through frequent communication via telephone on a number of matters affecting their operations.

3.2 The Board indicated that issues arise between both organizations when there are differences in interpretation of the regulations, particularly as it concerns the timeframes observed by the NIBTT to respond to a Notice of Appeal and to make pronouncements on whether an appeal is 'out of time' or is to be disallowed. It was submitted that amendments to the legislation/regulations that govern the appeals process must be implemented in order to resolve some of the issues.

3.3 It was further suggested that an independent third party, such as a Commissioner of National Insurance (who should be qualified to be High Court Judge) should be assigned to make a determination on unresolved contentions between the Board and the NIAT regarding issues of fact and law.

3.4 During the public hearing, a NIAT official suggested that there should be greater compliance on the part of the NIBTT to the Regulations, which stipulates that benefit unit files should be forwarded to the NIAT within twenty-one days.

3.5 Officials of the NIBTT made a commitment to exercise greater compliance with the 21 day stipulation and to inform the NIAT in instances where it would be unable to comply with the timeframe.

Responsibility for liaising with NIAT

3.6 The NIBTT also has an Appeals Department that handles appeal matters and collaborates with the Legal Services Business Unit. The representatives of these units then liaise with the NIAT regarding appeal matters.

Processing of Appeals

Procedure to be followed when an appeal is initiated by a customer

3.7 The following procedures apply to the submission and processing of an appeal:

i. the customer/client completes and deposits a Notice of Appeal in a secured box (appeals box) which is provided by the Registrar, Appeals. These boxes are conveniently located at each Service Centre;

ii. the Notice of Appeal is then periodically retrieved by the Registrar of the Tribunal or his agent who would then forward the notices to the NIBTT;

iii. the appellants' files and a detailed account of the matter are then sourced by the Manager, Appeals from the relevant Service Centre Manager;

iv. the Manager, Appeals would then review the information together with a legal officer and an NIBTT Medical Adviser (where necessary) and based upon this, a response is prepared outlining the NIBTT's position on the matter. This is then forwarded to NIAT together with a copy of the appellant's file;

v. if the NIBTT determined that the appeal involves a consideration of legal issues, then a letter advising of same is forwarded by the NIBTT to the Registrar of the Tribunal. A copy of the file is not forwarded to the NIAT; and

vi. a date for a hearing is then set by the Registrar, who would then assign the lists of matters to be heard and would inform the members of the Tribunal, the NIBTT, and the appellant three weeks in advance of the hearing date.

3.8 Sometimes once an appellant is satisfied with the outcome of the NIBTT's review, he/she may voluntarily withdraw the appeal.

3.9 As at October 2013, 42 percent of the appeal matters awaiting a hearing date had no reasons listed for the grounds for appeal section. As a result the NIBTT would seek assistance from the Tribunal for clarification the grounds for the appeal. In some instances appellants may themselves approach the NIBTT even after the appeal has been lodged, to provide additional information or clarification, and the matter may be resolved and withdrawn by the appellant of his/her own volition.

3.10 Not all appeals are as a result of the disallowance of a claim. Sometimes appellants may simply misunderstand the benefit structure thinking that they may be entitled to more than what is actually provided for by the law. In other cases, some appellants use this as a method to obtain contribution statements and to enquire into the temporary cessation of benefits, or even to request a breakdown of their benefit calculations.

Reasons for delay in the processing of appeals

Tardy submission of Benefit Unit Files to the NIAT in contravention of Regulation 15 of the National Insurance (Appeals) Regulations

3.11 The Board indicated that there were several reasons for the delays in the submission of files to the NIAT (some of which have already been mentioned earlier). Some of these include:

i. other investigations that may be required before the submission of the files;

ii. the matter may not yet be settled and an appeal has been lodged;

iii. benefit unit files may not be easily accessible within a specified time frame;

iv. a claim may not have been recorded for an appellant;

v. supporting documents were not attached to the Notice of Appeal;

vi. legal advice may be required before a response is sent to the NIAT;

vii. the Notice of Appeal was not signed by the Apellant;

viii. the grounds of appeal may not be clear and may need clarification; and

ix. the insured may have submitted another claim, which is being processed using the same file.

3.12 The NIBTT considers itself to be approximately fifty percent compliant with Regulation 15 which states:

> *"The Board shall, where a copy of a notice of appeal has been served on it, advise the Chairman not later than three weeks after such service, whether it has reconsidered its decision which gave rise to the appeal or whether it intends to join issue with the appellant."*

3.13 Due to the backlog of matters awaiting a date for a hearing, only about nine percent of the pending appeals were adversely affected by delays by the NIBTT. This was due to the fact that although the NIBTT did not always meet the three week timeline advising of its position, even when files were forward to the NIAT, either no hearing took place or the matters were not listed for hearing for several months.

3.14 Additionally, the NIBTT found the Committee's findings in the NIAT report regarding the serious undermining of the appeals process to be unmerited by solely placing the blame on the NIBTT's shortcomings. As a result, the NIBTT asked that the Committee note the following:

i. as at June 30, 2013, there were 844 responses that were forwarded to the appeals tribunal and the NIBTT is awaiting a hearing date to be set by the Tribunal. Of these 764 were forwarded to the Tribunal (40 were submitted out of time) and 80 were outstanding; and

ii. according to the NIBTT, the dates go back as far as 2006 awaiting a hearing date and only approximately twenty three (23) hearings are usually scheduled for the year.

3.15 For the period July 2009 to June 2013:

Matters heard

F/Year	No. of hearings	Matters heard
2009/2010	2	23
2010/2011	11	109
2011/2012	8	96
2012/2013	9	95

Cancellations

F/Year	No. of hearings	Matters heard
2011/2012	17	9
2012/2013	20	10

3.16 Generally, matters affected by delay on the part of the NIBTT was due to recently decided matters being scheduled for hearing in advance of older matters. Additionally, in accordance with Section 62 of the National Insurance Act, NIAT's jurisdiction relates to matters of fact only. To this end, where the appeal touched and concerned a question of law, the files were not sent to the NIAT, but instead a letter advising of same was forwarded to the Tribunal.

Arrangements to ensure that applications are processed expeditiously

3.17 Procedures have been established by the NIBTT for outlining the timeframes within which appellants' files have to be retrieved from the Service Centres. This is needed to facilitate a review of the matter and a response to the Tribunal. However, timeframes are not always met due to:

i. the file not being easily accessible (older matters are stored based on NIBTT's retention schedule);

ii. the matter not being settled and an appeal has been lodged;

iii. delays in preparing the detailed account of the matter; and

iv. another claim that was submitted by the insured, which is also being processed using the same file.

3.18 The NIBTT also submitted that a matter is considered to be "out of time" when the date of the notice of appeal received at the Tribunal is more than one year from the date of the NIBTT's decision. The Board sought to reiterate that it was not in the practice of withholding information from the NIAT. In fact, in instances where an appeal was submitted to the Tribunal more than one year from the NIBTT's decision, this is not only communicated to the Tribunal in writing but documentary evidence regarding the date of the NIBTT's decision is also provided.

3.19 Additionally, an internal review of the matter is undertaken to determine whether there was any merit in the appeal.

Appeals Project

3.20 The NIBTT commissioned a team to review the internal processes and procedures for the management of appeal matters with a specific focus on compliance. The review was expected to also look into providing aggrieved persons the option to have their matters reviewed by the NIBTT, either before considering lodging an appeal or even subsequent to the appeal being lodged.

3.21 The revised procedures for the internal management of appeals would include the electronic transmission of data which would provide for an expedited turnaround time and the introduction of a standard form of reporting and follow up on appeal matters.

Status of the Appeals Project

3.22 The project covers a total of 844 appeal matters that were filed on or before June 30, 2013. As at January 31, 2014, 488 benefit unit files were reviewed and determined as follows:

Determination	**Number**
Application out of time	101
NIBTT to concede	80
NIBTT to defend	259
Application out of jurisdiction	23
Application withdrawn	22
No claims submitted	3
Total reviewed	488

3.23 All 'out of time' matters were sent to the Appeals Tribunal on February 10, 2014.

3.24 It was reported that 80 percent of the 'conceded' matters referred to instances where payments were temporarily 'suspended' due to the NIBTT waiting for verification of the claimant's 'proof of life', or confirmation of the insured's medical status. These appeals submitted during the 'suspended' period are considered to be 'allowed appeals' by the Tribunal and so categorized as 'conceded'.

3.25 In other instances, where the NIBTT reviewed its decision, action was taken to resolve the matters in the appellant's favour. It was expected that matters in this category and the actions taken to resolve them, would be forwarded to the Tribunal on or before April 4, 2014. It was anticipated that these modifications to the processing of appeals by the NIBTT would result in a high level of compliance with Appeals Regulations 13 on or before November 2015, with the implementation of a document management system.

Dollar value of appeals presently before the Tribunal and those yet to be forwarded to the Tribunal

3.26 Appeals against the decisions of the NIBTT on all benefit types are lodged with the Tribunal. The majority of the appeals concern long-term benefits which are payable for the life of the insured. In this regard, it is therefore difficult to quantify a dollar value on outstanding appeals.

3.27 The value of short-term claims is easier to quantify, however at present, such information is not captured and it would therefore require an exercise to do so. The NIBTT has submitted that the information capture regarding the value of claims would be considered as part of the review of the internal processes.

Pre-hearing or case management meetings between NIBTT and NIAT

3.28 At present there are no pre-hearing or case management meetings held between the NIBTT and NIAT to review application details. The NIBTT has submitted that this issue has been considered in the proposed process for the management of appeals.

Contributions

3.29 Employers pay national insurance contributions on behalf of their employees for each week an insured worker is engaged in insurable employment within the context of the National Insurance Act, and in accordance with the employee's earnings as set out in the Rates of Contribution tables in the Second Schedule to the National Insurance Act Chap. 32:01.

3.30 In the early days of the National Insurance System, it was suggested by NIBTT that there was resistance on the part of employers and employees to register and this resulted in the submission of inaccurate and/or incomplete registration data, which now hampers the process of assigning and identifying contributions for those persons for earlier periods of employment.

3.31 In an effort to address this issue, records for the period 1972 to 1991 were stored on a supplementary file pending the receipt of completed registration documents. These documents will then be used to identify/link current insured persons with the registration records on file. The NIBTT engaged in a number of data clean-up activities over the years, which have led to some success in updating insured persons' contribution accounts.

3.32 The NIBTT indicated that there are approximately 800 outstanding claims that are pending reviews by the NIAT, with approximately 41-71 percent of disputes relating to the accuracy of the contributions made.

3.33 According to the NIBTT, approximately 68 percent of appeal matters are in respect of long-term benefits that require a complete contribution record for processing. An average of four out of every ten appeal matters are adjourned at the NIBTT's request to review and confirm new information submitted by the appellant at the hearing, or happens by the request of the appellant for additional time to gather more evidence in support of his/her claim. This has negatively impacted on the number of matters completed at any given hearing.

3.34 Despite the NIBTT's data cleaning efforts, when persons reach the retirement age, the calculation of their retirement benefits are still affected by the initial registration challenges due to the fact that all contributions on behalf of the insured have to be accounted for. The NIB has responded to this issue by conducting additional investigations aimed at reconciling and updating records so that they can properly assign contributions to pay accurate benefits.

3.35 In addition to the challenges highlighted above, the NIBTT faces other obstacles that hamper its attempt to ensure correct and accurate contribution data for insured persons. These obstacles are:

i. **non-submission of contribution data by the employer (even in cases where the money was remitted to the NIBTT);**

ii. **submission of poor quality information by employers e.g. incorrect National Insurance Numbers recorded on forms, inaccurate contribution values;**

iii. **incorrect capture of contribution data as a result of outsourcing data capture exercises to outside external vendors;**

iv. **delays in submission of contribution data by employers and contribution capture by the NIBTT; and**

v. **unavailable documentary evidence to support purported periods of insurable employment.**

3.36 The NIBTT has undertaken a number of strategies to reduce the incidence of error, namely:

i. employers have to send in electronic submissions of data so that the NIBTT can intercept any formatting errors;
ii. undertake periodic audits of employers' pay records by NIBTT authorized officers;
iii. initiate in house data capture of contribution records;
iv. provide insured with a pre-retirement statement one year before turning 60 or 65 which gives the insured person the opportunity to identify and correct any variances; and
v. engage in public education/sensitization on the importance of timely registration of the insured and submitting accurate data.

3.37 Additionally, the NIBTT has identified 2 major initiatives to address the issues concerning incomplete and incorrect data for insured persons; particularly with specific focus on pre-retirees. These initiatives are -

i. **The Pension ready project** - phase I of this project would involve the cleaning of the contribution records of persons between the ages of 55 to 59 in advance for preparation for retirement. Persons in this bracket will be able to view their contribution statements online; identify gaps and take steps to update same in a timely manner. Phase II would see the availability of online contribution records to all insured persons on a phased basis. This should be possible from September 2014. Phase I of this project was expected to be implemented by February 28, 2014 and will be accompanied by a robust marketing campaign.

ii. **Contribution data management project** where there will be the electronic capture of all contribution records and assignments of these records to insured persons' accounts; and

iii. The implementation of an **improved data management process** with an anticipated turnaround time of one month.

- This project began with the issuance of Requests for Proposals (RFPs) for the electronic capture of ledger cards to certain vendors in January 2014. It was the NIBTT's expectation that a tender for this activity will be awarded by March 31, 2014. There was a projection that 40 percent of the ledgers would be electronically captured, indexed and made available to allow direct electronic interface by June 30, 2014. The Board anticiapted that the remaining 60 percent of ledgers would be captured by October 31, 2014. The targeted date for the completion of electronic data capture is June 2015.

- All other requests for other paper-based records were expected to be dispatched by February 28, 2014. The submission of contribution data online for 44,000 government employees via secured mail, was expected to start in March 2014, subject to the necessary approvals of the Comptroller of Accounts. This service will be extended to 26 other selected employers and will commence by April 30, 2014. For the remaining employers the service, with internet capabilities and accurate contribution data, will begin by January 2015. It will also be made available to all new employers from March 2015.

3.38 Currently, the NIBTT has an ongoing project that targets individuals between the ages of sixty (60) to sixty five (65). These individuals are invited to visit the offices of the NIBTT to assist in reconciling their records.

3.39 The NIBTT indicated that there are two ways in which it can detect missing contributions:

i. via records – if they cannot be applied to their system due to wrong information; and
ii. via spot checks on employers.

3.40 In both instances the employer would be contacted to verify information or an audit is conducted on the employer.

3.41 The intent of the *pension ready* initiative is to improve the overall integrity of insured person's data before the submission of claims, which will greatly reduce the turnaround time for the processing of retirement claims. This will also ensure the maintenance of an environment of customer focus through effective communication and process efficiency.

3.42 The contribution data management initiative was designed to reduce the risk of data loss and allow faster electronic access to insured contribution records. It is expected that this will reduce the turnaround time for the general processing of claims and improve the overall integrity of the data.

3.43 The NIBTT dispatches annual statements and insured persons can also visit any service centre to request a statement of contributions. However, large quantities of undelivered contribution statements are returned to the NIBTT, as a number of persons have failed to provide the Board with updated contact information.

3.44 Clients can enquire about their contributions at any point in time as well as ensure that the information that the NIBTT has is accurate. The NIBTT therefore encourages applicants to request statements of contributions by completing forms NI83.

3.45 *Request for Contribution Statement* and NI165 which is a *Data Clean up Questionnaire*. These forms can be obtained from any service centre or downloaded from the NIBTT's website. Applicants are required to present one form of identification in order to obtain the statement.

3.46 The NIBTT has put mechanisms in place to satisfy customers' requests for data regarding contributions through:

i. **customer service representatives** present at all service centres who would provide statements to clients as requested; and

ii. upon issuance of contribution statements, if there are any queries, clients are advised to provide documentary evidence of employment for any possible unaccounted periods which is used for updating contribution records (this is done sometimes following verification from the NIBTT).

3.47 Some clients may make enquiries regarding their contributions/benefits through **National Insurance consultants** and in the last financial year 2012/2013, approximately thirty percent (30%) of queries on benefits were done through consultants.

3.48 With regards to **domestic workers**, it was submitted that the employers of this group receive the very same treatment as any other employer under the National Insurance System where audits are conducted by authorized officers. Employers of domestic workers are identified based on their recorded status on the NIBTT's Insurance Administration System. The payments to this group can be extracted and monitored.

Claims Process

3.49 The NIBTT's process for treating with claims is as follows :

i. claim forms are available to the public via the website or at any service centre;

ii. claimants must ensure that all relevant sections of the form are completed including the employer and medical practitioner section;

iii. the completed document must then be submitted to any service centre;

iv. the application is then reviewed at the service centre and if found to be defective or additional information is require, the NIBTT would issue and send out a written correspondence to the claimant detailing any corrective measures needed. Once accepted, an acknowledgment of receipt is then given to the claimant;

v. the claim would then be recorded, validated and referred to the compliance department if need be, processed, authorized or recommended for disallowance;

vi. Where the claim is approved, payment is sent to the claimant's choice of financial institution or posted to his/her home;

vii. Claims that require medical advice are forwarded to the NIBTT's medical adviser for advice either before payment or subsequent to an initial payment as necessary; and

viii. Some claims may require investigation for outstanding contributions or to verify statements made by the claimants e.g. assertions of common law relationships.

3.50 The NIBTT indicated that it proposes to issue forms, which would be uniquely identifiable to allow for proper tracking of claims via the National Insurance System, with regards to historic claims. The organization also stated that it has established a Claims Review Panel to deal with issues relating to claims.

Procedure to apply for claiming Retirement Benefit

3.51 By nature the Retirement Benefit would generate a consistent demand and issues concerning the processing of this benefit would naturally be the subject of numerous complaints. The procedure for claiming this benefit is as follows –

i. claimants must fill out the relevant form, which is available online or at any office of the NIBTT, three months before his/her retirement date.

ii. claimants must present their work history on the form, which would then be compared against their contribution record.

iii. If discrepancies exist, claimants will need to fill out a NI 165 form, which the NIBTT will use to investigate the records and process the claim.

iv. the timeframe for processing such a claim is less than three weeks if the claimant's records are in order. If not in order, the NIBTT would then undertake a series of investigations in order to verify the claimant's work/contribution data.

v. A partial payment is made to the claimant while the investigations are ongoing.

Arrangements regarding Retirement Benefits and the Senior Citizens' Grant

3.52 To determine a senior citizen's entitlement to the Senior Citizens' Grant, their data in the National Insurance System must be taken into account. Thus, the value of one's national insurance benefits would impact the amount of funds that will be received under the Grant. Alternatively, the NIBTT's benefits are paid in full based on the number of contributions made.

Staff Composition

3.53 The unit responsible for benefit administration is the Insurance Operations Business Unit, which is operated out of the NIBTT's fourteen service centres. These centres are staffed with clerical officers, management staff and customer service representatives who are all responsible for different aspects of the claims process.

3.54 The Insurance Operations Business Unit is staffed with approximately two hundred and fifty (250) officers who ensure that claims are processed for around 128,000 beneficiaries on a monthly basis; which is about a ratio of 1:512.

Customer Service Training Programmes NIBTT STAFF

The NIBTT submitted that members of staff were exposed to five (5) customer service training programmes for the period 2010 to 2013. Four (4) of those programmes were conducted over a 6-day period and included product and soft skills training. These programmes were:

i. **Customer Service Representative Development and the role of customer service representatives** – This programme addressed the analysis of the different types of customer behavior, addressing customer complaints and issues, examined the specific skills required to perform the customer service role, as well as effective ways to communicate with customers. Staff was exposed to methods of dealing with irate customers, as well as the effective resolution of customer complaints and issues. Approximately 27 members of staff participated in this programme in March 2011 and 24 CSRs were trained regarding the role of the customer service in 2010.

ii. **Telephone etiquette –** 10 members of staff from the Corporate Contact centre were granted the opportunity to participate in this programme in April 2011. It covered areas such as engaging the customer, managing the conversation over the phone, treating with customers and answering the phone in a pleasant manner so as to engage the customer.

iii. **Benefits Administration** – This training exposed staff to all the NIBTT's benefit products as well as the other aspects of insurance operations. It took staff through the registration processing of claims, and the process involved in cash receipting among others. Approximately 49 persons from the service centres were exposed to this training that was held in two sessions, one in March 2010 and the other in March 2011.

iv. **Eight Actuarial Review Sensitization Sessions** – Staff of all business units were exposed to this programme, which involved the dissemination of information relating to changes to the National Insurance System due to the implementation of recommendations of the Eight Actuarial Reviews. Approximately 520 persons participated in this programme during the period February 6, 2013 to May 31, 2013.

3.55 The NIBTT is currently training its customer service representatives in over the counter customer service relations. However, the Board has admitted that it needs to increase the number of customer service representatives in order to attend to clients more expeditiously.

3.56 The NIBTT is also currently reviewing the operations of its contact centre with the aim of enhancing its effectiveness.

3.57 Additionally, the NIBTT intends to establish a **Claims Review Unit** to handle customer queries as well as initiate an independent survey to objectively gauge the public's perception of the services offered by the organization. The information gathered from the survey will inform the nature of the interventions to be undertaken to improve the services provided by the NIBTT.

Major challenges that characterize the NIBTT's relationship with the NIAT

3.58 Some of the major issues which have affected the business relations between the two entities are as follows:

i. lack of proper communication;

ii. lack of information on the systems used by the NIAT to support the appeals process;

iii. failure and/or delay by NIAT in responding to the NIBTT; and
iv. absence of a fully constituted NIAT for several months each year.

3.59 The issues stem from the challenges experienced by NIBTT to adhere to certain stipulations of the National Insurance (Appeals) Regulations. Including Regulation 28 that holds that decisions of the NIAT have to be made in writing and must be sent forthwith to the appellant, the line Minister and the NIBTT. Upon receipt of the written decision, the NIBTT has one month to comply with the decision. In instances where appeals are allowed, the NIBTT sometimes has problems in effecting payments to appellants until they have received NIAT's written decision.

3.60 According to the NIBTT, as at January 1, 2014, records indicated that there are 179 outstanding decisions, which all relate to appeals heard and determined by the NIAT. No decisions have been issued for 86 of those matters, and for the remaining 93, although decisions were issued by NIAT, they had to be returned and corrected due to recording errors.

3.61 Thus, the timeliness and accuracy of NIAT's decisions are important as they affect how fast appellants can experience relief from these matters. The NIBTT has further indicated that in order to reduce delays to the appeals process, the timeframe within which decisions are issued to the NIBTT, should be properly established and complied with.

3.62 Regulation 15 of the Appeals Regulations holds the requirement that the NIBTT has to respond to the NIAT within 3 weeks of a notice of an appeal to indicate whether it has reconsidered the claim to which the appeal relates or if it will contest the appeal. Once an appeal has been submitted, a copy of the benefit unit files are supposed to be forwarded to the Tribunal, however there are instances in which the these files cannot be submitted to the NIAT such as:

i. in instances where the NIBTT has reconsidered its decision – in this regard a letter will be sent to this effect to the NIAT;

ii. in instances that the Notice of Appeal was submitted outside the stipulated timeframe and cannot be considered by the Appeals Tribunal (NI (Appeals) Regulation 13(1);

iii. in cases that a decision was not yet made by the NIBTT (NI (Appeals) Regulation 3; and

iv. in cases that the Notice of Appeal touches and concerns questions of law or partly of law and of fact, Section (62) (1) National Insurance Act.

3.63 Even though the NIBTT would issue letters advising the Tribunal that as a result of some of the instances listed above, that benefit unit files cannot be submitted, the NIAT continues to list the appeals as outstanding. This therefore accounts for the difference in accounts of the NIBTT and the NIAT.

Collaborative measures for reducing the length of time taken to process and resolve matters referred to the Tribunal

3.64 The NIBTT has created a proposal for a revised appeals process with the inclusion of a *Commissioner of Appeals* and the facility for a review of matters with an appellant and his representative prior to an appeal. It was submitted that these proposals were being discussed with the NIAT

3.65 It is also the NIBTT's intent to hold quarterly meetings with the NIAT to address issues and prepare bi-annual listings, which would be sent to NIAT. This will keep the organization updated on outstanding appeals.

3.66 Additionally, persons dissatisfied with decisions on their claims will now have the opportunity to request a review of the matter in conjunction with the NIBTT. The NIBTT expects that this approach will reduce the number of appeal matters, and lead to an enhanced image of the organization as being customer centered.

Status of the initiative to include the self-employed in the National Insurance System

3.67 The implementation of the national insurance system to cover self-employed persons was expected to come on stream by October 6, 2014. The National Insurance (Amendment) Bill, 2014 will seek to amend the National Insurance Act to fully incorporate self-employed persons into the National Insurance System. Additionally, drafts regarding self-employed registration, contribution and benefits regulations were submitted for the consideration of the Chief Parliamentary Counsel and the Legislative Review Committee (LRC).

3.68 It is expected that the National Insurance (Amendment) Bill, 2014 will become law by April 2014 with supporting regulations by May 2014.

3.69 The NIBTT is developing other processes and Information Technology support systems as well as a comprehensive marketing campaign, which are scheduled to be implemented by October 2014.

The NIBTT's comments on the feasibility of the recommendations proposed by the Committee for the improvement of its operations

3.70 During the public hearing several observations and recommendations for the improvement of the general operations of the NIBTT were suggested by members of the Committee. Following the hearing, the Board was asked to respond to these recommendations in writing. Itemized below is a summary of the responses received:

Service Representatives

i. from February 10, 2014, an officer will be stationed at each of their service centres to provide additional customer support.

Customer Service Training

ii. from February 2014 and onwards, it is expected that staff will be trained/re-trained to enhance their knowledge, skills, abilities and competencies.

Customer Surveys

iii. from February 3, 2014, the NIBTT will put certain mechanisms in place to monitor and track service at its service centres via customer survey forms and other processes. The NIBTT also intends to engage the services of a consultant to conduct an independent survey of the organization's service to the public. This was expected to take place by April 2014.

MOU between the Ministry of Legal Affairs and NIBTT re: Life Certificates Process

iv. the NIBTT and the Ministry of Legal Affairs met with the Registrar General at the Ministry of Legal Affairs in February 2014. This resulted in the preparation of a Memorandum of Understanding between parties regarding *inter alia,* the submission of monthly updates of death registrations to the NIBTT. This was expected to reduce the need for bi-annual life certificates.

MOU – Board of Inland Revenue and the NIBTT

v. Discussions were held with the Chairman of the Board of Inland Revenue concerning the type of information that can be shared with the NIBTT. The NIBTT has submitted that it was advised that the BIR does not currently capture NIS data and thus it was not feasible to engage in any data exchange exercise between the two organizations.

Crowd Control Systems

vi. crowd control systems will be repaired and/or installed in all its offices to ensure 'first come first serve' services and to allow transactions to take place in private. This was expected to take place during the period February to March 2014.

Signage and Lighting

vii. The NIBTT conducted assessments at its service centres to determine its signage and lighting requirements. It was stated that once this was completed then the necessary remedial actions would be taken during the period February to March 2014.

Submittal of Life Certificates

3.71 In lieu of issuing a Life Certificate, immobile claimants can have a doctor certify that they are still alive. The NIBTT also indicated that it is working on a **biometric card system** that would give contributors the ability to confirm that they are alive, through a finger print scan. The intent behind this initiative is to reduce the need for immobile persons to have to visit the offices of the NIBTT. It was also proposed that these devices would be placed at convenient locations such as groceries and pharmacies.

Hiring of National Insurance Consultants by Claimants

3.72 The NIBTT disclosed that some claimants hire consultants to work on their behalf as there is a lack of public confidence that the NIBTT would settle their matters expediently.

Methods of capturing data

3.73 The records of the majority of contributions are computerized, however, some records are still held in cards or in ledgers. The records that are still in manual form are incomplete and the NIBTT intends to digitize them.

3.74 The NIBTT has indicated that it has adopted a multi-pronged approach to capture data by having claimants involved in the cleaning up of their own records whilst the NIBTT itself is also examining its records to ensure consistency so that it can be digitized after.

3.75 The NIBTT submitted that there is an ongoing project with the Treasury Division which is aimed at facilitating the submission of contribution data of Government employees online. The NIBTT would then apply these submissions to their system to review it.

3.76 During the processing of the data, if there are any differences in the records, then the NIBTT's system would generate and send an error report.

3.77 Additionally, the NIBTT indicated that it is moving towards the interactive data capture of contributions, which would commence next year.

Persons working for entities that do not submit/deduct NIS

3.78 In cases where persons are working for companies that do not deduct contributions, they should submit a Complaints Form and the NIBTT would conduct an investigation to determine whether the employer is paying contributions or not for the eligible employees.

3.79 It must be noted that the name of the employee whose report initiated the investigation is not disclosed.

Net Asset Base and potential Liabilities

3.80 The asset base of the NIBTT is twenty four (24) billion dollars. Contributions are collected to pay benefits and in instances where there is a shortfall, the *Investment Fund* is available to supplement the deficit.

3.81 In cases where there are more beneficiaries than contributors, it would imply that there is a shortfall in the asset base, which would have to be increased in order to improve the sustainability of the fund.

Proposals for the amendment of governing legislation

3.82 In response to the proposed legislative amendments to the National Insurance (Appeals) Regulations provided in the Committee's Report on the NIAT, the NIBTT submitted its concerns with regards to the following issues:

i. Regulation 13 – prior to 2008, there was no outer limit for the filing of an appeal. This meant that there was a large number of appeals that were filed years after the matters were already settled with the NIBTT. Despite the NIBTT's explanation that its old files were 'purged' in accordance with its retention schedule, the NIAT adopted the stance that once the NIBTT did not disprove the appellant's bare assertions, then the appeal would be allowed. The NIBTT submitted the recommendation that research should be conducted to determine what takes place in other jurisdictions regarding social insurance appeals;

ii. <u>Regulation 15</u> – As stated earlier, the NIBTT is about 50 percent compliant with this regulation and submitted that the Committee's recommendation that the NIBTT accede to the grounds of appeal if it is unable to respond to the Tribunal within 3 weeks time would see the erosion of the statutory requirements for claims and would encourage baseless appeals with appellants biding their time to benefit possibly unjustly;

iii. <u>Regulation 7</u> – The NIBTT stated that it has taken into consideration the circumstances regarding the re-classification of leave. This is done on a case by case basis in treating with claims. The organization also highlighted the fact that employees of both the private and public sector are covered by the National Insurance System, and thus principles must be fairly applied so as to guard against allegations of bias and instances of fraud; and

iv. <u>Definition of invalid</u> –The NIBTT submitted that the most frequently used avenue for benefit fraud is the invalidity benefit. The NIBTT stated that it relies on medical evidence as well as the general circumstances of an individual's case to determine an insured person's entitlements to benefits. The NIBTT therefore supports in principle, the contextual framework of the proposed English legislative provision.

Public access to information about the National Insurance system

3.83 A member of the public may access information about the National Insurance System, benefits, entitlements and other information at any of NIBTT's service centres. The board also utilizes press and radio advertisements, billboards, brochures and public seminars to sensitize the public about its activities. Inquiries may also be made via the NIBTT's website or by contacting the NIBTT's corporate centre.

3.84 The NIBTT indicated that it had plans to enhance and enlarge its online presence as well as its outreach programs in 2014. The organization was also expected to increase the number of education officers.

3.85 Employers can request educational seminars on the organization's products and services via the NIBTT's corporate communications department or alternatively, submit a request for same via email or through any service centre.

Complaints received from members of the Public concerning delays and discrepancies in the processing of benefits.

3.86 Following its public hearing with the Board on Friday January 17, 2014, the Committee received several pieces of correspondence from members of the public which highlighted various forms of grievances and matters involving the payment of benefits by the NIBTT. These complaints were forwarded to the Managing Director of the Board for her attention.

4 FINDINGS AND RECOMMENDATIONS

The Committee considered the oral and written evidence received against the established objectives of the inquiry and submits the following findings and recommendations:

OBJECTIVE 1

To understand in greater depth the existing work relationship between the NIBTT and NIAT, vis-à-vis the processing of appeals; the business relations between NIBTT, NIAT, and the MOFE; reporting relationships; obligations of each entity; reference to sanctions and/or consequences for omissions, breaches and/or failures with respect to obligations.

4.1 It was clear from the evidence received that in order to enhance the appeals process, there must be effective collaboration between the two entities. In order to make a determination on a matter, the Tribunal requires the cooperation of NIBTT to provide the requisite client records. It was submitted that in general, the Tribunal and the Board has a cordial work relationship. However, it was also evident that differences in the interpretation of the provisions of the Regulations particularly as it concerns the timeframes observed by the NIBTT to respond to a Notice of Appeal and to make pronouncements on whether an appeal is 'out of time' or is to be disallowed were significant sources of contention. Differences in perspectives on these matters has resulted in delays in the processing of appeals against NIBTT to the detriment of clients.

4.2 The evidence received did not suggest that the Board has been deliberately withholding information from the Tribunal, but the NIBTT admitted that there were a number of voluntary and involuntary reasons for the Board failing to forward client records to the Tribunal. It was obvious that many of the issues which arise between the two organizations are as a result of failure to adhere to statutory timeframes.

4.3 Moreover, it was encouraging to learn that in response to these issues, NIBTT has allocated resources specifically for dealing with appeals through the establishment of an Appeals Department which has the responsibility of liaising with the NIAT. The Committee observed that the management of NIBTT appeared to be willing to work together with the NIAT to improve the appeals process. The Committee therefore anticipates greater compliance by NIBTT to the twenty-one day deadline.

4.4 The Committee believes that a proper information sharing mechanism must be introduced in order to reduce and or eliminate the Tribunal's dependence on the Board for information. The management of the NIBTT has an obligation to ensure that the staff of Board understand the role of the Tribunal and be encouraged to cooperate as necessary legitimate requests made by same.

4.5 The Committee was pleased to note that the NIBTT was in agreement with its recommendation (first stated in its 7th report) for the introduction of an independent third party (E.g. a Commissioner of National Insurance) to make determinations on unresolved matters between the Board and the NIAT, regarding questions of law and fact.

4.6 With respect to the role played by the Ministry of Finance and the Economy as the Ministry responsible for the NIBTT. It was not clear whether the Ministry plays an active role in encouraging compliance by NIBTT to its statutory obligations vis-a-vis NIAT. However, it was noted that there appeared to be some inter-ministerial collaboration between NIBTT, the Treasury Division and the Board of Inland Revenue with respect to the sharing of information.

RECOMMENDATIONS

I. We recommend that monthly meetings be held between the Registrar of the Tribunal and the Manager of Appeals with a view to constantly engaging each other in discussions on issues concerning the appeals process. Through these

meetings the NIBTT and the NIAT must establish/re-establish firm deadlines/timeframes by which responses to each organization should be met.

II. **We recommend that as the NIBTT continue to move towards the digitization of client records, that a common data sharing platform be created to allow NIAT (with proper authorization) to access the required information for the determination of appeals. This mechanism for information sharing would assist in expediting the transfer of information from one entity to the next and would also ensure that NIAT has access to up-to-date or real-time information.**

III. **We strongly recommend that NIAT undertake an exercise to determine the exact causes of information gaps in its records. Once these sources have been identified, the Tribunal should undertake the timely, accurate entry of the relevant information regarding appeals onto a suitable electronic record management systems.**

IV. **We recommend that the NIAT implement the necessary internal procedures to ensure that there is a fully constituted Tribunal to facilitate the convening of a greater number of hearings in order to reduce the backlog of appeals before it.**

V. **We reaffirm our recommendation proffered in our 7th Report that a third party, in the form of a National Insurance Commissioner be established. The Commissioner should be qualified to be High Court Judge and should be appointed as the final arbiter for National Insurance matters so that all matters relating to the Registration of Employers and Employees, interpretation of the National Insurance Laws and appeals against decisions of the Tribunal will be determined by the Commissioner.**

OBJECTIVE 2

To be apprised of the practices and procedures observed by the NIBTT in the processing of appeals filed against decisions of the Board.

4.7 The Committee noted that NIBTT in collaboration with NIAT has an established procedure for the processing of appeals. It was further noted that the appellants themselves were sometimes responsible for delays in the processing of appeals due to the fact that on occasions appellants submitted inaccurate or inadequate information required for the processing of the appeal.

4.8 The Committee was not surprised to learn that some appeals were due to a misunderstanding by appellants of the benefit structure used by the Board. The fact that in the last financial year (2012/2013) approximately thirty percent (30%) of queries on benefits were done through National Insurance consultants suggests that there are certain elements of the National Insurance system that are beyond common understanding.

4.9 It was insightful to learn that appeals were also used by clients as a method of obtaining contribution statements and enquiring into matters concerning benefits. The fact that documentation regarding appeals before the Tribunal indicated that 42% of the matters (as at October 2013) awaiting a hearing had no grounds listed for the appeal , suggest that clients may be filing appeals without careful consideration of whether the matter submitted qualifies for appeal. The Committee considers this counterproductive as the NIBTT would be pre-occupied reviewing matters which ought not to be the subject of an appeal. Therefore the filtering of matters which do not qualify for appeal is an exercise which must be conducted as a priority as a means of enhancing the efficiency of the appeals process.

4.10 The Committee agreed that responsibility for delays in the processing and determination of matters subject to appeal cannot be ascribed solely to the NIBTT. As was stated in our 7th Report, we were alarmed to note that due to the small number of hearing held by the Tribunal on an annual basis, the Board was still awaiting a hearing date for some 844 matters. In fact, the Committee was very disappointed to learn, and found it unacceptable that the NIBTT was still awaiting hearings for matters filed as far back as 2006.

4.11 The information received also suggested that the Board had established timeframes for the retrieval of a client's file from the relevant Service Centre. Nevertheless, the Committee observed that there were certain circumstances which hampered the organization's ability to meet these timeframes such as; the inaccessibility of files and delays in the preparation of a detailed account of the matter under appeal.

4.12 The Committee was quite pleased to learn that the board was in the process of reviewing its internal procedures and processes for the management of appeal matters, and intends to incorporate revised procedures such as the electronic transmission of data and the introduction of a standard form of reporting. It was also encouraging to learn that as at February 10, 2014, NIBTT has submitted all 'out of time' files to the Tribunal. On the other hand, we were concerned that there were 101 'out of time' matters and that 80 percent of matters that were conceded by the NIBTT were as a result of waiting for proof of confirmation for certain matters by the appellants.

4.13 Despite the explanation given, the Committee was disappointed that neither the Board nor the Tribunal were able to provide the estimated value of the claims currently before the Tribunal. In this regard the committee suggests that such data should be readily available and may assist in prioritizing the allocation of resources for the elimination of the backlog of appeals.

4.14 The Committee concluded that (in keeping with a related recommendation proffered in its 7th Report) that there was an urgent need for the introduction of pre-hearing or case management meetings to be held between the NIBTT and the NIAT.

RECOMMENDATIONS

I. **There is a significant need for a public sensitization campaign regarding the appeals process and matters which are eligible for appeal. We recommend that NIAT undertake an aggressive public education campaign via public seminars, television, print and radio advertisements to inform and educate persons about same.**

II. **In cases where an application for an appeal is submitted and the issue involved does not qualify as a matter for appeal, the applicant should be so informed in writing within two (2) weeks from the date of the application and if necessary, should be advised of the more appropriate course of action that should be adopted.**

III. **The Committee endorsed efforts by the NIBTT to enhance its record management system as well as to convert manual files into electronic format and therefore recommends a review of Board's records management system to ensure that records are effectively managed so as to allow for expeditious update and retrieval.**

IV. **The NIBTT and the NIAT should collaborate for the purpose of implementing pre-hearing/case management meetings as part of the appeals management system.**

OBJECTIVE 3

To comprehend the staff composition and utilization at the NIB particularly with respect to the employees responsible for treating with Claims and Benefit Unit files.

4.15 With respect to this objective, the committee noted that the Insurance Operations Business Unit was responsible for the administration of benefits and had a staff complement of approximately two hundred and fifty (250) officers who ensure that claims are processed for around 128,000 beneficiaries on a monthly basis. The ratio of 1:512 appear to be burdensome and therefore the Committee finds this Unit to be severely understaffed, which in turns may affect the quality and accuracy of the work performed by this unit.

4.16 As a service oriented organization that NIBTT must allocate sufficient resources to enhance its customer service. The Committee believe the Board can enhance public confidence and cooperation by improving the quality of the service it provides. The statistic provided regarding the training of staff stated that a total of 51 employees were exposed to customer service training over the period 2010-2011. It suggests that such training was not conducted on an ongoing basis particularly for new employees in the organization who are responsible for interfacing with the public.

4.17 The Committee was concerned that due to a lack of understanding of the operations of the National Insurance System, perhaps as a result of an inadequate enlightenment campaign by the Board, clients may be becoming increasingly dependent on the services of "National Insurance Consultants". The Committee was unable to confirm the terms of references that informs or authorizes the interaction of these consultants are with the NIBTT.

RECOMMENDATIONS

I. **We recommend that the NIBTT consider the recruitment of additional staff with a view to reducing the staff-client ratio vis-à-vis the Insurance Operations Business Unit. Such a reduction should be informed by international benchmarks.**

II. **We recommend that in the Ministry's response to this Report that it advise the Parliament on what basis and within what Terms of References are National Insurance Consultants allowed to intercede on behalf of clients of the NIBTT.**

<u>OBJECTIVE 4</u>

To gain insight into the claims process.

4.18 Following an examination of the claims process, the Committee was of the view that it was highly unfortunate that certain category of clients, particularly those entitled to retirement benefits were required to endure significant delays in receiving their payments due to discrepancies or inconsistent in contribution records. This despite the fact that potential beneficiaries of retirement benefit are given six months advance notice to verify their records before they actually attain the stipulated age.

4.19 Following its public hearing with the Board on Friday January 17, 2014, the Committee received several pieces of correspondence from members of the public which highlighted various forms of grievances and matters involving the payment of benefits. The fact that these clients considered the Committee as an avenue for acquiring redress demonstrated to the Committee that there were serious delays and shortcomings in the processing of claims. It also suggests that several clients of the NIBTT are aggrieved and have not received a satisfactory response from the board.

4.20 Greater pressure must be placed on employers to comply with the legal requirements for the payment of national insurance contributions on their employees' behalf. On that basis, there seems to be a need for the allocation of more resources to encourage greater compliance by employers.

4.21 It is hoped that through the digitization of existing records, the current contributors and future beneficiaries will not have to endure the arduous delays in the processing of claims that exist now.

RECOMMENDATIONS

I. We endorse the strategies that are being employed by the Board to enhance the capturing and retrieval of data regarding contributions. However, the NIBTT must allocate more resources for the purpose of enlightening the public about the rules and procedures which govern the National Insurance System.

II. In addition resources must also be applied to encourage a higher level of compliance with these rules and procedures. Therefore, we recommend an increase in the fines/penalties established in the National Insurance Act (and associated Regulations) regarding:

a. the failure to register an employee (Section 30);
b. the issuing of a certificate to an employee within thirty days of the termination of his employment (Section 38 A);
c. Benefits lost by employer's default (Section 50), among others.

III. We further recommend that consideration be given to issuing an amnesty to employers and or employees who have been delinquent in fulfilling their obligations under the Act. The Amnesty would allow such persons to:

a. make retroactive payments to update outstanding contributions;
b. submit outstanding records; and
c. file outstanding claims. Claims for benefits should not be more than 12 months due.

OBJECTIVE 5

To understand the possible causes of delay in submission of Benefit Unit Files to NIAT.

4.22 The Committee noted the various circumstances responsible for the tardy submission of Benefit Unit Files to the NIAT. Some of the reasons provided by the NIBTT appeared to be justified such as the need to seek legal advice on the matter. On the other hand, the Committee observed that some delays were as a result of issues that can be easily avoided such as the failure to attach supporting documents to a Notice of Appeal deposited at NIBTT Service Centres or the notice of appeal was not signed by the appellant etc.

RECOMMENDATIONS

I. The NIAT should assign an officer to each NIBTT service centre for the purpose of assisting clients who may wish to file an appeal against the Board. These officers should be required to work by roster and visit each service centre at least once per week on a designated day (and or even time). To compliment this, posters clearly giving notice of the days the NIAT officer would be available to meet with the public should be erected in all service centres.

II. In addition, NIBTT staff at service centres should be trained so as to provide clients with basic advice regarding the appeals process and the options

available, and the identification and verification of documents required for the filing of an appeal.

OTHER FINDINGS AND RECOMMENDATIONS

Customer Service Training Programmes utilized by the NIBTT

4.23 The Committee was satisfied to learn that the NIBTT had invested in providing relevant Customer Service Training for its customer service representatives (CSRs), and other members of staff. An investment of this nature is an imperative for a client based organization such as the NIBTT. CRSs are often the first point of contact between a client and the service provider and therefore it is absolutely essential for this category of personnel to be equipped to render the standard of service expect of a modern and progressive organization.

4.24 We were also pleased to be informed that the Board intends to establish a Claims Review Unit to handle customer queries.

Monitoring of the payments of contributions by the employers of domestic workers

4.25 The Committee was not satisfied that the NIBTT had the required capacity or mechanism to monitor the payment of contributions in respect of domestic workers.

Recommendation

We recommend that subsequent to an increase in the personnel of the Insurance Operations Business Unit, that a specific subunit be created to deal with claims which concern domestic workers and the self—employed. The Board should collaborate with the Ministry of Labour to determine whether there is a need to develop and maintain a register of persons who are employed as Domestic workers [as defined in Regulation 2 of the *National Insurance (Registration) Regulations*]

Involvement of clients in the verification of records

4.26 The Committee questions why a burden was being placed on the claimant, when the NIBTT has an obligation to monitor compliance by employers and to ensure the contributions received by the Board are properly registered and recorded.

Other initiatives that the Committee determined were commendable.

4.27 The committed determined that the following initiatives were worth highlighting since we believe that if they are implemented they would certainly enhance the organization's operations and the service provided to customers:

i. modifications to the National Insurance Act, through the enactment of the National Insurance (Amendment) Bill, 2014;

ii. the issuing of receipts to persons who submit their life certificate to the NIBTT;

iii. Collaboration with other agencies, inclusive of the Ministry of Legal Affairs for the purpose of information sharing aimed at minimizing inconvenience to the clients. The Committee was particularly pleased with the NIBTT's agreement with the MoLA that would allow the board to acquire updated information on Registered Death in lieu of Life Certificates as a means of confirming whether clients are alive. We strongly believe that once fully operationalized, this new arrangement would exempt thousands of clients from engaging in the annual life certificate process. This proposal was considered more feasible compared to the **biometric card system.**

The Committee respectfully submits the foregoing for the consideration of the Parliament.

Mr. Elton Prescott, SC
Chairman

Dr. Dhanayshar Mahabir
Vice-Chairman

Mrs. Carolyn Seepersad Bachan, MP
Member

Mr. Emmanuel George
Member

Mr. Ganga Singh
Member

Dr. Delmon Baker, MP
Member

Mr. Jairam Seemungal, MP
Member

Ms. Stacy Roopnarine, MP
Member

Mr. Gerald Hadeed
Member

Dr. Amery Browne, MP
Member

Mrs. Patricia Mc Intosh, MP
Member

Mr. Faris Al-Rawi
Member

November 18, 2014

APPENDIX I

BUSINESS ENTITIES

List of Ministries, Statutory Authorities and State Enterprises that fall under the purview of this Committee:

1. ARTS AND MULTICULTURALISM

Carnival Institute
Naparima Bowl
National Academy for the Performing Arts (NAPA)
National Carnival Commission of Trinidad and Tobago
National Cultural Commission
National Theatre Arts Company
Queen's Hall Board
Trinidad and Tobago National Steel Symphony Orchestra

2. ATTORNEY GENERAL

The Law Reform Commission
Environmental Commission
Industrial Court
Council of Legal Education
Hugh Wooding Law School
Anti-Corruption Investigation Bureau
Equal Opportunity Commission
Equal Opportunity Tribunal
Tax Appeal Board
Central Authority
International Law and Human Rights Unit

3. COMMUNICATIONS

Board of Film Censors
Caribbean New Media Group Limited (CNMG)
Government Information Services Limited (GISL)
National Broadcasting Network (NBN)

4. COMMUNITY DEVELOPMENT

National Association of Village and Community Councils
Village Councils
Export Centres Company Limited

5. EDUCATION

Local School Boards
National Commission for UNESCO
Education Facilities Company Limited
National Schools Dietary Services Limited
National Library and Information System Authority (NALIS)

6. ENERGY AND ENERGY AFFAIRS

Lake Asphalt of Trinidad and Tobago (1978) Limited
National Gas Company of Trinidad and Tobago Limited
National Quarries Company Limited
Petroleum Company of Trinidad and Tobago Limited (PETROTRIN)
Trinidad and Tobago National Petroleum Marketing Company Limited (NP)
Alutrint Limited
Alutech Limited
La Brea Industrial Development Corporation
National Agro Chemicals Limited
National Energy Corporation of Trinidad and Tobago Limited
NATPET Investment Company Limited
NATSTAR Manufacturing Company Limited
NGC NGL Company Limited
NGC Trinidad and Tobago LNG Limited
Phoenix Park Gas Processors Limited
Powergen
Trinidad and Tobago LNG Limited
Trinidad and Tobago Marine Petroleum Company Limited
Trinidad Nitrogen Company Limited
Trinidad Northern Areas Limited
TRINMAR Limited
TRINTOC Services Limited

7. ENVIRONMENT AND WATER RESOURCES

Institute of Marine Affairs (IMA)
The Environmental Management Agency
The Green Fund Advisory Committee
Water and Sewerage Authority (WASA)
Water Resources Agency

8. FINANCE AND THE ECONOMY

Central Tenders Board
National Insurance Appeals Tribunal
National Insurance Board
National Insurance Property Development Company Limited (NIPDEC)
National Lotteries Control Board (NLCB)
Trinidad and Tobago Civil Aviation Authority
Trinidad and Tobago Unit Trust Corporation
Corporation Sole
Divestments
Investments
BWIA West Indies Airways Limited (New BWIA)
Caribbean Airlines Limited
First Citizens Holdings Company Limited
National Enterprises Limited (NEL)
Rum Distillers Limited

The Sugar Manufacturing Company Limited
Trinidad and Tobago Forest Products Company Limited (TANTEAK)
Taurus Services Limited
Caribbean Investment Corporation
Tourism and Industrial Development Company (TIDCO)
Trinidad and Tobago (BWIA International) Airways Corporation (Old BWIA)
Trinidad and Tobago Development Finance Limited
Caribbean Development Network Limited
Caribbean Microfinance Limited
Colonial Life Insurance Company Limited (CLICO)
First Citizens Bank Limited (FCB)
First Citizens Mortgage & Trust Company Limited
First Citizens Investment Services Limited
Trinidad and Tobago Mortgage Agency Company Limited

9. FOOD PRODUCTION

Agricultural Society of Trinidad and Tobago
Caribbean Agricultural Research and Development Institute (CARDI)
Cocoa and Coffee Industry Board
Livestock and Livestock Products Board
Caroni (1975) Limited
National Agricultural Marketing and Development Corporation (NAMDEVCO)
Agricultural Development Bank (ADB)
Caribbean Food Corporation
Sea Food Industry Limited

10. FOREIGN AFFAIRS

Nil

11. GENDER, YOUTH AND CHILD DEVELOPMENT

Adoption Board
Children's Authority

12. HEALTH

Boards regulating the Practice of Medicine and Related Professions
Children's LIFE Fund Board of Management
Eastern Regional Health Authority
North Central Regional Health Authority
North West Regional Health Authority
South West Regional Health Authority
Dental Council of Trinidad and Tobago
Drug Advisory Committee
Emergency Medical Personnel Council of Trinidad and Tobago
Food Advisory Committee
Medical Council of Trinidad and Tobago
National Emergency Ambulance Service Authority
Nurses and Midwives Council of Trinidad and Tobago

Pesticides and Toxic Chemicals Board
Pharmacy Council of Trinidad and Tobago
Opticians Council of Trinidad and Tobago
Princess Elizabeth Home for Handicapped Children

13. HOUSING AND URBAN DEVELOPMENT

Sugar Industry Labour Welfare Committee
Rent Assessment Board
Caroni 1975
Community-based Environmental Protection and Enhancement Company Limited (CEPEP)
Estate Management Business Development Company Limited (EMBD)
Housing Development Corporation (HDC)
Urban Development Corporation of Trinidad and Tobago Limited (UdecoTT)
Trinidad and Tobago Mortgage Finance Company Limited (TTMF)

14. JUSTICE

Nil

15. LABOUR AND SMALL AND MICRO ENTERPRISE DEVELOPMENT

Boilers Examiners Board
Minimum Wages Board
Registration, Recognition and Certification Board
Friendly Societies
Cipriani College of Labour and Co-operative Studies
National Entrepreneurship Development Company Limited (NEDCO)
National Productivity Council
Occupational Safety and Health Authority

16. LAND AND MARINE RESOURCES

Land Settlement Agency (LSA)

17. LEGAL AFFAIRS

Law Revision Commission (LRC)
Legal Aid and Advisory Authority (LAAA)
Police Complaints Authority (PCA)
Sentencing Commission
Criminal Injuries Compensation Board

APPENDIX II

MINUTES OF PROCEEDINGS

MINUTES OF THE TWENTY-SIXTH MEETING OF THE JOINT SELECT COMMITTEE OF PARLIAMENT APPOINTED TO INQUIRE INTO AND REPORT ON GOVERNMENT MINISTRIES (GROUP I) AND ON STATUTORY AUTHORITIES AND STATE ENTERPRISES FALLING UNDER THOSE MINISTRIES HELD IN THE ARNOLD THOMASOS ROOM (EAST), LEVEL 6, AND IN THE J. HAMILTON MAURICE ROOM, MEZZANINE FLOOR OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, 1A WRIGHTSON ROAD

PRESENT

Dr. Dhanayshar Mahabir	Vice-Chairman
Mrs. Patricia McIntosh, MP	Member
Mrs. Carolyn Seepersad-Bachan, MP	Member
Mr. Jairam Seemungal, MP	Member
Mr. Gerald Hadeed	Member
Dr. Amery Browne, MP	Member
Dr. Delmon Baker, MP	Member
Mr. Ganga Singh	Member
Mr. Emmanuel George	Member

Mr. Julien Ogilvie	Secretary
Mr. Indar Sieunarine	Assistant Secretary
Ms. Katharina Gokool	Graduate Research Assistant

ABSENT

Mr. Elton Prescott, SC	Chairman (Excused)
Ms. Stacy Roopnarine, MP	Member (Excused)
Mr. Faris Al-Rawi	Member

OFFICIALS OF THE NATIONAL INSURANCE BOARD OF TRINIDAD AND TOBAGO

Mr. Adrian Bharath	Chairman
Ms. Karen Gopaul	Executive Director (Ag.)
Mr. Keston Nancoo	Director & Chair, HR Committee
Mr. Albert Vincent	Director

Mrs. Niala Persad-Poliah	Executive Manager, Legal Services
Ms. Greta Stephen-Henry	Executive Manager, Insurance Operations (Ag.)

OFFICIALS OF THE NATIONAL INSURANCE APPEALS TRIBUNAL

Mr. Rohit Ramsumair	Administrative Officer II (Ag.)
Ms. Herschel Joseph	Research Officer I

COMMENCEMENT

1.1 The Vice-Chairman called the meeting to order at 9: 25 a.m.

1.2 The Vice-Chairman indicated that Mr. Elton Prescott, SC, Dr. Delmon Baker, MP, Ms. Stacy Roopnarine, MP and Mr. Ganga Singh had requested to be excused.

1.3 It was noted that Dr. Baker and Mr. Singh joined the meeting subsequent to the Vice-Chairman's announcement.

CONFIRMATION OF MINUTES OF THE TWENTY-FIFTH MEETING HELD ON NOVEMBER 29, 2013

2.1 The Vice-Chairman invited Members to consider the Minutes of the 25th Meeting held on November 29, 2013 and inquired whether there were any amendments.

2.2 The following amendments were proposed by the Vice-Chairman:

i. **Item 4.2 (x) on page 3**- replace the word **"operate"** with the word **"operates".**

ii. **Item 4.4 (iv) (a) on page 4 –** insert the word **"by"** between the words **"and"** and **"animal"**.

iii. **Page 4 –** renumber paragraphs **4.4, 4.5, 4.6, 4.7 and 4.8** as **4.3, 4.4, 4.5, 4.6 and 4.7**.

2.3 There were no further amendments, therefore a motion for the confirmation of the Minutes was moved by Mrs. Mc Intosh and seconded by Mr. George.

MATTERS ARISING FROM THE MINUTES OF THE TWENTY-FIFTH MEETING

3.1 The Vice-Chairman brought the following matter to the attention of members:

- **Item 3.1, Page 2:** The additional information requested of the Housing Development Corporation was received on December 20, 2013 and was circulated to members via email on December 27, 2013 and in hard copy on January 02, 2014.

- **Item 4.2, Page 3:** correspondence was forwarded to the Director of the Police Complaints Authority (PCA) on January 08, 2014, requesting submissions in relation to the finalized inquiry proposal. It was requested that the PCA make its submission by January 27, 2014.

- **Item 4.3, Page 4:** correspondence was forwarded to the Senior Superintendent at the Anti-Corruption Investigation Bureau (ACIB) on January 08, 2014, requesting submissions in relation to the finalized inquiry proposal. It was requested that the ACIB make its submission by January 27, 2014.

- **Item 4.4, Page 4:** correspondence was forwarded to the Chairman of the Environmental Management Authority (EMA) on January 08, 2014, requesting submissions in relation to the finalized inquiry proposal. It was requested that the EMA make its submission by January 27, 2014.

- **Item 4.7, Page 5:** The Secretary wrote to the following organizations:

    - Environmental Commission of Trinidad and Tobago;
    - Fishermen and Friends of the Sea;
    - the Trinidad and Tobago Association of Retired Persons Limited;
    - the Tobago Hotel and Tourism Association; and
    - the Trinidad and Tobago Society for the Prevention of Cruelty to Animals;

  on January 14, 2014 inviting written submissions on the objectives of the inquiry into the Environmental Management Authority. The Committee also suggested that the Secretary write to the Veterinary Association of Trinidad and Tobago and to the Agricultural Society of Trinidad and Tobago, inviting written submissions.

<u>CONSIDERATION OF DRAFT INQUIRY PROPOSAL ON THE "OIL SPILL DISASTER OF DECEMBER 2013"</u>

4.1 The Vice-Chairman invited comments on the Draft Inquiry Proposal on the Oil Spill Disaster of December 2013. The Committee noted that on January 16, 2014, Cabinet took a decision to establish a National Environmental Assessment Task Force to *inter alia* conduct a comprehensive assessment of the Oil Spill disaster. As consequence, it was agreed that the Committee will not undertake an inquiry into the "Oil Spill Disaster" at this time and that such an approach would be premature under the prevailing circumstances.

4.2 Given the decision at paragraph 4.1, the Committee decided to maintain the order of priority for the examination of entities that was agreed to previously.

PRE-HEARING DISCUSSIONS

5.1 Discussion ensued on the issues to be raised with the NIBTT during the public hearing.

5.2 The Chairman confirmed whether members received the *Issues Paper* on the NIBTT's submission prepared by the Secretariat.

NEXT MEETING

6.1 The Chairman inquired whether members were in receipt of the pre-hearing submissions of the Trinidad and Tobago Mortgage Finance Company (TTMF) for the purpose of the next public hearing.

6.2 It was agreed that the next meeting will be held on Friday February 21, 2014 at 9:30 am and at that meeting the Committee will convene a public hearing with the Trinidad and Tobago Mortgage Finance Company (TTMF).

6.3 The meeting was suspended at 10:12 a.m.

[Members proceeded to the J. Hamilton Maurice Room on the Mezzanine Floor]

DISCUSSIONS WITH OFFICIALS OF THE NATIONAL INSURANCE BOARD AND THE NATIONAL INSURANCE APPEALS TRIBUNAL

7.1 The meeting resumed (in public) at 10:20 a.m. in the J. Hamilton Maurice Room.

7.2 The Vice-Chairman welcomed the officials and introductions were exchanged.

7.3 The Vice-Chairman made opening remarks and invited the Chairman and the Executive Director (Ag.) of the NIBTT, and a representative from the NIAT to make opening remarks.

7.4 Detailed hereunder are the issues/concerns raised by Members of the Committee and the responses proffered by the Officials:

(i) Claims and issues with contributions

a. Differences in the number of contributions made by a claimant and the records of the NIBTT can be caused by a number of shortcomings such as; errors made in the submission of the contribution data; use of the wrong national insurance number; errors in the rates identified on the contribution form; the delays in the incorporation of information submitted by employers into the NIBTT'S records.

b. Official indicated that there are approximately 800 outstanding claim pending reviews by the NIAT. It was suggested that 41% – 71 % of disputes relate to the accuracy of contributions made.

c. The NIBTT has an ongoing project that targets individuals between the ages of sixty (60) to sixty five (65) where contributors are invited to visit the NIBTT to assist with reconciling their records. The NIBTT also plans to expand this initiative by visiting the claimant's past employers for the purpose of reviewing pay records to fill the gaps in the NIBTT's contribution records. The project will be extended to individuals between the ages of fifty-five (55) to fifty-nine (59).

d. With respect to historic claims, the NIBTT proposes to issue forms that are uniquely identifiable to allow for proper tracking of claims through the National Insurance System. The Board has also established a Claims Review Panel to deal with issues relating to claims.

e. There are two avenues through which the NIBTT may detect missing contributions. The first is upon submission of contribution records by a claimant; the NIBTT will detect wrong information if the records cannot be applied to their system. The Board would then contact the employer to verify the records. Secondly, the NIBTT has authorized officers that conduct spot checks on employers and in instances where significant differences are noticed in contribution payments, an audit of the employer is conducted.

(ii) Receipts for submitting Life Certificates

Officials endorsed a proposal that was made by a member of the Committee that suggested that a receipt be issued to persons who submit their life certificate to the NIBTT.

(iii) Assistance for Members of Parliament re: NIS issues confronting constituents

The NIBTT committed to assigning at least two (2) persons to assist with queries submitted by parliamentarians on behalf of constituents.

(iv) Procedure to apply for Retirement Benefit

The claimant must fill out the relevant form (which is available online or at NIB Offices) three (3) months prior to his/her retirement date. The claimant is required to indicate his/her work history on the form and the NIBTT would then compare the claimant's work history with their contribution records. If there are any differences, the claimant would have to fill out a NI 165 form, which the NIBTT will use to investigate the records and process the claim. The timeframe for processing a claim is less than three (3) weeks if the claimant's records are in order. If the claimant's records are not in order, the NIBTT would initiative a series of investigations in an attempt to verify the claimant's work/contribution data. A partial payment is made to the claimant while the investigations are ongoing.

(v) Methods of Capturing data

a. Records of the majority of contributions are computerized, however, some records are still held in ledgers or cards. Records still held in manual form are incomplete and the intention of the Board is to digitize them.

b. The NIBTT has adopted a multipronged approach whereby claimants are being engaged to clean up their records and the NIBTT is examining its own records in order to make them consistent and to digitize them thereafter.

c. There is an ongoing project with the Treasury Division that is aimed to facilitate the submission of contribution data of Government employees online. The NIBTT would then apply these submissions to their system and review it. If upon processing the data there are differences in records, the NIBTT's system would generate and send an error report.

d. The NIBTT is moving towards the interactive data capture of contributions and this project will commence next year.

(vi) Arrangements regarding Retirement Benefits and the Senior Citizens' Grant

The determination of a senior citizen's entitlement to the Senior Citizens' Grant is subject to data held in the National Insurance System. Therefore, the value of one's national insurance benefit(s) would impact the amount of funds to be received under the Senior Citizens' Grant. On the contrary, NIBTT benefits are paid in full based on the number of contributions made.

(vii) Harmonization of data held by the NIBTT and the Board of Inland Revenue

The NIBTT has consulted with the Board of Inland Revenue (BIR) on the matter of harmonizing the records of the two entities. However, there are some limitations associated with this joint venture since individuals earning up to sixty thousand dollars ($60, 000) a year are not required to submit their TD4 forms to the BIR. Also, there is a new dispensation where individuals can submit their TD1 forms to their company and would not be required to file with the BIR. This suggests that the records of BIR would not account for all the persons covered by the NIBTT.

(viii) Payments to Claimants

a. Once the NIBTT determines a benefit is due to a claimant, it is paid, irrespective of whether contributions are owed by the employer.

b. There are eight hundred and forty (840) claims before the NIAT. Even in cases where the NIBTT is willing to honour a claim, the claimant is the only party that can remove a pending claim that is before the NIAT.

c. The NIBTT does not make payments on any claims that were referred to the NIAT until they are settled, since the decisions on these matters may be decided in favour of the Board or the claimants. Additionally, not all matters before the NIAT stem from inconsistencies in contribution data but may also relate to misinterpretations of payments due further to the submission of life certificates and misunderstandings as to how the National Insurance System works.

(ix) Costumer service issues at the NIBTT's Woodbrook Office

a. It was noted that a Member of the Committee made the following observations based on a visit to the NIBTT's Woodbrook Office:

- there was no numbering system;
- the waiting areas was too small to accommodate the number of visitors;
- there appeared to be a dual system for attending to clients that included (1) service based on appointment and (2) service based on a first come -first serve basis;
- several customer service cubicles were unmanned;
- a lack of division of responsibilities, in that multiple tasks were being performed by one official; and
- the internal signage within the office was ineffective.

b. The Member also recommended hiring customer service representatives and training these representatives to screen persons in the waiting area and to provide advice where necessary, which may result in faster customer turnover.

Costumer service training for staff

a. The NIBTT is currently training its customer service representatives in over the counter customer service relations. However, the Board has recognized the need to increase the number of customer service representatives in order to attend to clients more expeditiously.

b. Officials also indicated that the NIBTT is currently reviewing the operations of its contact centre with a view to enhancing its effectiveness

c. There are also plans to introduce a Claims Review Unit for attending to customer queries. There are also intentions to initiate an independent survey to objectively gauge the public's perception of the service offered by the organization. The findings of this survey will inform the nature of the interventions to be undertaken to improve the service provided.

d. An official of the NIBTT submitted that providing customer service training to employees may not be sufficient to produce the type of quality service that the organization endeavors to attain. He posited that to attain such standards of service, employees that are generalists in the field are required. To this end, he suggested that consideration may have to be given to replacing existing employees with a higher standard of recruits.

(x) Persons working for entities that do not submit/deduce NIS

Persons working for companies that do not deduct contributions should complete and submit a Complaints Form and the NIBTT would conduct an investigation to determine whether the employer is paying contributions for all eligible employees. The name of the employee whose report initiated the investigation is not disclosed.

(xi) The Relationship between the NIBTT and the NIAT

a. Officials of the NIBTT stated that there is a sound work relationship between the Board and NIAT. However, issues are generated as a result of differences in interpretation of the regulations, particularly as it concerns the timeframe observed by NIBTT to respond to a Notice of Appeal and pronouncements on whether an appeal is "out of time" or is to be disallowed.

b. The NIBTT submitted that amendments to the legislation/regulations that govern the appeals process must be implemented to resolve some of the foregoing issues. It was further suggested that an independent third party should be assigned to make a determination on unresolved contentions between the Board and NIAT regarding questions of fact and law.

c. A representative of the NIAT suggested that what would assist the current situation was greater compliance on the part of the NIBTT to the Regulation which stipulates that benefit unit files should be forwarded to the NIAT within twenty one (21) days.

d. NIBTT officials committed to greater compliance with the 21 day stipulation and to informing the NIAT of instances where the NIBTT would be unable to comply with the timeframe.

(xii) The Net Asset Base and potential Liabilities

a. The asset base of the NIBTT is twenty four (24) billion dollars. Contributions are collected to pay benefits and whenever there is a shortfall, the Investment Fund is supposed to supplement the shortfall. If a situation arises where there are more beneficiaries than contributors, such as the aging of the population, it would imply that there is a shortfall in the asset base and this would have to be increased in order to improve the sustainability of the fund.

b. While the ratio of assets to possible liabilities owed to NIAT claimants may not be significant, this must be considered in the context of the future liabilities owed to beneficiaries.

(xiii) Mailing of Contribution Records to Customers

a. There is an ongoing project by the NIBTT where it has started to issue annual contribution statements to employees of organizations whose NIS records are in order. However, large quantities of undelivered contribution statements are returned to the NIBTT, as a number of persons have failed to provide the Board with updated contact information. This is one of the reasons why the Board is seeking to work directly with persons who are soon to be retired to update their records through the Pension-ready Project.

b. In addition, one of the objectives of the NIBTT is to, over the next two to three years, make the records of contributors available online. It is proposed that this project will be undertaken in six (6) month phases, commencing with persons between the ages of fifty-five (55) and over, following by forty-five to fifty-five (55) years and so on.

(xiv) Partnering with other Agencies

a. The NIBTT has sought to partner with the Ministry of Legal Affairs with a view to utilizing the Ministry's births and deaths records for the purpose of determining the status of contributors. However, when the NIBTT approached the Ministry, the Ministry's information was not sufficient.

b. Officials of the NIBTT were concerned about managing the expectations of the public regarding initiatives aimed at improving customer services, as these measures would have to be implemented in phases. The NIBTT was unsure whether its records and the records of the Ministry of Legal Affairs can be integrated given certain security and confidentiality considerations.

c. The most recent communication between the NIBTT and the Ministry of Legal Affairs was "probably" two (2) years ago.

(xv) Immobile Claimants who are required to submit Life Certificates

Immobile clients can have a doctor certify that they are alive and this is accepted by the NIBTT in lieu of a Life Certificate. The NIBTT is also working on a biometric card system that would allow contributors to confirm that they are alive, through a scan of their finger print. This initiative is intended to reduce the need for persons to have to visit NIBTT offices. It is proposed that these devices will be placed at convenient locations such as pharmacies, groceries etc.

(xvi) Hiring of Consultants by Claimants

The NIBTT submitted that, claimants hire consultants as there is a lack of public confidence in the NIBTT to settle their matters expediently.

7.5 The Vice-Chairman thanked the officials of the NIBTT and the NIAT for their attendance and gave notice that a follow up meeting may be held with the NIBTT in the next six (6) months.

(Meeting suspended at 12:04 p.m.)

(Officials of the NIBTT and the NIAT exited the room)

<u>Requested Information</u>

7.6 The Committee requested that the NIBTT provide written responses to the following questions/issue:

i. the projected timeframe for the completion and operationalization of the *Pension Ready Project* and the *Contribution Data Management Project*;

ii. the short term, medium term and long term objectives of these two (2) projects and the projected timeframes in which the NIBTT expects these objectives to be achieved;

iii. the number of customer service training programmes NIBTT has utilized, a brief description of each programme and the number of employees that have participated in these programmes;

iv. the reasons for the tardy submission of Benefit Unit Files to the NIAT in contravention of Regulation 15 of the National Insurance (Appeals) Regulations;

v. the status of the Appeals Project;

vi. the major challenges that characterize the NIBTT's relationship with NIAT;

vii. apart from the Appeals Project, what collaborative measures/initiatives are the two entities pursuing in order to reduce the length of time taken to process and resolve matters referred to the Tribunal;

viii. the status of the initiative to include the self-employed in the National Insurance System;

ix. during the public hearing, several recommendations were proposed by the Committee for the purpose of improving the operations of the NIBTT, could the NIBTT comment on the feasibility of these recommendations and provide individual timelines for the implementation of same?

(Meeting resumed in camera at 12:09 p.m. at the same venue)

POST-HEARING DISCUSSIONS

8.1 On the resumption, discussions ensued on the extent of the Committee's deliberations with the officials. It was agreed that several of issues of public interest were covered during the hearing.

8.2 Further discussions were generated on the matter of the timeframe for inviting the NIBTT for a follow up meeting.

8.3 The Chairman requested that the Secretariat produce a document outlining the recommendations that emanated from the committee, categorizing them into those that are immediately implementable and others that require additional time to be implemented. The Chairman also suggested that the document speak to issues concerning the NIBTT's relations with the NIAT and the appeals process.

8.4 As per 7.6 above, the Secretary was directed to write to the NIBTT requesting its written responses to issues raised during the hearing. It was decided that the Committee would base its decision to convene a subsequent meeting with the NIBTT on the nature of the responses that NIBTT provides to the Committee.

8.5 The Committee recorded its dissatisfaction with the depth of the NIBTT's pre-hearing submission and the suitability of the representatives of the NIAT.

8.6 The Vice-Chairman informed Members of the Committee that the Draft Report of the Committee on Primary School Education was circulated and should be considered by Members so they can provide feedback to the Secretary.

ADJOURNMENT

9.1 The meeting was adjourned to February 21, 2014 at 9:30 a.m.

9.2 The Committee concluded its meeting at 12:27 p.m.

I certify that these Minutes are true and correct.

Chairman

Secretary

February 11, 2014

APPENDIX III

NOTES OF EVIDENCE

VERBATIM NOTES OF THE TWENTY-SIXTH MEETING OF THE JOINT SELECT COMMITTEE OF PARLIAMENT APPOINTED TO ENQUIRE INTO AND REPORT ON GOVERNMENT MINISTRIES (GROUP 1), STATUTORY AUTHORITIES AND STATE ENTERPRISES FALLING UNDER THEIR PURVIEW, HELD IN THE ARNOLD THOMASOS ROOM EAST, SIXTH FLOOR, AND AT THE J. HAMILTON MAURICE ROOM (MEZZANINE FLOOR), TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, 1A WRIGHTSON ROAD, PORT OF SPAIN, ON FRIDAY, JANUARY 17, 2014, AT 9.25 A.M.

PRESENT

Dr. Dhanayshar Mahabir	Vice-Chairman
Mrs. Patricia Mc Intosh	Member
Mrs. Carolyn Seepersad-Bachan	Member
Mr. Emmanuel George	Member
Mr. Jairam Seemungal	Member
Mr. Gerald Hadeed	Member
Dr. Amery Browne	Member
Mr. Ganga Singh	Member
Dr. Delmon Baker	Member
Mr. Julien Ogilvie	Secretary
Mr. Indar Sieunarine	Asst. Secretary
Miss Katharina Gokool	Grad. Research Asst.

ABSENT

Mr. Elton Prescott SC	Chairman [*Excused*]
Miss Stacy Roopnarine	Member [*Excused*]
Mr. Faris Al-Rawi	Member

Mr. Vice-Chairman: Good morning. Good morning to members of our audience. Good morning to the members viewing within Trinidad and Tobago, to this the public enquiry of the Joint Select Committee appointed to consider and report to Parliament on Ministries, Statutory Authorities and State Enterprises. Today, the objective of the enquiry is to investigate into the operations of the National Insurance Board of Trinidad and Tobago.

I am Dr. Dhanayshar Mahabir, Senator, Independent Senator, Dr. Dhanayshar Mahabir and it is my privilege to Chair this morning's session, as the substantive Chairman of this Joint Select Committee is unavoidably absent. Sen. Prescott SC the substantive Chairman, is absent, so I will be chairing on his behalf as Vice-Chairman for this morning's session.

Joining us are colleagues from both Houses of Parliament and I will ask starting with the Senator on my left, Sen. George to introduce himself before we proceed.

[*Introductions made*]

Mr. Vice-Chairman: Thank you very much Senators/MPs and members of the Committee. First off, I need to indicate that this meeting was supposed to start at 10.00 a.m., and it is my hope that in the future, all invited entities would send their representatives to the Parliament, so that we can, in fact, meet and conduct our deliberations at 10 o'clock promptly, because we do have to be on air at 10.00, and the public out there is expecting the participation of all in this very important enquiry.

Let me proceed immediately on the objectives of this enquiry. First off, the National Insurance Board of Trinidad and Tobago, as almost every individual in the country is aware, is a critical agency which is involved in social insurance. Every working individual or most of the working population, some 600,000 plus, are currently enrolled under the ambit of the National Insurance Board.

The objective of this parliamentary enquiry is to determine—the objectives are to determine a number of issues. One, what are some of the major complaints that are lodged by members of the public, encountered by MPs from across the divide when they interface with the National Insurance Board, as they seek to obtain information or, in fact, to secure the benefits to which they are entitled?

So we would like to look at the major customer complaints and to determine really what is the NIB doing about those complaints to ensure that the experience of the contributing member is one which would indicate that he or she is dealing with a very efficient organizational structure.

The second, of course, is to enquire as per the enquiry proposal sent by us, to the NIB, to enquire into the appeals process. Whenever there is a dispute, we would like—with any area of the customer's account, we would like to enquire how these disputes are resolved? What are the impediments? Are these disputes streamlined in a way that there is a timely response to the enquiries of consumers/individuals? Is it that there is, in fact, an issue with respect to the appeals process? And that there are some things which need to be done to ensure that the contributors are, in fact, going to have their matters resolved in an amicable way and in an efficient way as well?

It is for this reason that in addition to the members of the NIB—the senior members of the NIB, we have also invited officials from the National Insurance Appeals Tribunal to joins us so that they too can clarify any matters for us, and for the public with respect to their business with the NIB.

So before I open the questioning for our Committee members, I will invite the key officials of the NIB—I will invite the key officials of the NIB to make a couple of brief opening remarks, but I would also invite all members of the NIB to first introduce themselves to us.

[*Introductions made*]

OFFICIALS OF THE NATIONAL INSURANCE BOARD

Mr. Adrian Bharath Chairman

Ms. Karen Gopaul Acting Executive Director

Mr. Keston Nancoo Board Member, Chairman, Human Resource Committee

Mr. Albert Vincent Director

Mrs. Niala Persad-Poliah Executive Manager, Legal Services

Ms. Greta Stephen-Henry Acting Executive Manager, Insurance Operations

[*Introductions made*]

OFFICIALS OF THE NATIONAL INSURANCE APPEALS TRIBUNAL

Ms. Herschel Joseph Research Officer I

Mr. Rohit Ramsumair Acting Administrative Officer II

Mr. Vice-Chairman: Thank you very much. May I ask the Chairman to make some very brief opening remarks to members of the Committee?

Mr. Bharath: Thank you, Chair. The NIB right now is going through a very comprehensive transformation in terms of its operations, in terms of the structure, in terms of the human resource support because we recognize that there are a lot of improvements that need to be made.

We have a comprehensive strategic plan, last September it was approved. We are in the process of doing the operational plans to support that strategic plan, identify key performance indicators to achieve the strategic objectives, foremost which at the top of the list, is customer service. This problem has not started this year. I have 38 letters in front of me, some of which go back to 2004. So it is welcome that we have this interaction with the stakeholders, and that you could understand what we are trying to do on the NIB side, in order to change for the improvement of the service to the stakeholders of the National Insurance Board.

Mr. Vice-Chairman: Okay. I understand we have the manager of appeals from the NIB also here with us. And also may I welcome MP Seepersad-Bachan who is joining us and MP Amery Browne, welcome gentlemen and lady to our Committee, okay.

May I invite Ms. Gopaul to make—as Executive Director a few brief opening comments to the Committee?

Ms. Gopaul: As the Chairman said, we welcome this intervention, this meeting with the stakeholders who represent the public of Trinidad and Tobago. We have had our challenges in the past with a number of issues that have affected our ability to process claims on time, and in creating and understanding an awareness by our public of what we provide and what they need to do to access our benefits.

We have had—on a few occasions we have met with the Appeals Tribunal through the Ministry of Finance and the Economy and we have come up with a few ideas. Putting it together and implementing it, is something that we need to do, and hearing from all parties is something that will help us in getting a better system that will benefit all.

Thank you.

10.30 p.m.

Mr. Chairman: Thank you very much. May I ask a representative from the appeals tribunal to make a few brief opening remarks?

Mr. Ramsumair: As Ms. Gopaul said, we at the Appeals Tribunal do have our challenges also, and we are trying our best to see what systems could be put in place to improve the service that we provide to members of the public.

Mr. Chairman: Thank you very much. Now I will open the floor to questions. MP Mc Intosh would like to go first. So, MP, I would invite you to raise your issues with the National Insurance Board.

Mrs. Mc Intosh: Thank you, Vice-Chair. Good morning, again. I see the Executive Director and the Chairman and, indeed, the representatives from the tribunal and you all are on the same page in that you all have expressed dissatisfaction with the inability to process claims in a timely fashion. You both expressed those sentiments and, indeed, we are dealing with the public; we are dealing with taxpayers' money; and we are dealing with people who have worked and who want their money when they reach to age 60. The chairman said that, indeed, at the top of the list of key performance indicators for your organization is customer service and that is what, as a representative of the people, I am concerned about.

I was telling my committee that just Wednesday when I visited my St. Ann's office, I had a gentleman—I have people all the time—but Wednesday was the most recent—by the name of Sullivan Roy from Simon Valley Road, St. Ann's. He has worked all his life until age 60 when he retired in January 2013. He has worked with the City Corporation and he has been unable to access his NIS. He said he has been up and down, and they tell him they cannot find 1989 contributions. When he goes to the corporation, they said they paid all the contributions. He is a poor man, and I feel he has really been shortchanged, and I am concerned. I brought it up here—it is very timely—and I would like you all to look into it to see how best you could—actually, I was in the process of writing a letter yesterday to you all to investigate it. Why is he getting a runaround, and then he said somebody said they could not find it and he went back, and somebody else said they found it and he is told come back next week Wednesday, but since January he has been getting a runaround.

I would like to bring up another point, not dealing with customer service—I suppose it is still customer service—but the life certificate that everyone over 60 has to submit every six months. When I—and I am one of those people—come to your office to submit my life certificate there is a gentleman at the door who takes the life certificate. I am not happy with that because I do not get a receipt as having submitted my life certificate, so I must go in. He seems pleased with that, "I am taking life certificates, Madam, give it to me"—but I want to go to the desk because I need to have a receipt just in case your agency says it did not receive it. What can you do—and it is very convenient to leave it at the door—to have at the door, something that one can sign as having delivered the life certificate.

The last point I want to make, recently, as recent as last Friday, the Police Complaints Authority circulated to all members of Parliament names of personnel that the Member of Parliament could contact for information or for assistance. I was thinking, is there any way since members of Parliament deal with the public and deal with all these issues that the NIB could avail to members of Parliament the name of some personnel that we can contact easily with issues that might arise during the execution of our duties? Thank you.

Mr. Chairman: Thank you very much, MP Mc Intosh; response from the NIB.

Ms. Gopaul: With respect to Mr. Roy from the City Corporation, we definitely will get in contact with him, but we need to get his contact information. You could give it to me subsequently. We will follow up on this matter and ensure that it is dealt with quickly from now.

Mrs. Mc Intosh: Thank you.

Ms. Gopaul: With respect to the life certificates and the issuing of a receipt, I have observed it in other institutions, and I think it is a very good idea, and we will certainly consider it or something like it, to ensure that the claimant or the retiree, in this case, has a record that you did issue the life certificate.

Mrs. Mc Intosh: Thank you.

Ms. Gopaul: And, definitely, we will give you all some information on two or more persons that can be contacted with respect to following up on queries on behalf of parliamentarians. So we will do that.

Mr. Chairman: Thank you very much.

Mr. Bharath: Chair, if I could just add to what the Executive Director has just said because we want to move forward, I want to say clearly that—I want to be frank—NIB has been caught in a time warp. I will be honest with you. When I first got inside there, we had facilities that look like they were 20 years old and so on. It is an institution that has not gone through a lot of drastic changes. It is not accustomed to that, and we have embarked upon some very aggressive changes in order to deal with some of the issues that the hon. member has just suggested.

What has to be clarified is that you have a backlog of claims going back to about 800-odd—some dating back as far as 2004 and before—then you have current claims that you have to deal with. So you have to put aside the resources to deal with both concurrently. So what we have done is that we have identified—we have asked for the statistics as to what you initially said, and the statistics that we have has shown that the majority of the claims are probably between—I stand to be corrected—41 to 72 per cent deals with the accuracy of the contributions made by members.

So historically, what has happened is that you have claims being made where the information that the claimant has would have been contributions that differ from what exist in the current system of the NIB, and the timeframe within which you can reconcile that needs to be shortened or minimized. What we have done and what we are putting in place with the historic claims is that we are going to have forms filled out, pre-numbered forms, so that we have a completeness check on the number of forms at the service centres. These forms will ask for claimants—and it will be publicized in the newspapers—to identify the nature of the claim, when they first made the claim, to whom, et cetera. When you submit it, we will have at each service centre someone to receive those forms. It will be in duplicate. That is the intention, and you would have a timestamp on it.

When you come in you keep yours for future reference so that if it is not dealt with in a timely basis, we have a reference in the system that we will know which service centre you went in and where you submitted your form. Those forms are then going to be collated and will go straight to the highest level. We have formed a Claims Review Panel made up of key people in the national insurance system that can make the decisions that can satisfy this.

Mr. Chairman: Thank you very much. I do, however, wish to take off from where MP Mc Intosh left, with respect to her constituent, because it appears that missing contributions is systemic. It is not only relevant to one constituent in one part of the country.

Could I just indicate to you—I am reading from a document, NIB document and it is as follows: 1993, eight contributions; 1994, nine; 1995, 10; 1996, 28; 1997, 26 and in 1998, 52 contributions, all from an individual who is working in an organization. His remittances are sent on his behalf by his employer. He was not aware of this until long after, but I need to get an explanation from the NIB on what could account—I know you said in your written submission that prior to 1992, the record keeping was a bit problematic, and you could have had this situation arising because of a number of reasons: failure of employers, failure of individuals to register.

I am talking post 1992 now, and you have these huge missing contributions which are—I could indicate exactly where the statement comes from—a name Dhanayshar Mahabir, employed by the University of the West Indies. This is the statement; I will pass it on to you. I really would like to know, what is the cause of this particular divergence between someone's contributions that he has legitimately made as per his TD 4 and his tax returns and the statement by the NIB that they have only received—where did these contributions go? Is this a major concern of the NIB and, if it is, what are you doing to assist people, the numerous people so affected so that it is no fault of theirs, but they now must expend time, effort and resources—take time off from work—to try to rectify a problem that was not their doing? Please indicate to the committee how this situation arises.

Ms. Gopaul: A situation as you just described could arise in many ways; one could be, as you indicated before, there were errors made in the submission of the contribution data itself, possibly the wrong national insurance number might have been used, and you might have had errors in the rates identified on the contribution form and so on; things that might have caused the record to be rejected at the time of data capture.

Other problems that may have occurred could be that the employer—well this case is the University of the West Indies and we do audit them regularly—they may have had some challenges with the data, and it was submitted subsequently and we have to get it on to our system. Now, those are the problems that could have happened. What is the NIB doing to try and rectify that? We have a project that was going on before for people who were between 60 and 65. We are extending that project to a younger age group between 55—59 or 60 to work with them in cleaning up their contribution records. We were going to invite them to come into us—we show them what we have on the system—and then we would work with them to clean up the contribution records.

In this regard, we are going to be looking at our own internal staffing and their capability in investigating these records and we know that we need to strengthen that in some areas, and we will be doing that because I recognize, as you just said, it is sometimes difficult for the insured person to find the record. So working with the NIB, with the claimant, we could go to various employers, look at the various types of records that they have—whether it is personal records, pay records and so on—and we can work with those types of documents to fill the gaps in the contribution records and we will be seeking to do that shortly.

Mr. Chairman: Thank you very much. MP Seemungal.

Mr. Seemungal: Thank you, Mr. Chairman. Members of the committee, welcome to this public enquiry. Now, this programme is being aired live and there are many persons and constituents of mine and others, who will be sitting there wondering, what is the discussion about? Can you outline to them the procedure in which one needs to adopt to apply for their national insurance? How is the data that is given to you captured? What is the difference between the capturing of data say 10 years ago, as to what you are doing now? How you are going to proceed in the future? One of the things I want to enquire into is whether or not all our data, moving backwards, is currently digitized and, if not, do you have intention to move into that direction?

The next question is, can someone sit at home currently and view their profile or view their file with respect to the amount of contributions that they have online, bearing in mind that this Government has given every single primary school graduating to high school a computer? Within the next couple years, every child in a high school will have a computer, and in 10 years from now every home will have a computer. So we are moving in that direction whereby we are training students and children to be computer literate, and viewing public records online is something that I want to enquire whether or not we have a project to move it in that direction and, if not, when can something like that be put in place?

10.45 a.m.

Mr. Vice-Chairman: Okay. Thank you, MP Seemungal.

Ms. Gopaul: Okay, Mr. Seemungal. The first question you asked was how to apply for NIS; I take it this is your retirement benefit?

Mr. Seemungal: Yes, it is.

Ms. Gopaul: All right. There is a form to fill out when you have—well now it is three months before you retire you can fill out the form, indicating that you are going to be retiring in three months' time, like once you have reached age 60 and so on, right, because—[*Interruption*]

Mr. Seemungal: And that form is accessed online, or is it you have to visit one of the offices?

Ms. Gopaul: You can pull it down from our website, or you can get it from the National Insurance Board, but it is online. You can pull it down from the website. When you fill out this form, part of the form asks for your work history, because we recognize at the NIB that we may have gaps in the contribution records, so at the time of filling out the form we ask you to indicate your work history. There is a short portion on the form that asks for that. Right.

When it comes in, we compare your work history with what our contribution records show. Where we see that there is a difference, we might ask you to fill out a form, what we call the NI 165, where you could put in other information on your work history and so on, and any change of information that you might have, like your change of name that might have occurred over time, and things like that. We use that to investigate the records and process your claim.

Mr. Seemungal: Before you move to the next question, how long does that process take on the submission of the form to you to actually getting back to the client and determining what is being given to them?

Ms. Gopaul: If your records are complete the time frame is less than three weeks—if your records are complete. And that is why we are asking people who are approaching retirement age, or retirement, to come in and work with us to clean up your records in advance, because once your records are on the system, we can process your claim very quickly. Right. Once your records are not there, we have to go through a series of investigations based on the history that you write down, or look at the old records that we might have that are incomplete. We will look through those as well to see what might fit your work history, and other information that you are giving us at this time.

Mr. Seemungal: Okay. May I just ask, on the follow up to the same question, and it is based on the question my colleague asked before? If you find during the investigation that there are missing contributions, do you pay a partial payment while you are investigating, or do you wait for the entire process to be completed, which sometime take eight, four and five years?

Ms. Gopaul: Right now we pay a partial payment.

Mr. Seemungal: Okay. With respect to the computerization now.

Ms. Gopaul: All right. Computerization: the majority of our contributions are computerized. We have some that are still on ledgers, or cards that we have, but those are where the record is not complete, so we could not capture it on the system. We want to work to clean up those records, and to scan and digitize our ledgers so that they can be easily accessed in processing a contribution record. So it is a multipronged approach that we are looking at; one where we work with you to clean up your records, and others where we look at our records and we try to clean up those records and digitize them that are not in the system. But, by and large, the contribution records are on the system as we come along.

What we are moving towards; we are already in a project right now with the Treasury Division to deal with Government employees to submit their contribution data online, where we will review, apply this to the system, review it and give you back an error report upon processing it. Right. So it would not be that you come with these manual, these paper records, then we have to capture—errors might be made in data capture and so on, and then we come back to you and say, "Oh, we have these gaps. These numbers are wrong", and so on. We want to give you back something electronic that you could use to easily apply to your system, or dispatch to other agencies where it is covering multiple agencies.

So that is what we are doing right now, and that is what we are moving towards. Beyond that, we are moving towards allowing interactive entry of contribution. That is interactive data capture of contributions. So next year we would be going into that project.

Mr. Seemungal: Persons who are over the age of 65, who have reached the age for old age pension; can you help me by outlining how the process is done? Because some persons would be collecting money based on their NIS contribution, and some collecting from the old age pension fund, and—[*Interruption*]

Mrs. Mc Intosh: Senior Citizens' Grant.

Mr. Seemungal:—Senior Citizens' Grant—and many of my constituents come to me and would tell me that their senior citizens grant, part has been cut and they are now receiving from NIS and vice versa, and all these thing. Can you help me to help them?

Ms. Gopaul: All right. What happens in that instance, when you come in and you make your claim for national insurance, we process it based on the contributions that you have. On the senior citizen pension side, it is harmonized with the National Insurance System. Right. So on that side—it is not on the national insurance side, it is on the senior citizen pension side. They would look to see what income you are getting from other sources, including your income from national insurance, your pension. Based on what you are getting from your other sources of income, that would impact or reduce the benefits you get from the senior citizens' pension.

Mr. Seemungal: But hold on. Why? I am a public servant, I have worked all my life in the public service and I pay contribution to you, and I expect that when I reach the age where I am most vulnerable, that is the time I need more money. That is the time medicine becomes more expense; that is the time travel becomes more expensive, and every single thing becomes more expensive, but that is the time when I reach age 65 and now start to collect some additional income, that NIS, based on my contribution, based on my work for 40 and 50 years, some of us, you are now cutting me. Why?

Ms. Gopaul: No. Let me repeat what I said. The NIB is not the one who is cutting. The NIB gives you your full benefit based on what you have submitted and applied. The harmonization is on the senior citizens' pension side. That is where the reduction is.

Mr. Vice-Chairman: Thank you very much. That much is clear. Before Sen. Hadeed makes his own intervention, could I enquire of the Executive Director whether at all you liaise with the Board of Inland Revenue to harmonize the contributions that you ought to collect in a year with the amount that is on all the TD4 Forms on record? Is there any harmonization between the two agencies?

Ms. Gopaul: We have spoken to the Board of Inland Revenue from time to time. Now we have to remember that people who earn up to $60,000 a year, they would not submit their

TD4 Forms, their Board of Inland Revenue forms. Further, with the new dispensation where you could submit your TD1 to your company and then you do not have to file, you would not have that, but the company would pay your income tax and so on, so they would not have a record of all the people that we cover. So that is the problem in the case of the Board of Inland Revenue.

Mr. Vice-Chairman: Okay. Thank you very much. Sen. Hadeed.

Mr. Hadeed: Thank you very much. A question: when a person reaches retirement age and he is entitled to get his remuneration—I listened earlier to the Chairman, I believe he mentioned 800 people were in dispute about their contributions on receiving their money; am I correct? Approximately?

Ms. Gopaul: That is correct.

Mr. Hadeed: All right. The majority of the times I would like to suggest—if you have 800 people who are waiting to get all of their contribution back, or whatever it is given to them, or you have them maybe on a half of the allowance they are supposed to get—an operation of $22 billion, would it not be practical to be able to pay these people their contributions whilst they are investigated? They have paid their money in, maybe their employer has not paid it in, but there are laws in the land to deal with employers who do not pay the contribution; am I not correct?

Ms. Gopaul: That is correct.

Mr. Hadeed: Why should a senior citizen who needs his money, have to wait for you all to clear up your mess? Sometimes your mess, sometimes the employer's mess. Why must that citizen have to wait to get his money? Why do you not pay the money—a company with $22 billion in assets that you are managing—800 people who are out there, needing every dime, every dollar to live? Why cannot some form of compromise be made with these people who are waiting? And I would suggest that you look at it, and if the employer has not paid the money, he is the man who you all have to go at and get at him, not to keep the poor person waiting for their money.

That is the first question. You could answer that in a while. On page 3, Investments, you have an excess of $22 billion, et cetera.

"Additionally, in 2014 the budget statement, it…revealed that there are plans:

- to include the self-employed in the NIB System;
- implement a National Health Insurance System in the future; and
- introduce an Occupational Pension Bill in Parliament by the end of 2014 to support the proposed changes...”

Have you all started any of these issues here?

Ms. Gopaul: Could you repeat the last question please?

Mr. Hadeed: Introduce an occupational pension Bill in Parliament by the end—not that one, I am talking about—have you all started to work on the NIB system for self-employed, or things to that effect?

Ms. Gopaul: All right. I will take your first question first, and the second question after.

Mr. Hadeed: “Yeah.”

Ms. Gopaul: Right. The first question: once the National Insurance Board determines that a contribution is due, we pay the benefit. We do not wait for the employer to pay. So what you just indicated, asking us to do, we already do.

Mr. Hadeed: So who are the 800 citizens that the Chairman was talking about?

Mr. Bharath: Those are claims before the tribunal. Now, Mr. Hadeed, I just want to clarify something here, and I have the team here. Even if we want to settle a claim and pay it off, the claimant must—he or she is the only one that can remove the claim going before the tribunal. One of the areas that we are looking at is exactly that, coming to some sort of agreement or a settlement to pay the claims, but it does not necessarily mean that the matter will come off of the list from the actual tribunal. So I am not sure if we have to put something in the legislation that will allow for some sort of mediation to take place in order to fast track these things—[*Interruption*]

Mr. Vice-Chairman: Could I intervene here, Mr. Chairman. If I could add my own little bit; I think the issue is, for the 800-plus individuals who are currently awaiting a review of their case, is it not possible for the NIB to pay the full benefits up until the matter is settled by the tribunal, and if it is deemed that they have no case then you can then deduct, subsequently, the contributions you made, and if they do, you will continue? I think—is that the line, Sen. Hadeed?

Mr. Hadeed: “Yeah. Yeah.”

Mr. Vice-Chairman: I think that is the line of question of Sen. Hadeed.

Mrs. Stephen-Henry: Good morning, Greta Stephen-Henry, Insurance Operations. Mr. Chairman, the fact that these 840 matters are appeal matters, it would mean that the NIB has taken a decision in respect of a claim, and for those that we are moving forward to defend; if we were to move forward to pay these claims it would mean that, should the appeal go a different way there would be no benefit due to the person, and therefore nothing to make a future deduction from. Also, it is not all cases where it may be that a further benefit is due. Some of the appeal matters would be based on an interruption in payment due to life certificates and so on that would have stemmed from perhaps a misunderstanding of how the system works, and just the non-submission of a life certificate for us to continue payments. So out of the 840 matters, there are several that have already been resolved where the NIB has resumed payments, and so on.

Mr. Vice-Chairman: Thank you very much. MP Browne.

Dr. Browne: Thank you and good morning. It must be a bit sobering to be part of an organization that sometimes is described as one of the most complained about entities in the country. I can empathize because I am a part of the Parliament, and we are also very much complained about. I think the issue really has to be changed as the Chairman mentioned, and how that is being managed, and how quickly that can be brought to bear. I would want to humbly suggest that you need to start with the basics, and that interface between the agency and its customers and clients, it is very, very important to seek to improve that.

11.00 a.m.

Dr. Browne: I myself had cause to visit one of your offices in the recent past, in pursuance of a maternity benefit on behalf of my wife, and that put me in the shoes of the many persons who come to me as an MP to make reflections, observations and complaints. So I do have a few of those basic observations that I would like to share with you, and I will be very specific. This is in relation to the fairly new office on Wrightson Road, which I believe is described as the Woodbrook Office—I see some smiles already.

One of the early observations that I would want to make is that there is no numbering system whatsoever, and I observed it caused some confusion. To be clear, someone offered, when they saw me come in they said, "Would you like us to fast track you, Dr. Browne?" That was nice, but I refused because I wanted to see what the experience was like.

So with the lack of a numbering system there tends to be disputes in the waiting area as to who came first, who came last, who was there before. Sometimes you are dealing with older persons who may not have as sharp a memory as you the panel and, therefore, there is the potential for those types of disputes without such a system in place.

The waiting area is also quite small, in fact, too small for the volume of persons that are coming in and seeking clarification or services from that particular office.

I also observed that there seems to be two systems running simultaneously. There is a system by appointment and then there is the first come, first served system, and all these persons are waiting in the same area, in the same seats. So what you find is persons come through the door and sit, and then someone would rise and go to the counter or be called to the counter and there is a murmur in the group because, "I was here before that person," and then there would be the feedback, "Well, they have an appointment." When you have those streams mixing together again, it is just further cause for frustration, confusion and it just adds to that burden of complaint and negative sentiment with regard to the board and its employees and its procedures. Moving right along.

There were several windows available, but very few of them were manned, so it has to do with a staff management issue and that resulted in significant delays. I have to tell you I was there for a large part of the morning.

The other thing is that when you finally do get to the window, the same person is involved, the same staff member is involved in receiving the forms, examining the forms, explaining, troubleshooting with the client and then literally typing a letter, summarizing issues for the guidance of the claimant or the member of the public.

Somehow I feel there may be benefits to that approach, but there are also significant drawbacks, and in terms of moving persons ahead more quickly, clearing the waiting area, which is always a good thing, and giving persons as sense of progress or traction on that visit, it might be better to have—I do not want to use the word an "assembly" line—but a different system where, once the form is reviewed, they might be able to pass on to another staff member, someone who can type the letter, et cetera. I just thought that was a bit cumbersome in terms of the interface.

A few other issues: the internal signage within the office is very poor. So there is a sign that says "Information" or "Enquiries", something like that, and that sign is visible from the door, but once you are seated in the waiting area, that sign is invisible. It is behind a panel. So persons who, let us say, are sitting down and then they chat with their compatriot or their neighbour in the chair next to them, and a question or query arises, "Do I need to be here at all," or something like that, they do not know where to go from there. So there is confusion and then they have to go to interrupt the other staff at their windows. I saw that happening, and it actually happened to me so that is why I could say that.

Two more issues: I am suggesting the need for some customer service reps, because people—as one of my parliamentary colleagues indicated—there is a lot of confusion still, and that probably would remain in terms of National Insurance, how it operates, how claims are processed, what is the responsibility of the claimant, how should they move. There are persons seated in that waiting area, right now I could bet you, who should not be there at all. But they wait until their moment comes and they go and then they are told, "Well, you know, come back next month," or "This is what you have to do."

Really, if you could hire some young persons, train them well and have them sort of policing that area—not policing really—shepherding might be a better word, especially the older persons, "Ma'am", and they can take a quick glance at the form and maybe clarify matters, as opposed to persons waiting for hours and then discovering that they should probably not have been there at all or they might be in the wrong place.

So those are some of the things, and bearing in mind you are dealing sometimes pregnant persons, persons recovering from serious illness, elderly persons, so that is what I was talking about in terms of focusing on the basics and trying to find room for improvement even there.

The other issue, just very quickly now: sometimes I would go to the supermarket or be out in public, and persons would approach me with a very alarming concern. One gentleman from a security company said that he had been newly hired, newly recruited. He came from another security company before. He said that the company he is currently working with pay him a very low salary and they make no provisions whatsoever, as far as he aware, for National Insurance contributions. Then he asked me, "Dr. Browne, what can I do?" I am bringing the question to you. What is that gentleman's recourse in those circumstances? He has those types of concerns and maybe the communication within the organization itself, his company itself, is not appropriate to clarify his concerns. What can he do and how can your organization assist him? So those are my recommendations.

Mr. Chairman: Thank you very much, MP Browne, focusing on customer service and the need for appointments. Could you respond, member.

Ms. Gopaul: With respect to all the recommendations that you have made, we certainly will take them on board and look at them. Some of them we have actually considered ourselves and in the process of looking at how we can implement them. So we are glad to hear what you have said on those areas.

With respect to the employee who is not having his contributions deducted at this point in time, there is a form that you can fill out at the National Insurance Board, which we would use. It is a complaints form, and we can have—what is the word?—an investigation done of the employer to make sure that he is paying for all covered employees, without indicating who the compliant was made from.

Mrs. Seepersad-Bachan: Mr. Chairman—

Mr. Chairman: Could I just inject and then it is going to be—but is it a burning issue?

Mrs. Seepersad-Bachan: It was related to this. I did not hear the Executive Director respond on the issue of customer service. I thought that, you know, this is an institution where we are getting so many complaints about your interface with customers. Are you currently carrying out customer service training or certification programmes, because I think that was what MP Browne was really trying to get at, and what are you doing in terms of going forward? There are so many programmes in customer service right now.

Mr. Chairman: Thank you very much, MP, for that. Your turn to question will come subsequently. You have not usurped your turn to question, on this intervention.

Ms. Gopaul: Mrs. Seepersad-Bachan, yes, as part of our programme we are training our customer service reps on how to treat with persons at the counter. We recognize though that we need to increase the number of customer service reps so that we could treat with the customers faster. In terms of the bulk of work that is coming into the organization, we have embarked on a number of things. We want to increase our customer education to let people know what their rights are, what they are entitled to. We want to increase the avenues through which various claimants can contact us to ensure that persons can contact us to raise their queries and to speed up the response that we give. So we have a contact centre that we are reviewing how it works, to improve the effectiveness of the contact centre.

We want to put in a unit to which customers can come, that will also go to the Claims Review Unit that the Chairman mentioned previously, with queries that you have. We are also going to have independent surveys done of our service, to let us know what is really happening from out there, at different times of the month, the year and soon, because at different points different things would happen. We would take that information and use it to see how best we can improve what we provide to the customers.

We are also looking at providing other avenues, as I said before, online service, so you need not come into the service centre, and mobile units where we would go out to the customer. Those are some of the things we are considering.

Mr. Nancoo: I will just like to add—

Mr. Chairman: Before you continue, Mr. Director Nancoo, I just want to continue a little, with taking off from where the two MPs in fact left off, and that is: when you have an individual who is working and he has to go and take a number and he does not know how long he is going to be in your office, is it that you are considering now, the appointment system, where, as in the case of the Ministry of National Security, someone requiring a passport can seek an appointment, so that he knows exactly the date and time that he would appear to meet an officer. Do you think that will, in fact, ensure that the customer experience in the organization is enhanced?

Ms. Gopaul: What you just mentioned is something that we have tried on a pilot basis for a long-term benefit, which takes quite a while to process when someone comes in. Yes, we would want to expand that in terms of providing it to a wider group of people, particularly for the long-term benefit.

Mr. Chairman: Thank you very much. Mr. Director Nancoo.

Mr. Nancoo: I just wanted to make the point, because we keep hearing, even in my own organization, about delivery of quality customer service, but delivery of quality customer service—especially in these kinds of institutions—is not like delivery of customer service in a mom and pop shop. What we got to recognize is that in order to get top class, consistent delivery of quality customer, you are really looking for generalists. To get a generalist, it means, one, in most instances, that individual would have had to spend some time. I would like to put on the table: you can put an individual through whatever customer service programmes, even in an orientation setting, two months, three months or whatever it is, it does not necessarily churn out.

As the Chairman said, the NIB is currently going through organizational transformation. It may very well mean that we cannot continue to carry people who, notwithstanding the fact that they have been trained, it may come to separation. Can the system tolerate that kind of thing? The pool from which we are getting people, I think that is also an important consideration. I just thought I should add that.

Mr. Chairman: Thank you very much, Director.

Dr. Browne: I am glad we had that intervention, thank you, Chair, because we are not just dealing with the people, which is what you are referring to, but we are dealing with the systems, and my concern was really a systems concern—not invalidating what you are saying at all.

Mr. Nancoo: I am not disputing that.

Dr. Browne: But I have a remaining concern, because I was describing the operation at a new centre. I just want to reemphasize the importance, not just of opening a new place and cutting a ribbon and then somehow devising a working system, but ensuring that in the future when those investments are made— You see, there is something that I believe you can describe as the ethos of a building, and once persons get negative experiences and a bank of negative experiences is built up, it is going to be very hard to change that perception. So a new office, persons are glad, it is nicely painted and so on, it really would be very important to put the intellectual and other components in prior, to ensure that they have a brand new and refreshing experience.

So I know you are working at it, but the encouragement would be for some of these basic things. I do not think it is rocket science, and there are many entities. You are not the only organization that provides this type of service. Maybe it is more extreme in your case or the volume is greater, but from what I saw there, there are some very simple things that probably could be done quickly, and hopefully would help to change the ethos, because it is in all our interest to make our people more comfortable.

Mr. Chairman: Thank you very much, MP Browne. Before I get a response, Mr. George has not had an opportunity to speak and Dr. Baker, MP, has not yet an opportunity to make his contribution, so I would like to finish the first round before we go on the second.

Before Mr. George goes on, I find it a bit surprising that an agency which has been in existence since 1972, is still having these issues that it has not had a cultural ethos established. But that is for you all to respond. I just find it a little surprising and a little disappointing. Sen. George—

11.15 a.m.

Mr. George: Yes. Thank you very much, Mr. Chairman. It is a cultural ethos that I know they have difficulty dealing with and changing. I just want to make a couple observations before I ask my question.

The first observation is to alert the board and management that this enquiry here is to raise and identify issues that have to do with you addressing your customers' business and to seek, by our questioning, to have us think about ways and means by which we could improve the delivery of your service to your customers; that is essentially what we are doing here. So there is no need to panic or to feel that this is an enquiry that is drawing you through the mill, so to speak, but we will ask, as you would realize, pointed questions.

The other thing is, and this has to do with the ethos is that, what the NIB is engaged in doing is essentially paying people's salaries after they retire. I tried to get—when I was in the public service, and as Permanent Secretary—the people in the Ministry to understand that when you are preparing people's pension and leave records, you should treat them as if you are paying your normal everyday staff at the end of the month. Because all that is happening is that we are transferring the responsibility for paying people monthly to the other agency, which is the pensions and to an agency such as yours.

All you are doing is continuing to pay people's salaries, but now they are into retirement.

So picture—and if you get that into people's minds, they will understand the importance of doing all of the paperwork necessary to get this particular job done. I found that, while in the public service, people did not want to go and do pension and leave records because it was not sexy. It is not like if you in accounts, "ah could say, well I in accounts", but when you say "yuh in P&L, people say "aye, yuh dealing with ole people business man", you know. So it was not a sexy area, but I tried to put into their minds what they were doing. You are paying, just as if you were in accounts, paying people's salaries monthly, except that they are now into retirement, and you are preparing their documents, so that the pensions people could pay it or the NIS people could pay it. Right. If you could get that in people's minds, then there might be a different—[*Interruption*]

Mrs. Mc Intosh: Approach.

Mr. George:—perception or, "yeah", approach to their job. So I said that I want to make those two observations because that is what you are doing, and put themselves—say, suppose you now are into retirement, you would have wanted somebody to have done all of your work—all of the work involved in getting your documentation up-to-date, so that you would have no difficulty.

What is challenging you now, with all of the hundreds of thousands of people that you pay every month, and which you do very effectively, there a are few that present the challenge; and it is the few that we are dealing with.

Now I want to question what is happening with respect to issues when they reach the appeals tribunal, and the relationship between the NIB and the Appeals Tribunal. Because we had interrogated the Appeals Tribunal here and found that part of their problem was there was a lot of internal issues that resulted in people's issues not being dealt with promptly and so on, but there was also the issue of the relationship between NIAT and the NIB, in which there appears to be some disconnect. Right. I wanted to find out, what is leading to that apparent disconnect and what are the steps that are being taken to have a more cooperative relationship between the NIB and the NIAT, so that people's issues can get resolved much more speedily. That is my question.

Mr. Vice-Chairman: Thank you very much, Sen. George. Responses from the NIB.

Ms. Gopaul: We do have a relationship with the NIAT, right, with the National Insurance

Appeals Tribunal. We call them on the phone and we discuss the notice of appeals that come and we respond to them. Where the issues may lie, are more related to interpretation of the regulations in terms of what should come as a notice to the NIB, what the NIB should respond to; and I am talking about, in this case, where appeals are out of time or claims were made out of time and they were disallowed, and instances like that. So there are some gray areas there.

Now there were some challenges NIAT over the last few years, and I think it was about three years ago, we assisted them in reconciling their records; they were moving from one office to another. So there is that relationship with the NIB. So I want to correct that feeling that the relationship is bad. It is not bad, right, but we do have—we look at the regulations and we do have differences in opinion on how some of the regulations should be treated. In that instance that I just spoke about, and what NIB should respond to, and also NIAT has raised areas that are outside what the regulations cover right now which NIB—we cannot act until there is a change to the legislation. Right. So those are things that we have to look at, consider, and look at a revision to the legislation. So those are more the gray areas.

Mr. Bharath: Chair, could I just say something, please?

Mr. Vice-Chairman: Yes. Sure.

Mr. Bharath: I just want to clarify something statically, so that we could all understand the seriousness of the problem. We have on record 844 appeals awaiting a hearing. If you have 10 appeals a year, or four appeals a year, you are talking about 80 years before you hear an appeal, and we need to recognize that. That system is untenable and there must be an independent party. The NIB cannot be judge, juror and executioner. If somebody comes and says, I am unsatisfied with my claim, then it is not up to the NIB to say, well take it or leave it.

There has to be an independent registrar or commission to come and say, okay, the NIB is wrong and you need to pay this individual's claim or, you are wrong and you have no case. Now those matters need to be heard and they need to be heard collectively in order for us to deal with these matters, especially if some or the majority deal with the query over the contributions. I think this is where all the stakeholders here, either need to look in terms of the legislation or the structure, in terms of dealing with these cases and dealing with these matters because the NIB is very willing to try and settle these as best as we can and in a shortest time frame as possible.

Mr. Vice-Chairman: Thank you very much, Chairman. Are you then contemplating something like establishing the office of an ombudsman for the National Insurance Board?

Mr. Bharath: Anything will help speed up the process. I think there needs to be an independent third party to hear these matters, especially where you have to deal with one of a question of fact or quantum or law. That needs to be done.

Mr. Vice-Chairman: Thank you very much. Sen. George.

Mr. George: Just one thing and I want to say this, it is very positive, that all my experiences with the National Insurance Board, personal experiences with the National Insurance Board, have been positive. I have visited your Port of Spain office, from time to time, and I have gotten treatment that I cannot complain about at all. From time to time I do now visit your Barataria, Fifth Street office and I get very good treatment, not because I am a Minister, because like MP Browne, I go and I stand in the line. I "doh" want any special treatment, but I have been treated—prior to me becoming Minister and afterwards—all my experiences at your NIB offices, have been good experiences. I want to put that on the record.

Mr. Vice-Chairman: Thank you very much, Mr. George.

Mr. George: Thank you very much.

Mr. Vice-Chairman: I think you are fortunate to have these pleasant experiences. It is not something that all of necessarily share. I personally would like to have an appointment system where my time for the day is not wasted. But may I ask a representative from NIAT to respond to any of the issues raised by the members of the National Insurance committee? Any responses from NIAT? The AOII, I understand, is here. Is there anything that you think the NIB can be doing to expedite the process that you are engaged in?

Mr. Ramsumair: When we do request the benefit unit files, I think the regulations to it is that they should be forwarded to the National Insurance Appeals tribunal within 21 days. We are not sticking to the 21 days, but if it could be sent, you know, within a reasonable time, that will assist us greatly in dealing with the appeals.

Mr. Vice-Chairman: Could we get a commitment then from the National Insurance Board to comply with the request of NIAT?

Ms. Gopaul: Yes. We have been looking at that and where it is going to take more than 21 days, we have indicated that we are going to be informing NIAT, all along, of the status of what is happening so that they know what is going on.

Mr. Vice-Chairman: Thank you very much. Any further questions, Minister George? So, MP Baker.

Dr. Baker: Thank you, Chair. Now let me, like Sen. George, indicate that most of my interaction with the NIB has been fairly positive. In fact, the chairman—we have developed a bit of a functional relationship over the period for which the construction of the new NIB mall is to occur in Tobago, and that brings to mind the challenges that Tobagonians have been facing under the difficult circumstances that the old facility presented, and the challenges that are now arising because of the transfer to the new office space.

In addition to that, as an MP, we have not been receiving that many complaints, on the ground, from Tobagonians, as it relates to the core work and the function of the NIB in Tobago. So you must be complimented because there is something positive happening in the Tobago space, despite the challenges.

With that being said, I am very concerned on hearing the fact that there are 800 matters before a tribunal, and that you seemed to suggest that those matters have been settled to the tune of less than 10 per year. I do not know where those numbers came from, but that indicates to me that we will have 800 matters in the foreseeable future, still being unresolved past my working life comes to an end. I may be one of those 800 in the near future.

Does your interface—your electronic interface—allow an individual on the time of entry into your system—project or anticipate payment? Is there a red flag when payments are not made, or contributions are not made? Is there someone sitting at the computer looking for those red flags, understanding that there is the possibility of trouble, and then checking to ensure that that is rectified before a claimant comes to your doorstep asking for his contributions—for some good to be made on his contributions at the end of the line? Is there a red flag system? Explain that system for me?

Ms. Gopaul: There are two avenues through which we look to detect missing contributions. Right. Upon submission of your contribution records where we see wrong information and so on, and we know that it cannot be applied to our system, we will contact the employer and advise him of the error and sought to get the registration of the insured person regularized so that the contributions can be applied. So that is one avenue.

The second avenue is through our authorized officers who do spot checks on employers, where we compare your payments made from month to month, and where we see significant differences in the contribution payment made—that mean being a reduction in what is being made—we will do an audit of the employer or we do regular audits around every three years of particular employers still in business. Those are the avenues. So it does not touch every single employer at this point time, but it touches a number of employers.

Dr. Baker: Now I ask the question, Chair, if I may continue. Contributions are mandatory?

Ms. Gopaul: Yes, they are.

Dr. Baker: The employee has no right whether or not he has to pay, once he is within the pool, he has to pay, he has to contribute. Therefore NIB collects, on behalf of all of the working population, some money.

Ms. Gopaul: Um hmm.

Dr. Baker: And there is an obligation, almost from the time those contributions starts. My question therefore, if you have a system that red flags when there is a potential problem in contributions, then you should also, in the back of that, have some liability concerns when a person presents with a claims that cannot be met, because contributions are missing. Therefore, there may be an obligation on the NIB to make a payment first, even though a matter is before a tribunal because the error in not recognizing the problem early enough may be within the system that the NIB is operating. I just wanted to make sure that you understand those concerns.

I know, when you look at the NIB's asset base, it is quite large, but how do you compare that asset base to the potential issues that may arise in those matters that are now before the tribunal? Is the percentage of the sum that can accrue, if a case is settled in favour of those 800 persons, significantly large when it is compared to the net asset base of the NIB, so that NIB cannot make those payments up front? That is the question that I want to pose before you.

11.30 a.m.

Mr. Bharath: Sorry, Dr. Baker. The questions you are asking—this is a misconception and although the NIB has now $24 billion under assets, under management, the present value, the future obligations, it needs to be read in the context of that aspect of it.

The fact of the matter is that the actual review tries to work out the sustainability of the fund based on certain assumptions about the liabilities that need to be paid because, as we stand right now, contributions are collected to pay benefits. Wherever you have a shortfall, the investment fund is supposed to take up the slack. If that situation continues as a result of—you know, the benefits are much more than your contribution income, or you have some dynamic in the change of your population in terms of their age, that you have more beneficiaries than contributors then that dynamic changes.

It means that there may be a shortfall in your asset base that you need to be in order to increase the sustainability of your fund over a lengthy period of time. That is the dynamic that we use. So, we have to be very careful in terms of just saying that the asset base is $24 billion, and therefore, the ratio of paying the benefits for that may be very, very small, but we must take it in the context of the future liabilities that we need to pay with beneficiaries.

Mr. Vice-Chairman: Thank you very much. May I just interject here with respect to a recommendation. For the future, is it at all going to be very demanding on your staff if on January 02nd of every year, you simply mail to each of your contributors, individual contributors, their contributions for the last year, and by the middle of January every contributor should know what his record of the last year happened to be. Because you see, he would have had that particular information in his own tax documents prepared by his employers. You are collecting from the contributor on a regular basis the contributions, how difficult will it be for you all to inform, via computer printout, costing a dollar in stamp, to send to the individual at his workplace what his contributions are, so that by January 30, he would be able to rectify the problem and ensure that the issues we are finding out with all the people in the country, most of them can in fact be sorted out by that simple administrative change?

Ms. Gopaul: That is a project that we actually have in process right now, that is ongoing right now, where we have started issuing annual contribution statements to employees. We have been doing it through employers that we have cleaned up; because we need to make sure it is the correct person we are printing the contribution statement for with that employer.

Now, initially NIB used to mail out the contribution statements, but the question here is, and it is one of the things that we are doing in the new project we have, is that a number of people failed to advise NIB or to update their contact information, so there is a lot of returned mail. That is why we spoke about the pension-ready project where we are going to be targeting this group. Right? Now, this is going on with all the other projects with the annual contribution statements being printed and so on with employers that we have cleaned up. We are going to ask them to come and update your contact information first, and we are hoping to encourage younger groups of our insured population to come in and do the same. Because once we have that, we have email numbers, we have cell phone numbers and so on, it is easier for us to get information to you.

Mr. Vice-Chairman: Thank you very much.

Mr. Bharath: Chair, I need to just interject here a "lil bit", because we need to go a "lil bit" further. We talked about customer service and we talked about the life certificate forms and so on. NIB needs to be, from a technological perspective, we need to come into the 21

Century. So what the strategic objective is that we would probably take the next two years, three years to put in place, but we are doing it in phases. We need to get everything online. I think somebody mentioned the fact that computerization is the norm, we expect that. So, we have a process in place where we are trying to get all the information online as much as we can and we are doing it in six-month stages, so by June 30, we will have that information. It will give people an opportunity to look at the accuracy of their contributions online.

Mr. Vice-Chairman: Could we then say, for the benefit of the public, that by January 02, 2015, a year from this particular period of time, that every contributor to the NIB, every citizen of Trinidad and Tobago who is a contributor, should be able to get his records of the previous year, either online, if he has access to a computer, or via mail if he does not, as the constituent of MP Mc Intosh is in that situation, so that he or she will be able to reconcile his records early and forthwith. Is it that a period of a year is reasonable for the NIB get this project fully implemented?

Mr. Bharath: I certainly would like to put a time line on it but I do not want to make promises that I cannot keep. It may be March 2015, it may be later. We have to look at it in phases in terms of implementing the system. It is going to be a costly system. It is computerized and it has to be done over phases. In addition to which, the opening comments you made is that 600,000 are in the system right now. So, you asked about the HR complement to deal with these matters. We have to take pieces off that are palatable that we can take in pieces, which is why we are looking at, when that information comes online, we take it in stages. The ones that are over 55; 55 and over, who are close to pensionable age, are the ones that we need to deal with immediately. Once we get that correct we then move to the next stage; 45—55, et cetera, et cetera, then we work towards having a fully computerized and correct system within a period of time, and that is what we are trying to do.

Mr. Vice-Chairman: And hopefully that period of time is before the NIB is 50 years old?

Mr. Bharath: We are trying to minimize that period of time, say, if it is next year, fine. I am perfectly willing to work within that time frame.

Mr. Vice-Chairman: Thank you. Sen. George, you had a follow up question?

Mr. George: Thanks, no—[*Inaudible*]

Mr. Vice-Chairman: Okay. MP Seepersad-Bachan, your turn.

Mrs. Seepersad-Bachan: I am glad that the Chairman just made that input because I was really wondering when you spoke about your two projects, the pension-ready project and the contribution data management project, and I appreciate what you are saying in terms of trying to get into the 21 Century. But these two projects did not really state the time lines. I mean, what are we talking about and for how long are we talking about? What is the time line? Probably if I could just put all the questions forward—you know, one of the issues here is that you said with customer service and I accept the issue that you are going through organizational transformation, but while you are going through organizational transformation you still have to serve the public, and you can still start with that front line staff that you have. Continue to train them.

As the Minister of Public Administration, I want to tell you that it is one of the issues that we are also grappling with, but we have gone out to look at customer service certification programmes, and there are many out there; there are many customer service training programmes. I really want to appeal to the NIB, while my colleagues here have said they all have good experiences with the NIB, I want to tell you I do not hear that from my constituents, and therefore, I really want to appeal to the NIB to start a programme of customer training and customer service certification. A lot of it can be done on the job. You do not have to take people off the job. People can be on the job and the experiences that they are gaining on the job can be used towards their own certification. I just thought I would throw that out.

Another issue I really want to raise with NIB is, I do not think there is enough partnering with other agencies as we have just heard. You know, I keep hearing this all the time, and think about a senior citizen who has to come in every day or every three months or whatever time period with this life certificate. I never understood what is this life certificate process? I have to come and prove that I am alive. But yet still we have a system in this country with births and deaths, and you can partner so easily. Let the Ministry of Legal Affairs provide you with a list every month or every day, because it is done electronically and they can give you that update and you can determine who you need to strike off almost on a daily basis because this person is no longer alive, and these are the innovations that we have to think about. You talked about, yes, customer service being one and systems/problems being the other, but we have to be innovative if we are going to catch up, if we are going to leap frog.

So, while we are try to redesign and while we are trying to implement new systems to meet us in the 21 Century, all that is well and good. We need to, at least at this point in time, look at ways we can improve towards our citizens; therefore Legal Affairs, the Board of Inland Revenue—why can we not synchronize systems? In the age of technology again, we can share data, we can share databases, we can ensure that we are dealing with consistency in databases, and therefore when the Member for Tobago West, the MP Baker asked the question as to what was really going on at the point of entry, I thought what he was trying to get at is, instead of trying to determine if every piece of information I get accurate there is something which will trigger you that says, listen I am receiving contributions every month but suddenly I get no contribution for Dhanayshar Mahabir, it disappears. Is this an error or did Dhanayshar Mahabir remove himself from the University of the West Indies?

It does not mean that you have to go through every record. So there are techniques now, and I am not sure if the NIB is looking at some. I am not saying, you may be, you may be, but these are things that could help you to leapfrog into the 21 Century, and that is why I was wondering when you talked about these projects, are we taking these into consideration?

My final question to you because I know we are running out of time. My final question to you is and one that I find I have a very serious problem with when I deal with constituents, how many of them have had to hire consultants? And I see you answered that question here, we do not know what the cost is. Do you realize after having to pay these benefits that when these people are finally adjudicated upon and I now have a benefit, I have to go and pay a consultant for having advocated upon my behalf. I mean, is there some system that could go into effect that says if there is—that could replace this consultancy. I find it unfair and I have had so many constituents who have come to me asking, well, can I get assistance to pay these consultants.

Mr. Bharath: Could I?

Mr. Vice-Chairman: Yes.

Mr. Bharath: Let me deal with the first question you asked about in terms of the collaboration we have with other Ministries in terms of getting us into the 21 Century. The last quarter of last year I have worked feverishly to try and see if we could get the biometric card system in place to avoid people having to leave their homes to come to the offices to put their life certificate so they could get their benefits. A biometric card system is easy; you could put your fingerprint on it. We could put it in pharmacies; we could put it in groceries. We know that you are alive if you put your fingerprint when you go to pay your bill. If you are in a wheelchair or you are incapacitated you cannot come into the office, so it is a mobile thing that you could just go to the car and you could just put your fingerprint on. It is supposedly fail proof in terms of fraud and so on. I mean you cannot cut off a thumb or whatever it is to put it on.

Mrs. Seepersad-Bachan: What about the death certificate? You know, partnering with the Ministry of Legal Affairs to determine if the person is still alive.

Mr. Bharath: Well, we are still doing everything, but what I am saying is in terms of the technology part—[*Interruption*]

Mrs. Seepersad-Bachan: It is a simpler system if we did not have the naysayers on the other side.

Mr. Bharath: What Karen is saying is that the information is not sufficient in terms of—[*Interruption*]

Ms. Gopaul: We have looked at partnering with the death certificate for births and deaths. The information at the time was not sufficient to match it to our records so that is something we have to work at overtime. So, as we get the PIN coming on more and more, we would be able to match it to our records.

Mrs. Seepersad-Bachan: Okay.

Mr. Bharath: So, we are collaboratively working with the Ministry. We are not reinventing the wheel.

Mrs. Seepersad-Bachan: Right.

Mr. Bharath: We are working together trying to see if we could get the biometric card system in. What we need to be aware of is to manage the expectations of the public and the committees in terms of the time frame within which you can get these things done. We are working towards a high performance service centre, but what you need to understand is since 1972, a system has been cultivated there which is really, in some instances, archaic. You are not going to get there overnight; you are not going to get there within a year; we are going to get there in phases but we need to put the basics in place first and make sure we do things step by step, make sure they work before we move on to the next stage, and we have a three-year strategic plan in that respect.

Mrs. Seepersad-Bachan: And I take your point. I mean, Mr. Chairman, I take that point, but this is why I was saying, so while you are trying to get the biometric card in place, because the biometric card is something that is going to be one that is coming up with the unique identifier. Again too, NIB would have to collaborate with the Ministry of Legal Affairs and the Ministry of the People and Social Development and so on, to come up—I know about that project as well, but what I am saying, so while that is taking place, can we not collaborate with the Ministry of Legal Affairs to use something instead of having these people to come in every time to issue this life certificate, to present a life certificate to say that I am alive. That is just my concern. It is one of the burning issues and, I mean it is really hard when you have people who are incapacitated, are on bed, just to have to get out to do this. That is the first issue that I am seeing.

And I hear you. You will always have to have short-term action plans, medium term and long term, because you would not achieve everything overnight as you rightly say. And you are perfectly correct, Mr. Chairman, in that regard, but then we have to identify some short-term action plans that would get us there that would see some relief, because the employee population will continue to grow and expand.

11.45 a.m.

So, I mean, I take what you are saying, but I still feel that more needs to be done, Mr. Chairman.

Mr. Vice-Chairman: Yes, okay. Could I just continue with that? I imagine you would have a number of claimants who are infirmed, immobile and may even be bedridden. What procedure do you have in place to facilitate these individuals who are required to submit a life certificate to the organization?

Ms. Gopaul: Presently, you can have a doctor certify that you are alive, right. So in the case of somebody who is bedridden and so on, a doctor can certify your life, or if you cannot sign the form a doctor can certify that you are alive. That is accepted.

Mrs. Mc Intosh: Thank you, Chair. I would just like to interject. It is not only in the case of somebody who is ill or bedridden that a doctor has to certify, everybody—I mean I do it. I have passed 60. You have to get the inconvenience, I am busy, but I have to go to the bank or find a Justice of the Peace or someone. Every six months, I have to think: who am I going to? And you have to fill out all of this.

I want to endorse what MP Seepersad-Bachan was saying. A simple solution, liaise and get in sync with the Ministry of Legal Affairs. I often wondered that; they have registered all the births and deaths. How come they cannot send that to you and it is in your system. Why do we have to go through this? I am thinking people are seeing me, well I am talking about in my case, on the television, all the time in Parliament, and I have to be there saying that I am alive. [*Laughter*]

I would like to just make one other little point please. Mr. Nancoo, I was very concerned when we were talking about, you know, improving the customer service and organizational transformation and so, and the culture problem of the organization that you seemed, I hope I got it right, you said that you can try and train and train and do whatever you want and it might not make a difference. I disagree with you there. I feel as Minister Seepersad-Bachan has been saying, that there are agencies that can deliver to your people, your employees, very professional executive training which will impact positively on your customer service.

You mentioned separation, I would prefer that you put that on the back burner and look at developing your people. It can be done. I have done it myself and your problems are mainly systemic, and all organizations need renewal, development and transformation, all, after a period of time. This was talked about since the days of Gordon Draper. There have been initiatives to transform, whether some have failed, whether they have not been carried out, but we need to do it. I get a sense of going back—you see, we are dealing with customers here; we are dealing with people who are elderly; we are dealing with people who are dissatisfied and let us move forward and see how we could achieve the best for them. Thank you.

Mr. Vice-Chairman: Yes, Director Nancoo.

Mr. Nancoo: Whilst I agree with what you are saying, I was just attempting to temper the expectations with the reality. I have lived this for the last 20 years, so I know exactly what I am talking about, okay, in terms of customer service. My organization, we spent millions of dollars on customer service training, okay. The point, the fundamental point is the resource pool. Customer service is who you are. It comes from the home, okay, and what you find happening, the resource pool is not there. I am not suggesting for one moment that 50 or 60 per cent of the pool that you are training will not be able to internalize. The point I want to make is that it is extremely challenging to get the volume and the number of individuals being able to internalize and more importantly, the time. Quality customer service delivery takes time and you got to be a generalist, a generalist. That is where you get quality, because you need to have the information and the knowledge.

Mr. Vice-Chairman: Thank you very much, Mr. Director. I think some of us should go to some of the fast food places. There is one company that sells chicken, fried chicken, and the customer service that you get there from ordinary people is really outstanding—[*Interruption*]

Mrs. Mc Intosh: Ordinary people from ordinary homes.

Mr. Vice-Chairman: I think you should try and check them out some time—[*Laughter*] but there is MP Seemungal, and after Seemungal there is a point that I need to raise.

Mr. Seemungal: I just do not want us to lose the attention with respect to the life certificate, because it affects every single person who has crossed the age of 60. Now, when I was in legal affairs as the parliamentary secretary some three years ago, we started implementing digital death certificate, and today you can receive your death certificate within hours, less than hours, and it is all computerized. Every single one is computerized. You can receive your birth certificate now within one week, when moons ago when you do it the manual process you have to wait one year, two years and what not. So my question here is, when was the last time you engaged legal affairs to enquire as to their systems, and whether their systems can be used by you to view the deaths and—

Mr. Vice-Chairman: Thank you MP. Yes, quick response.

Mr. Bharath: Rest assured we will look at every avenue in which we could remove or minimize the inconvenience for the life certificate. What we need to bear in mind is, whilst we speak here, we might think that there may be some correlation, some easy correlation, some easy fix. I do not know whether or not our systems can be integrated. I do not know in terms of the security, the information between the integration of information from the Ministry of Legal Affairs and our database which is confidential, because it has people's salary information attached to it.

So I just want to manage expectations. Quite often we think that there is an easy fix, especially when it comes to technology and exchange of data, private information and having accurate and complete information coming across, and being reconciled by two separate government institutions. One has to have all the checks and balances in place to make sure that information is accurate and complete before we go forward.

Mr. Vice-Chairman: May I just interject, the question was, when did you engage the Ministry of Legal Affairs to determine whether there was a possibility of interfacing both your systems?

Ms. Gopaul: It is probably about two years ago that we spoke with them, but the documents that come to us with respect to births and deaths, when you look at the information on the document, especially births, you recognize that it does not have sufficient information to uniquely identify the person except for the PIN number. And remember, in some cases we may not have the PIN number on our system. So we rely on other data to—

Mr. Seemungal: So there lies the problem. You see, many times we look to see whether how the problem can be fixed. We look at every single avenue why we cannot fix it than to find the mechanism to fix it; now, there lies the simple problem. With respect to the death certificates, every single individual has a unique identification number on their death certificate.

Ms. Gopaul: Which is the pin number.

Mr. Seemungal: It matches with their birth certificate. So if we can find the quick fix solution, because this is one burning problem for every single—I mean people on wheelchair leaving Mondo Nuevo, Talparo and Tamana to come down to Sangre Grande and sometimes Arima, if Sangre Grande is closed, just to show up at your door sometimes. As my colleague said, when you have to find the GP, you have to pay the doctor, you know, it is not for free. You are getting a few dollars pension but you have to pay the doctor. Sometimes the doctor is not there today, you have to go back tomorrow and he would not even come to your home. If you are sick and lying in bed, you have to pay him double. My colleague here is a doctor so he knows how expensive it is to visit patients at home as well. So my friends, it is really an issue that all of us face as constituents, but the solution lies with the Ministry of Legal Affairs. Two years ago was different. Today it is totally different.

Mr. Vice-Chairman: Right, thank you very much, MP Seemungal. May I recommend to members of the NIB that if the death certificate can also have as we apply for them, input the deceased NIS number in the death certificate, automatically you will have a unique identifier. Simple, straightforward, should not cost anything. So I hope you will be able to consider that and so all death certificates will then mesh with your records. Before you respond—[*Interruption*]

Mr. Bharath: Chair, sorry, just to be clear, we have no jurisdiction over the Ministry of Legal Affairs putting the NIS number on their certificate.

Mr. Vice-Chairman: This is where MP Seemungal's point comes in. When last did you liaise with them and raise the issue with them? You see, that could be sorted out administratively and a simple change of forms.

Mr. George: Chair, there is also the income tax form. This is carrying the thing just a little further. On the income tax form, there is a section where you put your NIS number, you know. So if you can do it with the income tax people, how come you cannot do it with the births and deaths people?

Mrs. Seepersad-Bachan: How do you get an NIS—Chair, sorry about this, I think I remember when I had to get an NIS number—did you not carry in your birth certificate or something. How did you do that?

Ms. Gopaul: Yes, you carry your birth certificate. Now, remember your birth certificate—[*Crosstalk*]

Mrs. Seepersad-Bachan: So that information—

Mr. Vice-Chairman: Thank you very much, all. I think there are many positive recommendations emanating, and I think MP Seemungal's point is a valid one. If we liaise and simply start speaking to various agencies within the arm of the state, we will be able to find simple solutions which cost nothing and that will in fact alleviate the burdens of the wheelchair bound individual from Talparo, and ensure that his cost and so on, associated with these certificates are going to be minimized.

We will want to invite, no doubt, after we have had our discussions, invite the NIB back in a few months to determine where the NIB is with respect to some of these recommendations, but there is an issue raised by MP Seepersad-Bachan that requires further elaboration and that is this. In your submission you indicated that one in every three claimants needs to hire a consultant. I simply want to know, why? Is it that we are seeing a trend where, when you need a passport now or an ID card or any other thing, you need a consultant to intervene?

Why is there this level of difficulty experienced by the citizen that he cannot come straight to your staff? What do these consultants have that your staff members do not possess which warrants them the payment of a fee from an individual, impecunious individual trying to get his $3,000 a month? Please elaborate. I am confused as to one in three individuals requiring the need of a consultant to navigate his way through the NIB to get benefits to which he is legally entitled.

Mr. Hadeed: Could I answer that for him.

Mr. Vice-Chairman: Yes. [*Laughter*] Well, Sen. Hadeed has an opinion but I will ask him to suppress that opinion and allow the members of the NIB to comment.

Ms. Gopaul: With respect to that particular observation, what we have to happen in NIB, and a lot of it has been talked about already, is to win the confidence of the general public. In that, if they come to us with a query on a claim that we have already processed, we will look at it and we will champion that particular insured person or claimant to get the matter settled. And that is one of the things we are working towards. I think where people go to the consultants is because they feel, and this is not correct to feel that way, but they feel that they would not get the support from NIB to get their matter settled quickly.

Mr. Vice-Chairman: Sen. Hadeed, do you have a follow up on that?

Mr. Hadeed: I would just like to follow up on a recommendation made by my colleague, that whilst you are doing the same thing for death, that the same Ministry you can get information every quarter on new businesses that are starting up or perhaps started up, and there you can get a new pool of revenue. So I would suggest also, that you look at getting the new businesses that are registered and ensuring that your auditors go and visit the people and that they are all registered so that they themselves would be contributing to the pool. Thank you.

Mr. Vice-Chairman: Thank you very much. Any further questions from members of this Joint Select Committee?

Mrs. Seepersad-Bachan: Chairman, are we inviting NIB back?

Mr. Vice-Chairman: Well after we—[*Interruption*]

Mrs. Seepersad-Bachan: No, no, all I am saying is, what happened is, I just wanted to make a general comment on the contribution. I felt that the contributions lack some details which I think are important for us, for our consideration. And for example, as I said on page 5, the two projects—if we could have gotten some better time lines on when you expect—if you have short term objectives, midterm et cetera. Plus there are a couple of issues here that you did not quite say when we asked you about customer service and which is happening here again. Could you name programmes where you have started customer orientation programmes and so on? So I do not know, Chairman, if we can appeal to the NIB to add further clarity to the document that they have submitted.

12.00 Noon.

Mr. Chairman: Thank you very much. At this point in time, we have exhausted our round of questions for this particular meeting and I will invite members of the NIB to make any closing comments that they may wish to make—the Executive Director and the Chairman—to make any closing comments that they may wish to make to this committee.

Ms. Gopaul: Well, first to begin, I would like to thank you all again for the contribution that you all have made to us, the comments that you all have made, the observations you have made about our service and for sharing that with us. We really appreciate that.

Secondly, as always, whenever I am in front of a media such as this, I always make the plea, please, if you are out there and you suspect that something is wrong with your contribution records, do contact the NIB and we will help you. Thank you.

Mr. Chairman: Thank you very much, Executive Director. Mr. Chairman?

Mr. Bharath: Thank you, Chair. I just want to endorse Karen's comments with respect to thanking the panel here. Mrs. Seepersad-Bachan, I am assured that you will get a supplemental in terms of the additional information. We will send that for you.

Just in closing, we are committed to change, and part of the three main things that we are trying to do as quickly as possible is, obviously, the online system, inviting the public to look at their contribution data online in real time so that they could see when they pay their contributions, it is there. If it is not there, they tell us so that we can go and investigate, and we have the legislation supporting us to pursue a criminal charge or proceedings against those who deliberately deduct contributions and do not pay to the National Insurance Board. So that is happening.

The registration of self-employed persons, as well, is going to be another arm of the NIB that is going to be introduced and we are in the process of putting the infrastructures in place for that.

With respect to customer service, it is at the forefront of what we are trying to do. We have engaged—NIS is a very complex thing. It changes over time, just like the Board of Inland Revenue and taxation. So we are in the process of engaging retirees of the National Insurance Board who have the knowledge and are still very capable of instilling the way they have dealt with people in the past in the customer service, and we are trying to train our staff in that regard with respect to customer service, but not only that, having our own people monitor the service centres, unannounced, just like anyone else, so that we could then get the feedback at board level as to whether or not what we are trying to implement is actually being complied with. Let me just end with that.

Mr. Chairman: Thank you very much, Mr. Chairman. Before I close, I would like to thank all Members of this committee for taking the time to participate in this very, very critical deliberation. I would like to thank all members of the National Insurance Board who are here with us today, and members of the NIAT who are also here with us.

The issues raised are critical. It is critical for all Members of this committee. As our population ages, as the age structure of our population changes, we will find that more and more the client base of the NIB will be expanding over time. You are going to find more and more individuals who are living longer, who may be incapacitated, immobile, and I think the organization will have to re-programme itself to looking at an expanding client base over time. This is not an opinion; this is part of the demography of Trinidad and Tobago, and I think that more and more your organization will become very, very, very critical to the lives of more and more citizens.

Keeping that in mind, and given the very stimulating discussion we have had this morning; the fact that we have had a number of recommendations which can be easily implemented, which can be implemented at very low cost; the fact that there is a need to interact with other state agencies, I think that Members of the committee will concur that we will need to speak again with the NIB, maybe over a period of time, such as a six-month period, to determine where is the NIB with respect to some of the recommendations made, so that the quality of the experience of the client base of the NIB can, in fact, be enhanced over time.

So, with this in mind, I will bring this meeting to a close and I will ask Members of the committee to remain for a few minutes where we can have a brief in camera meeting. And I thank all members who have participated from the NIB and NIAT. Good afternoon, gentlemen.

[*Officials of NIB and NIAT Depart*]