



Our service

How to bring a complaint to the
Independent Case Examiner

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The Independent Case Examiner's (ICE) Office provides a complaint resolution and investigation service for people who are unhappy with the way their complaint has been dealt with.

1. Organisations we deal with

We can review complaints made by customers of:

- The Department for Work and Pensions (DWP), which incorporates:
 - The Child Support Agency
 - The Child Maintenance Service
 - Jobcentre Plus
 - The Pension Service
 - The Disability and Carers Service
 - Debt Management
- The Northern Ireland Child Maintenance and Enforcement Division (Northern Ireland)
- Northern Ireland Department for Communities - benefits and pensions only
- Contracted DWP services (example: those providing work programmes or health assessments)
- Pension Wise
- Pension Protection Fund
- Fit for Work (the government-funded advice service)

Examples of complaints we look at include:

- failure to follow proper procedures
- excessive delays
- poor customer service

This is known as maladministration or service failures

2. When to contact us

We can only consider your complaint if you have:

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- received a final response from the agency or business, that explains that you can bring your complaint to us if you're not satisfied with their response; and
- contacted us within 6 months of receiving the final response.

If you complain to the agency or business but don't give them the opportunity to respond, we won't investigate your complaint.

Please don't contact us until you get a final response from the agency or business that says you can bring your case to us.

3. The information we need

You must tell us your:

- name and address
- National Insurance number
- phone number

Please also tell us about any adjustments you might need to use our service (for example you may wish to receive information from us in large print).

You should make any request for adjustments clear for each complaint you submit.

3.1 The final response to your complaint

You must send us a copy of the final response to your complaint from the agency or business.

If the final response was by phone, you must tell us:

- the date of the phone call
- the name of the agency or business

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- the name of the person who spoke to you
- a summary of what they said

We will only consider your complaint if the agency or business has told you, in writing or by phone, that you can bring your complaint to us.

4. How to contact us

Our preferred method of contact is by email, although you can also contact us by phone or letter. If you contact us by email, we will assume you are content to receive communication in the same way. Whatever method of contact you use, please explain all the relevant facts, simply and clearly.

You can appoint a representative to act on your behalf, if you want to. You must provide us with your written consent for us to discuss matters with your chosen representative.

If you change your address or phone number while we are dealing with your complaint, please let us know.

If you want us to return any documents you send us, please tell us when you send them.

We deal with e-mails/post received after 12 noon on the next working day.

The Independent Case Examiner

Email: ice@dwp.gov.uk

PO Box 209 Bootle L20 7WA

Telephone 0800 414 8529

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Fax 0151 221 6601

Telephone from outside the UK +44 151 221 6500

Text Relay – if you call from a textphone 18001 0800 414 8529

There will usually be someone available to take your call Monday to Friday between 8am and 6pm.

We will always try to contact you by your preferred method, so please let us know how you'd like to be contacted by us.

Please be aware that any documents we need to send to you containing sensitive information, e.g. bank details, National Insurance Number, etc. will have to be sent by post, so it will be necessary for you to provide us with a postal address.

5. Cases we can't deal with

We can't deal with complaints or disputes:

- about matters of law e.g. benefit entitlement decisions
- that are, or have been, subject to legal proceedings
- about how any of the agencies or businesses fulfil their responsibilities as an employer
- to which the agency or business has not given a final response that says you can bring your case to us if you're not satisfied with their decision
- received more than 6 months after the agency or business has sent a final response
- that involve the [Parliamentary and Health Service Ombudsman](#) or the [Northern Ireland Ombudsman](#)

6. How we deal with your complaint

We'll contact you within 2 weeks of receiving your complaint to confirm next steps.

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If we are able to accept your complaint for examination, we'll agree with you what we can look at.

We may pass on any information you send us to the agency or business. If you need more information from the agency or business about your case, you must contact them yourself.

It is important that you remain engaged with the agency or business while we are dealing with your complaint, as we do not become involved in the day-to-day running of your case.

If the need for your complaint is removed e.g. if the agency or business take steps to put matters right, please let us know. Similarly, if you decide to take legal action against the agency or business while your case is with us, please let us know as we may have to halt our action.

Having accepted a complaint, there are three ways of bringing matters to a close:

6.1 Resolution

After we accept your complaint for examination, we will first look to see if there is scope to resolve your concerns without requesting your case papers from the agency or business. This usually involves talking to you and the agency or business to see if we can agree actions which satisfy you that your complaint has been addressed. We aim to complete this action within 8 weeks of the complaint being accepted for examination.

If agreement is reached between you and the agency or business, we'll write to you with confirmation of what action they have agreed to take and monitor your case until that action has been completed.

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If we are unable to resolve your complaint, we will call for your case papers to inform an investigation. On receipt of your case papers, your complaint will await allocation to an Investigation Case Manager.

In certain cases we may decide that appropriate action has already been taken and there is no merit in conducting an investigation. If so we'll write to you and explain our decision.

6.2 Settlement

The role of the Investigation Case Manager is to examine the facts of your case. During their investigation they may contact you to ask for information.

Having reviewed the available evidence, the Investigation Case Manager may be able to agree actions between you and the agency / business, that satisfy you that your complaint has been addressed. Where possible we aim to complete this action within 15 weeks of the case being allocated to Investigation Case Manager. If we are able to settle your complaint, we'll confirm the agreed action in writing and check that the agency or business does what they've agreed to do. We will only settle a complaint with your full agreement.

6.3 ICE Report

If the Investigation Case Manager is unable to settle your complaint, they will report the detail of their investigation to the Independent Case Examiner, who will reach a finding and consider what, if any, recommendations to make to put matters right (for example, an apology and / or corrective action).

We aim to complete our action in those cases that require a report from the Independent Case Examiner, within 20 weeks of the complaint being allocated to an Investigation Case Manager.

6.4 Findings

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In the case of reports from the Independent Case Examiner, there are three potential complaint outcomes:

1. Upheld: If the Independent Case Examiner identifies maladministration that was not identified or remedied, before the complaint escalated to this Office, the complaint will be upheld.
2. Not upheld: If no maladministration is identified by the Independent Case Examiner, the complaint will not be upheld.
3. Justified: If the Independent Case Examiner identifies maladministration, but is satisfied that the agency or business put matters right before you brought your complaint to us, she will find the complaint to be justified.

6.6 If you are unhappy with the outcome of the Independent Case Examiner's Report

Please let us know within 3 months if:

- you are unhappy with the outcome, **and**
- you have new evidence that you think would materially affect it or which shows that it contained a factual error

We will not conduct a review just because you disagree with the outcome, but if you have new evidence or can point to an error in the Independent Case Examiner's report we'll consider your concerns and if appropriate review our findings.

If you're still unhappy with the outcome, or if you have no new evidence, you can ask your Member of Parliament to refer your complaint to the [Parliamentary and Health Service Ombudsman](#).

7. Complaints about the service we provide

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We aim to provide the highest standards of service. However, if things go wrong, we will acknowledge and apologise for our mistakes. Please read our [complaints procedure](#) for more information.

8. Unacceptable behaviour

Our service is publicly funded and we must make sure we spend funds wisely. We want to provide a fair, impartial and high quality service and any unacceptable behaviour can affect our ability to do this.

8.1 Vexatious and persistent complaints

A small number of complainants contact us so frequently that they hinder our consideration of their own and other people's complaints. When that happens, we ask them to change their behaviour. For example, we may ask them to stop contacting us for a certain period or about a particular issue. If they don't comply, we may decide to terminate contact altogether.

When we make such decisions, we always explain how people can complain about our service.

8.2 Abusive, offensive or threatening behaviour

We know that people have sometimes struggled to get their complaints resolved and may be frustrated, anxious or stressed when they contact us. We try to make allowances for that.

We also have to consider the safety and welfare of our staff. If a customer behaves in an abusive, offensive or threatening manner we will tell them why we think their behaviour is unacceptable and ask them to change it.

If the unacceptable behaviour continues, we'll restrict their contact with us. We may, for example, refuse to deal with them by phone or ask them to get in touch only at certain times or with certain named officers. If all else fails, and the behaviour

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continues we may terminate contact altogether, or in extreme cases we may report it to the police or take legal action.

When we make such decisions, we always explain how people can complain about our service.