

ICE

When a complaint has been through the resolution and review process, it will have either been resolved or a team leader assessment will have concluded that no further actions are available. Both of these outcomes will close the complaint and the client will have been issued with a complaint closure letter or clearance letter. The review team leader will provide the client with the information to enable the client to take the complaint further by referring it to the independent case examiner (ICE) where appropriate. Before being handled by ICE the complaint must first pass the ICE gateway. The complaint will only be able to pass through this gateway if:

- the client asks ICE to look at the case within six months of the Child Maintenance Group's (CMG) involvement
- the correct complaint process has been completed for that particular complaint
- the complaint has been referred by the Parliamentary & Health Service Ombudsman (PHSO)

ICE will provide an external, impartial assessment of the conduct of the CMG and have the power to request CMG information on the case.

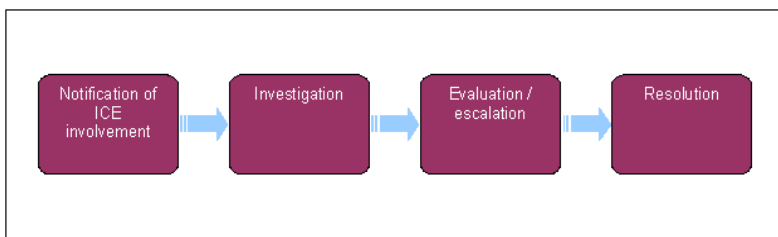
Once a case has been taken on by the external ICE Team, the internal ICE team (within the CMG) will handle the case until the complaint is resolved. The internal ICE team will be responsible for the management of linked and multiple cases.

All letters in this procedure are clerical blank templates.

Independent Case Examiner's contact details:

ICE
 P.O. Box 209
 BOOTLE
 L20 7WA
ice@dpw.gsi.gov.uk
www.gov.uk


For more information refer to the Policy, Law and Decision Making 



 When speaking to clients always use the new terminology. For more information refer to [Terminology Changes](#).

Notification of Independent Case Examiner (ICE) involvement and gateway check

The client will contact Independent Case Examiner (ICE) directly with their complaint. ICE will then contact the internal ICE team (within CMG) via email. This will be their first contact with the Child Maintenance Group (CMG) and the CMG need to carry out a gateway check within three working days.

 Certain critical performance targets cannot be accurately measured on 2012 system. Each stage of the ICE process must be recorded in the [Respond](#) database system. For further information refer to the following intranet link: [Respond and Record](#) and also [Management Information - ICE/PHSO/Parliamentary Contact](#).

1. Create an ICE service request (SR) by selecting the following:

- **Process = Escalated Enquiries**

- **Area = Complaints**
- **Sub Area = ICE**

Set the SR **Status** to **Pending Assignment**.

This will route the casegroup to the internal ICE team. Once allocated to an ICE caseworker the SR Status should be changed to **In Progress**. An Activity Plan will be generated.



The internal ICE team will undertake the gateway check and determine if they will accept the complaint. This gateway check must be completed within three working days. The specific criteria to pass the gateway check are:

- the client must have received a clearance letter from, or on behalf of the CMG's chief executive or from the review team relating to the same issue that they have complained to ICE about.
- the client must have contacted ICE within six months of the chief executive or the review team reply date, or
- the client's Member of Parliament (MP) has received a clearance letter from the area director or from the resolution and the review team or from the chief executive at resolution or review stage about the same issue that they have complained to ICE about and which the client believes has not satisfactorily been addressed/resolved – this also has to be within six months.

Autopass

External ICE will consider the gateway as "passed" if the referral to ICE has come from Parliamentary & Health Service Ombudsman (PHSO) or the client provides them with a copy of any of the above responses.

Failed ICE Gateway

2. If the case has not passed the ICE gateway, email the external ICE team and inform them. They will contact the client and will send a failed ICE gateway (FIG) notification to the internal ICE team. The FIG will detail the issues raised by the client and advise that CMG have eight weeks in which to resolve their complaint. An acknowledgement will be sent to the client by the internal ICE team advising the client that their complaint will be dealt with at Resolution or Review stage. This means returning the complaint to the resolution or review team to complete the required action. For more information refer to [Complaint - Resolution](#) or [Complaint - Review](#). In the SR select N in the Gateway Passed field and update the Resolution Code to Rejected and the Status of the SR to Closed, Sub Status to Complete. Once the complaint has been resolved by the relevant team, notify the external ICE team by email and inform them of the action taken, then update the complaint in the [Respond](#) database system and close the Notify ICE of Complaint Closure task. Failure to start action and contact the client within eight weeks means that the external ICE team will 'Autopass' the complaint and take it on, this is client driven. For further information refer to the following intranet link: [Respond and Record](#) and also [Management Information - ICE/PHSO/Parliamentary Contact](#).



If the complaint has not been previously dealt with at the **Resolution Complaints** stage raise a complaints resolution SR, but if it has been dealt with at the resolution complaints stage then raise a review SR. For further information refer to [Complaint - Resolution](#) and [Complaint - Review](#).

3. The complaint could be presented to ICE again once it has been through the complaints process. If this happens, a new ICE SR should be raised and linked to the original SR.

Passed ICE Gateway (including Autopass)

4. When the client has passed the ICE gateway, link any related SR's to this one. To do this, select the **Related SR** tab and select the relevant SRs that you want to attach.
5. Under the **Case Number** and **Account** field allocate ICE to the **3rd Party Account** field. This will allow the issue of CMSL5844 if required.
6. Select **Y** in the **Gateway Passed** field within the SR and update the **Stage** field to **Gateway**. Update the Director General caselist.
7. Email external ICE to notify them that the gateway check has been passed and send a copy of the final response. Change the **Status** of the SR to **Wait** and the **Sub Status** to **With ICE**. Update the **Stage** field to **ICE Investigation**.



Once in progress the SR will show a Resolution Record showing an evidence statement, detailing the investigation actions and any escalations that have taken place.

8. The external ICE team will look at all the information we have sent them and contact the client. They will discuss the complaint and attempt to remedy the complaint through mediation. They will discuss what we have done and what the client would like to be done in order to resolve the complaint. ICE will then either refer the complaint to us for resolution - **step 8** or investigation - **step 13**.



The client can withdraw the complaint at any stage during this process. External ICE will inform internal ICE of this. The SR will then be closed by changing the **Resolution Code** to **Complaint Withdrawn**, the SR **Status** to **Closed** and the **Sub Status** to **Complete**.

Resolution

9. The external ICE team will send a **Resolution Plan**. This usually takes the form of a set of questions. Log the **Resolution Plan** as **Received** on the system and change the SR **Status** to **In Progress** and the **Sub Status** and **Stage** field to **Resolution**. A reply must be sent within 10 working days, 15 if a chronology has been requested. Once sent, set the SR **Status** to **Wait** and the **Sub Status** to **With ICE**. Update the Director General caselist.
 - External ICE may ask ad-hoc questions or for confirmation of information provided. You will be required to provide this information to them when it is asked for and within the timescales requested by external ICE.
10. External ICE have an internal 40 day target to speak to the client, discuss the actions we will take and obtain the client's agreement. They will then notify the internal ICE team of the outcome. If the client has agreed to the proposed resolution go to **step 10**. If the client disagrees, external ICE will start a full investigation - **step 13** and will then send a final report to internal ICE for them to implement the required actions.
11. External ICE will send a closure letter to both the internal ICE team and the client. Recommended resolution actions must be taken within eight weeks of receipt. Log the receipt of the closure letter on the system and update the SR **Status** to **In Progress** and the **Sub Status** to **Resolution**. Update the **Stage** field to **Implement ICE Recommendations**.

Action the closure letter

12. Create a **Resolution Plan** in the **Reasons/Resolutions** tab, in the **Reasons** applet select **New** and add in the reason/grounds for the complaint, adding comments to fully document the complaint. Then in the **Resolutions** applet select **New** and enter the **Resolution Action/s** for the complaint. Selecting the **Reason/Ground** button will bring up a window to link the resolution to the reason. Each action needs to be changed to **In Progress** and a due date for each added to the **Due Date** column in the **Resolutions** applet. If TL approval is needed, update the SR **Status** to **Pending Approval** and the **Sub Status** to **Pending Approval -TL**. If financial redress is required as part of the resolution actions being taken refer to [Payment – Non Standard](#) and [Financial Redress for Maladministration – A Guide for Special Payment Officers](#).
13. Once all resolution actions have been taken mark all actions as **Done** within the **Resolution Plan** and email external ICE to notify them. Update the SR **Status** to **Wait** and the **Sub Status** to **With ICE**. External ICE will check the resolution actions taken and check if the complaint can be closed. External ICE will email internal ICE to advise them of this. Update the SR **Resolution Code** to **Resolved** and set the SR **Status** to **Closed**, **Sub Status** to **Complete**. If external ICE are not satisfied that the complaint has been resolved satisfactorily the complaint will progress to investigation. Update the Director General caselist.

Investigation

14. The external ICE Team will request a record of evidence (ROE) which is a full record of the client's case. You have 25 working days to provide this. Change the SR Status to **In Progress** and the Sub Status and Stage to **Record Of Evidence** while you are collecting this information. Open the relevant SRs and take screen prints. Draw a box, in red ink, around the relevant dates on the screen prints. Once all of the evidence is gathered and the ROE form is complete, email the ROE form to external ICE. Send the record of evidence by courier. Update the SR Status to **Wait** and the Sub Status to **With ICE**.



External ICE may ask ad-hoc questions or for confirmation of information provided. You will be required to provide this information to them when it is asked for and within the timescales requested by external ICE.

Settlement

15. If, following receipt of the ROE, it is identified that further, simple resolution actions would resolve the complaint, external ICE will refer back for settlement. Change the SR **Status** back to **In Progress** and the **Sub Status** to **Settlement**. Update the **Stage** to **Implement ICE Recommendations**. Create or update the resolution plan in the **Reasons/Resolutions** tab, in the **Reasons** applet select **New** and add in the reason/grounds for the complaint, adding comments to fully document the complaint. Then in the **Resolutions** applet select **New** and enter the **Resolution Action/s** for the complaint. Selecting the **Reason/Ground** button will bring up a window to link the

resolution to the reason. Each action needs to be changed to **In Progress** and a due date for each added to the **Due Date** column in the **Resolutions** applet. If TL approval is needed, update the SR **Status** to **Pending Approval** and the **Sub Status** to **Pending Approval -TL**. If financial redress is required as part of the resolution actions being taken refer to **Payment - Non Standard** and **Financial Redress for Maladministration – A Guide for Special Payment Officers**.

- Once all resolution actions have been taken, email external ICE to notify them. Update the SR **Status** to **Wait** and the **Sub Status** to **With ICE**. External ICE will check the resolution actions taken and check if the complaint can be closed. External ICE will email internal ICE to advise them of this. Update the SR **Resolution Code** to **Resolved** and set the SR **Status** to **Closed** and the **Sub Status** to **Complete**. If external ICE or the client are not satisfied that the complaint has been resolved satisfactorily, the complaint will return to investigation, **step 13**, and ICE will produce a draft report.

Draft report

- The external ICE team will send a draft report asking questions and detailing proposed resolution actions. This will need to be logged as received within the SR on the system. You need to respond to the draft report within 10 working days and provide answers and information as requested. Change the **Status** of the SR to **In Progress**, **Sub Status** to **Investigation**. Update the **Stage** to **ICE Investigation**. Once complete, send the response of the draft report to external ICE, update the SR **Status** to **Wait** and the **Sub Status** to **With ICE**.



If internal ICE dispute any actions suggested by external ICE they should address this at draft report stage rather than disputing any recommendations in the final report. The external ICE team will review the response and evaluate whether or not this meets their satisfaction. There will be some discussion and debate to reach an agreement that both the client, CMG and ICE agree to. External ICE will then incorporate the answers we have provided and send a final report to both internal ICE and the client.

Final report

- When the final report is received the resolution actions must be completed within eight weeks. Record the report as **Received** within the SR on the system, update the SR **Status** to **In Progress** and the **Sub Status** to **Investigation** Update the **Stage** field to **Implement ICE Recommendations**.
- Create a **Resolution Plan** in the **Reasons/Resolutions** tab, **Reasons** applet select **New** and add in the reason/grounds for the complaint, adding comments to fully document the complaint. Then in the **Resolutions** applet select **New** and enter the **Resolution Plan** for the complaint. Selecting the **Reason/Ground** button will bring up a window to link the resolution to the reason. Each action needs to be changed to **In Progress** and a due date should be added to the **Due Date** column in the **Resolutions** applet. If TL approval is needed, update the SR **Status** to **Pending Approval** and the **Sub Status** to **Pending Approval - TL**. If financial redress is required as part of the **Resolution Plan** being taken refer to **Payment – Non Standard** and **Financial Redress for Maladministration – A Guide for Special Payment Officers**.
- Once all resolution actions have been taken, update the **Status** of the resolution actions to **Done** and email external ICE to notify them. Update the SR **Status** to **Wait** and the **Sub Status** to **With ICE**. External ICE will check the resolution actions taken and check if the complaint can be closed. External ICE will email internal ICE to advise them of this. Update the SR **Resolution Code** to **Resolved** and set the SR **Status** to **Closed** and the **Sub Status** to **Complete**. Update the Director General Caselist. If the client is still not happy with the resolution actions taken, they will contact external ICE or CMG who will advise the client of their right to escalate to the Parliamentary & Health Services Ombudsman (PHSO). For more information refer to **PHSO**.

NI Ombudsman to replace PHSO

NICMS to replace Child Maintenance Group (CMG) in Northern Ireland

For further information on letters to clients refer to **Letters (Outbound) - Send to Clients**

CMSL5844 Complaint

ICE/PHSO Cover letter.

- Insert Paragraph **TM_09669_E** "Our complaint reference number"
- Freetext paragraph
- Insert Paragraph **TM_09670_E** "More Information"

Complaint/Dissatisfaction - Log

[Complaints - Resolution](#)

[Complaints - Review](#)

[Complaints Feedback Process](#)

[Financial Redress for Maladministration – A Guide for Special Payment Officers](#)

[Letters \(Outbound\) - Send to Clients](#)

[Management Information - ICE/PHSO/Parliamentary Contact](#)

[Payment - Non Standard](#)

[PHSO](#)

[Terminology Changes](#)

[Is there a specific criterion that the complaint needs to meet?](#)

Yes, before the complaint is handled by ICE it must first pass the ICE gateway.

[Is there a time limit to make a complaint with the Independent Case Examiner?](#)

Yes the client must complain to ICE within six months of the child maintenance group's involvement.