# Complain to the Independent Case Examiner (ICE)

If you are still not happy with AtW’s decision after they have investigated your complaint, then you should next complain to the Independent Case Examiner (ICE).

ICE is independent (not part of AtW or the government), and will look at your complaint impartially.

ICE say on their website, you must first finish the AtW complaints procedure before they will accept your complaint.

When you complain to ICE, make sure that you include a copy of the email / letter where AtW told you that if you still weren’t happy the next thing you should do is to complain to ICE.

If you can show ICE AtW’s procedure in their Guidance and/or that AtW have told you the next step is ICE, they will be less likely to send you back to AtW and ask you to finish complaining to AtW first.

You must complain to ICE less than 6 months after DWP (or AtW) have sent you their last letter about your Review.

You can read more about the ICE rules here:

<https://www.gov.uk/government/publications/how-to-take-a-complaint-to-the-independent-case-examiner/how-to-bring-a-complaint-to-the-independent-case-examiner>

### Getting ready to complain to ICE

Before writing your letter you may find it helpful to look at [*General suggestions about how to ask for a reconsideration or complain*](http://www.deafatw.com/how-to-complain.html)in English and BSL, on the DeafATW How to Complain page.

If you haven’t done this already, it may help you to:

* Collect your evidence – your notes, any emails or letters, any witnesses if AtW have said things to you but not given them to you in writing (the interpreter can be witness to what they interpreted), etc.
* Make a list all the reasons AtW gave about why they have made decisions or made changes, etc. List them by date, how they told you (letter, email, phone through an interpreter, face to face, etc.).
* Make a list of all the explanations you have given AtW about why this decision does not meet your access needs, and is unworkable.

### How to write a complaint to ICE

* The ICE website says you can contact them through Typetalk, and that letters can be translated into other languages, but doesn’t mention BSL video letters. ICE should accept BSL complaints. It may be useful to contact them first through an interpreter to let them know them you want to complain using a video letter.
* If you want ICE to contact you using a video letter, then ask them to, e.g. sending a DVD or using a data stick. If they don’t know how, you can suggest to them that they can pay for an interpreter to translate it and be filmed.

* Or you can also write the letter yourself. If an interpreter translates the letter into English with you, it is useful to tell them that at the end of your letter, so that ICE don’t make assumptions about your English.
* You can also ask them to write to you in Plain or Easy Read English.
* ICE ask when complaining, that you give them all the relevant facts, but state them simply and clearly.
* If you write a letter, keep it quite short (try no more than two pages typed). If it is too long ICE may miss something. Your evidence may be longer than two pages. You should also send copies of the letters / emails you have sent AtW complaining, and their replies.
* Be very simple and clear – say why you do not agree with the decision and explain why it cannot work for you. Explain what you need to have instead to support you in your work.
* Say what effect it has on you that you cannot have the support you had before (e.g. cannot go to meetings, cannot afford interpreters for the hours that AtW has agreed with you, cannot use appropriately qualified interpreters, cannot employ an interpreter, etc.)
* If you or your employer has had to pay extra money to give you the support you need, say that you would like this money to be paid back (you might need to send proof of money spent). You may not get this back even if you win.
* If you were told by AtW that you cannot complain about the decision, or that you cannot complain as you have already asked for a Reconsideration, you need to say who told you this and when they said it.