

Complaints about the your benefits

If you are unhappy with a decision about your benefit claim, you can usually apply for a revision or appeal. You should get a written decision telling you about your right to challenge the decision.

If you are unhappy with how the office dealing with your benefit claim has treated you, or how your claim has been handled, you might not have the right to appeal but you can make a complaint. You can complain about matters such as:

- Excessive delays in dealing with your claim
- Poor administration
- Discourtesy or bad behaviour by staff
- Wrong advice or information
- Discriminatory practices and procedures

You can ask for an explanation of what went wrong in your claim, and/or a written apology and for compensation if you have lost out through errors by the office who administers your claim and the matter cannot be put right by appeal or review or by backdating your claim. Compensation payments are discretionary and you have no right of appeal.

The DWP and HMRC have written guidance to help them decide when to make compensation payments. The DWP guide is called 'Financial Redress for Maladministration'. The HMRC has a code of practice 'Complaints (C/FS)'. Both guides are available on their websites.

Complaints about DWP

The DWP has complaints procedures for

- The Pension Service
- Jobcentre Plus
- The Disability and Carers Centre

You can find information about these procedures at www.gov.uk

The DWP will not deal with complaints about contracted providers, eg Work Program Providers and those carrying out medical assessments. You should use the internal complaints procedure for the organisation you are complaining about.

You should initially make your complaint to the office that dealt with your claim. You should get a response within 15 days. You can make your complaint in writing or by telephone. Keep a copy of any letter you write. If you contact the office by telephone, make sure you keep a record of the date and time of the call, and the name of the person you spoke to and note the issues you complained about and the response you were given. If you are unhappy with the outcome, you can complain to a complaints resolution manager and then to a more senior manager if you are still not satisfied. If you cannot resolve the matter, you can complain to the Independent Case Examiner and possibly the Parliamentary Ombudsman. There is more information at these links:

Complain about Jobcentre Plus <https://www.gov.uk/complain-jobcentre-plus>

Complain about the Pension Service <https://www.gov.uk/complain-pension-service>

Complain about the Disability and Carers Service <https://www.gov.uk/complain-disability>

Complaining about HM Revenues and Customs

You can make a complaint direct to HM Revenues and Customs if you are unhappy with the service provided, examples of issues people may wish to complain about are:

- Unreasonable delays
- Mistakes
- How HMRC staff has treated you

You should make the complaint as soon as possible either by phone or in writing to HMRC. The contact details will be on any correspondence they have sent you previously. When you make a complaint you should give them as much detail as possible to assist them in dealing with the complaint effectively. You can ask someone to make the complaint for you but you will need to appoint the person to deal with HMRC on your behalf. Once HMRC have received your complaint they will try to solve the problem and reply to you as soon as possible and will update you of the progress throughout. If you are still unhappy you can request that your complaint be looked at a second and final time and HMRC will pass the complaint to a different Customer Service Adviser. If you remain unhappy after the second review you can request The Adjudicator to look into your complaint. If you cannot resolve the matter you can make a complaint with The Parliamentary and Health Service Ombudsman. Further information can be found on these website links:

<https://www.gov.uk/complain-to-hm-revenue-and-customs>

<http://www.adjudicatorsoffice.gov.uk/>

<http://www.ombudsman.org.uk/>

Complaining about Housing Benefit

Complaints about housing benefit administration should be addressed to the Local Authority who made the decision. Each local authority has their own procedure. The process for Tameside council is here: <http://www.tameside.gov.uk/complaints>. If you cannot resolve your complaint through the local authority procedure you can complain to the Local Government Ombudsman.

Welfare Rights Service

The Council's Welfare rights service can offer help with appeals about your benefits. For advice and or representation please contact on the advice line: 0800 074 9985 Monday Wednesday and Thursday between 9.30am – 12.30pm