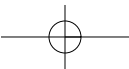




Complaints Procedure

How to complain

A BIS SERVICE



We are committed to providing a professional, fair, efficient, courteous and helpful service to all our users, whether creditors, insolvency practitioners, bankrupts, directors, redundant employees or indeed anyone with whom we have any dealings. However, if you believe that things have gone wrong and you are dissatisfied with the service you have received from us, we want you to tell us.

We can then try to resolve your complaint and try to ensure it does not happen again. This publication tells you how to make a complaint about the service we provide.

All staff in The Insolvency Service receive guidance on how to handle complaints.

The complaints procedure

Stage 1

How do I make my complaint?

You may be able to resolve the complaint by taking it up immediately with the person you have been dealing with, or their immediate manager. However, if you cannot resolve the problem there and then, you can write to:

- the local official receiver; or
- the redundancy payments office manager; or
- the Companies Investigation Branch (CIB) supervisor; or
- the HQ section head.

Alternatively you can register a complaint online via our website at www.insolvency.gov.uk/complaintform.htm or you can phone us, although we may then ask you to put your complaint in writing.

You can get the contact details for the relevant official receiver, redundancy payments office manager, CIB supervisor or section head from our Insolvency Enquiry Line on 0845 602 9848, or email Insolvency.Enquiryline@insolvency.gsi.gov.uk

What should I include in my complaint?

Please include:

- your name and address;
- the name of the bankrupt or insolvent company, including the court reference if known;
- details of what has led to the complaint, if it is not about an insolvency case;
- copies of any correspondence or documents about your complaint;
- the name of the member of staff you first wrote or spoke to, and when, to help us find the relevant information;
- details about what has gone wrong or has not been handled properly; and
- how you would like us to resolve your complaint.

What will happen next?

We will try to give a full written reply to your complaint within 10 working days of receiving it. If this is not possible, we will send you a written acknowledgement within 5 working days, explaining why and telling you when you can expect a full reply. We recognise that each complaint is different, so we will deal with it in a way that is appropriate. We aim to reply to 90% of all complaints within the 10 working days and the rest within 20 working days.

What if I am not satisfied with the initial response?

Stage 2

If you are dissatisfied with the initial response to your complaint, you should write to:

- the regional director responsible for the official receiver; or
- the director of redundancy payments; or
- the Inspector of Companies; or
- the director of the HQ section involved.

By then you should have been given their details, but if not you can find the contact details by telephoning or emailing the Insolvency Enquiry Line.

What if my complaint has still not been resolved?

Stage 3

If you remain dissatisfied with the response from the regional/corporate business services director, director of redundancy payments or inspector of companies, you may be able to ask the Adjudicator to look into your complaint. The Adjudicator is an unbiased referee who makes independent recommendations. You can contact the Adjudicator at:

The Adjudicator's Office
8th Floor
Euston Tower
286 Euston Road
London, NW1 3US.
Telephone: 0300 057 1111 or 020 7667 1832
Fax: 0300 057 1212 or 020 7667 1830

For more information about the role of The Adjudicator's Office, you can ask for its booklet A06 or visit its website at www.adjudicatorsoffice.gov.uk. You can also get this booklet from our website and from the official receiver's or redundancy payments offices.

The Adjudicator will not be able to help if your complaint is about either a request for information under the Freedom of Information Act 2000 or a subject access request for personal information under the Data Protection Act 1998. Instead, if you remain dissatisfied after stage 2 with the way we have handled your request for information, you can contact the Information Commissioner at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF.

Phone: 01625 545 700 (switchboard) or
01625 545 745 (enquiry/information line)
Fax: 01625 524510

For more about the role of the Information Commissioner you can visit the website:
www.ico.gov.uk

The Information Commissioner may not be willing to consider your request until you have completed stages 1 and 2 of the Insolvency Service complaints procedure as explained above.

Can I take my case to the Ombudsman?

If you are dissatisfied with The Insolvency Service's final response, you can ask your Member of Parliament (MP) to raise your concerns with the Parliamentary Ombudsman. Before you contact your MP, however, please note that the Parliamentary Ombudsman will expect you to have first completed any relevant internal complaints and appeals processes unless there are exceptional reasons for not having done so.

You cannot put a complaint directly to the Ombudsman.

The Ombudsman is independent of the Government and can also investigate complaints about the Adjudicator's Office. You will find information on the Ombudsman's role from www.ombudsman.org.uk or in its leaflet 'Bringing a Complaint to the Parliamentary Ombudsman', which is available at our offices. Alternatively, you can ask for information by writing to the Ombudsman's office; contacting their helpline on 0345 015 4033; or emailing on phso.enquiries@ombudsman.org.uk

The address of the Ombudsman is:

The Parliamentary and Health Service
Ombudsman
Millbank Tower
Millbank
London SW1P 4QP.

What standards of service can I expect from you?

We aim to give a high standard of service but we may occasionally make a mistake. If this happens, you can expect any or a combination of the following:

- an apology;
- an explanation;
- an assurance that the same mistake will not happen again;
- details of the action taken to put things right;
- in certain circumstances, financial compensation.

Claiming back your costs from us

If we make a mistake or cause an unreasonable delay, you may be entitled to claim any additional costs you have incurred as a direct result. The compensation will depend on the nature and circumstances of the mistake, and the actual loss or costs you incur as a direct result. Each claim is considered on its own merits.

Compensation for worry and distress caused directly by The Insolvency Service

Unfortunately the nature of our business sometimes leads to stress and worry for our customers. We have no control over this, but we recognise that any mistakes or unreasonable delays could cause you inconvenience or irritation. If our actions have affected you in this way, please let us know. We may be able to pay you some compensation to acknowledge and apologise for the way we have treated you. These

payments, which are not intended to put a value on the distress you have suffered, usually range from £25 to £250.

Further mistakes or delays in dealing with your complaint

If we handle your complaint badly or take an unreasonable time to deal with it, we may pay you compensation on top of any reasonable costs. Again, these payments usually range from £25 to £250.

What if my complaint is not about The Insolvency Service?

If you have concerns about the conduct of a bankrupt or director, you should contact the official receiver (or the insolvency practitioner if one has been appointed as trustee or liquidator). They will consider whether it is right to investigate or take other action.

Alternatively, if you feel that a disqualified director or undischarged bankrupt is not complying with the restrictions imposed on them, you may register your concerns by calling the Disqualified Directors' Hotline on 0845 601 3546. The Hotline is open 24 hours a day to take your call, and you can find more information about it on our website at www.insolvency.gov.uk/howtocomplain/complainedirector.htm
Again, we will consider whether a full investigation would be right.

If you want to complain about a particular government policy or legislation on insolvency or employment rights, you can write to the relevant minister or your local MP. For help in identifying the minister or your MP, you can

contact your local library or Citizens Advice Bureau, or you can find their details on the House of Commons website at www.parliament.uk/directories/hciolists/alms.cfm

If you want to complain about an order made by the court, for example if you consider the court should not have made you bankrupt, you should approach the court. If you want to complain about any error or decision by a private-sector insolvency practitioner trustee or liquidator, you should approach the court that is dealing with the bankruptcy or winding-up. Only the court has the power to reverse or alter an insolvency practitioner's decisions or give them directions.

If your complaint is about the professional conduct of a private-sector insolvency practitioner trustee or liquidator, you should write to his or her licensing body (recognised professional body). You can find more details in our leaflet 'How to make a complaint against an Insolvency Practitioner' at www.insolvency.gov.uk/pdfs/guidanceleaflets/pdf/ipcomplaint.pdf

The insolvency practitioner should give you details of their recognised professional body, or you can find the information at www.insolvencyservice.co.uk/newipsearch.htm or call the Insolvency Enquiry Line on 0845 602 9848. If you have a dispute with your employer, your insolvency practitioner or your redundancy payments office about your entitlement to redundancy payments, you can appeal to an employment tribunal to hear and decide your case. But please note there are time limits for applying to a tribunal. You can find more details in Booklet ITL1 'Employment Tribunal Procedure' or from www.employmenttribunals.gov.uk

Users' views

One of the best ways we can continue to improve our service is by listening and responding to your views. As well as learning from your complaints, we welcome any comments or suggestions you may have on how we can improve. Equally, we would like you to tell us when we get it right to ensure we can maintain our good practices. Please send any comments to your local official receiver or redundancy payments office, or:

The Insolvency Service
Customer Services Manager
Zone A
5th Floor
21 Bloomsbury Street
London
WC1B 3QW.

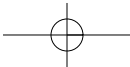
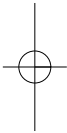
More information

Statistics about complaints received are published on our website at www.insolvency.gov.uk with information about changes we have made as a direct result of feedback from our users. This information is also on posters in the reception areas of our offices. The Insolvency Service Charter sets out the standards of service you can expect from us. 'A Guide to The Insolvency Service' gives background information on our work, including that of the official receivers and the redundancy payments office.

You can request further copies of this booklet by email from: publications@bis.gsi.gov.uk

You may also order copies of our publications by calling the Publications Orderline on 0845 015 0010 (calls to this number are charged at national rate). You may also fax orders to the Orderline on 0845 015 0020. Minicom users should telephone 0845 015 0030. Publications are also available on our website www.insolvency.gov.uk

Complaints are monitored to ensure we meet our standards in dealing with complaints and that we identify necessary improvements are. The operation of our complaints procedure is reviewed by The Service's Steering Board.



Complaint or comment

For the immediate attention of:

Name of bankruptcy or company case
(if relevant) and the court number if you have it:

Please fill in your name and address details so
we can reply to you:

Title (Mr, Mrs, Miss, Ms, other):

First name:

Surname:

Address:

Postcode:

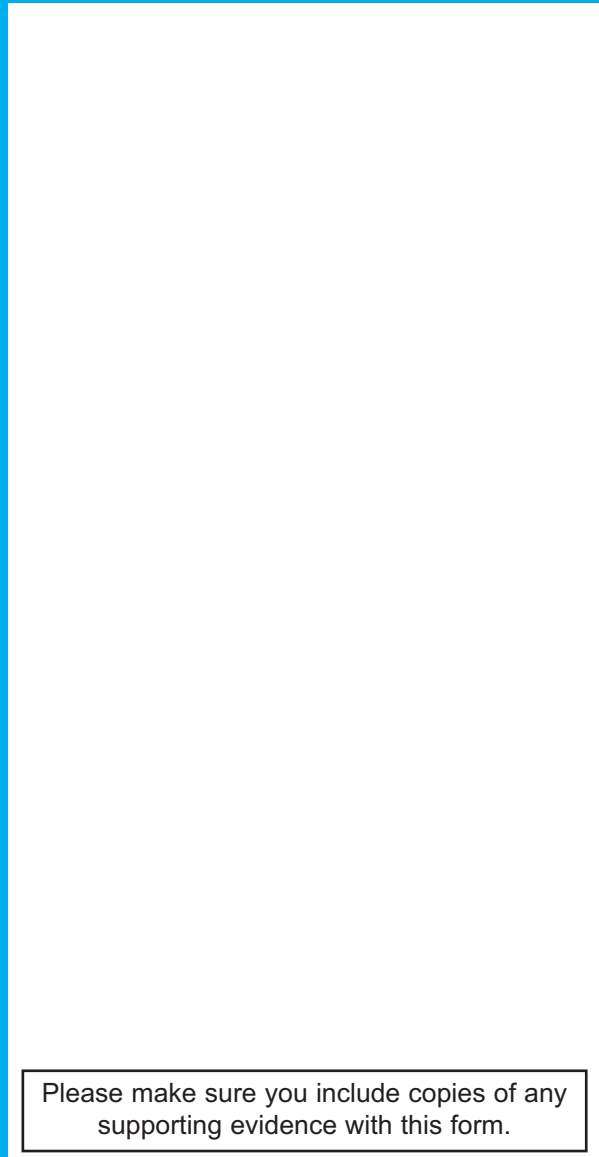
Daytime telephone number:

Fax:

Email:

Please give details of your complaint overleaf.

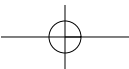
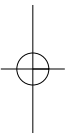
Details of your complaint or comment:



Please make sure you include copies of any supporting evidence with this form.

Please hand this in to your local official receiver's office or post it to:

The Insolvency Service
Customer Services Manager
Zone A, 5th Floor
21 Bloomsbury Street
London
WC1B 3QW.



You can obtain further copies of this booklet
from the following website:
<http://www.bis.gov.uk/publications>

You may also order copies of our publications by
calling the Publications Orderline on 0845 015 0010.
You may fax orders to the Orderline on 0845 015 0020.
Minicom users should telephone 0845 015 0030.

Publications are also available on our website
www.insolvency.gov.uk