

# The ECB's Decision Review Process

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## Introduction

1. We aim to provide a high-quality complaints handling service, where complaints are determined fairly and proportionately.
2. We recognise that the parties may be unhappy with the decisions we have reached and may feel that an error has been made or that the significance of relevant evidence has been missed.
3. In order to consider those concerns we operate a decision review process.

## What the decision review process covers

4. The decision review process will consider concerns about the merits of the decision we have made on a complaint considered under our Complaints Process.
5. The following decisions can be reviewed under this process:
  - a. A decision not to investigate a complaint.
  - b. A decision to exclude part of the complaint from the scope of the investigation.
  - c. A decision to stop an investigation.
  - d. The investigation decision.

## Who can request a decision review

6. A decision review request can only be made by one of the parties to the original complaint. The party submitting the review request will be referred to as the requester.

## Who will consider the decision review request

7. A decision review request will be considered by someone who is in a more senior role to the person who made the decision subject to review and who has not considered the detail of the complaint previously.

## How to request a decision review

8. Decision review requests should be submitted within one month of the decision being challenged and can be submitted by:
  - a. Completing the relevant form and emailing it to us;
  - b. Telephoning us;
  - c. Emailing us;
  - d. Writing to us;
9. Where the complainant provides a reasonable explanation for submitting the decision review request late, we will consider extending the one-month timeframe. We will take into account the individual's circumstances when making that decision, including the significance of the circumstances that led to the delay.
10. If the complainant does not feel able to submit the review request themselves and feels they need support to do so, they can ask an advice organisation or a family friend or representative for help. Advice organisations offer free and impartial advice.
11. Support can be obtained via various sources, such as:
  - a. [National Debtline](#)
  - b. [Business Debtline](#)
  - c. [Citizens Advice](#)
  - d. [StepChange Debt Charity](#)
  - e. [Christians Against Poverty](#)
  - f. [Community Money Advice](#)
  - g. [Debt Advice Locator Tool](#)
12. If the complainant has not sought the assistance of the representative earlier in the complaints process, we will require written authorisation from the complainant (or their recognised power of attorney) for the representative to act on their behalf.

## How will we handle the decision review request

13. The decision review process is not an appeal process and there is no automatic right to a decision review.
14. The decision review process will only be instigated where:
  - a. The request has been received within one month of the decision being issued;
  - b. The requester has provided new information that was not available to us at the time we made the relevant decision and / or has demonstrated that we have not properly considered the information we did have; and
  - c. The requester has clarified how the new information or our failure to properly consider information has affected our decision.
15. We will acknowledge the decision review request within two working days of receiving it.
16. If we are not satisfied that we can accept the decision review request, we will write to the requester within ten working days of the request to explain why it does not fit our criteria for a decision review.
17. If we accept that a decision review is required, it will be passed to someone who is in a more senior role to the person who made the decision on the complaint and who has not considered the detail of the complaint previously.
18. Where possible, we will discuss the decision review request with the requester to ensure that we have properly understood their concerns.
19. We will consider the review request and determine whether it impacts on the decision that was made.
20. In considering the decision review request, we may seek the advice of one of our Technical Experts.
21. The Technical Expert will not have advised on the case earlier in the casework process, will have no connection to the complaint that has been put and will not work for or have worked for the accredited firm being complained about for at least five years prior to the decision review request.
22. We aim to respond to the decision review request within one month of it being acknowledged.

## Outcomes of the decision review process

23. Our consideration of the decision review request will focus on the reasonableness of our decision-making process as well as the merits or demerits of our earlier decision. It is not a reassessment or reinvestigation of the original complaint to us.
24. Where the requester has provided new information that was not available to the ECB at the time of the original decision, we will consider that information and whether it calls into question our original decision.
25. The outcome of the decision review process will be to either:
  - a. Confirm our earlier decision.
  - b. Reconsider or investigate the original complaint further.
  - c. Suggest additional actions for the accredited firm to take to resolve the complaint.
26. Where we have suggested that the accredited firm takes additional action, we will discuss and agree that with the accredited firm.
27. We will write to the requester, or in an agreed format where a reasonable adjustment is in place and, if required, the other party to the complaint to let them know the outcome of the decision review process. If we have relied on evidence to come to our review decision that was not disclosed earlier in the process, we will set that out in our review decision.

## Completion of the decision review process

28. Once the reviewer has issued their decision on the decision review request that is the end of matters. There are no further ECB appeal or review processes that can be followed.
29. It is unlikely that we will respond to further correspondence about the same decision unless any new and significant issues are raised that require further consideration.