

helping you resolve complaints

This quick guide is for businesses that provide financial services and don't usually have much direct contact with the Financial Ombudsman Service.

It briefly outlines our role and the complaints-handling procedure. It also explains how you can get more information about our service and how we can help you resolve complaints.

what exactly is the ombudsman service?

The Financial Ombudsman Service was established by Parliament in 2001 as the independent expert in settling disputes between consumers and businesses providing financial services.

We are not a regulator or an industry trade body. Nor are we a consumer champion or a government body. We are totally impartial. Our job is to settle disputes without taking sides.

We consider each dispute on its own merits – making what we believe is a fair and balanced decision, based on the facts and circumstances of the individual case.

In some ways we are like a court of law – and our ombudsman are like judges. But sworn witnesses, cross-examinations and formal legal procedures are not part of our usual process. We can get to the bottom of most complaints just by writing to – or phoning – the people involved. And we tell consumers they do not usually need professional, legal or financial help to bring a complaint to us.

a consumer has sent my business a complaint – what do we do?

We won't consider a complaint until you've first had the opportunity to deal with it yourself. So you should investigate the consumer's complaint and decide how you want to respond to it.

The complaints-handling rules you must follow require you to try to resolve complaints at the earliest opportunity. These rules set out various time limits for dealing with complaints, and include the requirement to send the consumer a *final response* (or to explain why you are unable to do this) within eight weeks of the date your business received the complaint.

You must also send the consumer the contact details for the ombudsman service and our leaflet, *your complaint and the ombudsman*. (To order our leaflet, download the order form from our website at www.financial-ombudsman.org.uk/publications/index.htm or phone our publications helpline on 020 7964 0092.)

what is a *final response*?

This is your full response to the consumer's complaint. It should:

- give a summary of the complaint, setting out the outcome of your investigation and your final view on the issues raised;
- say whether you acknowledge there has been any fault on the part of your business;
- give details of any offer you are making to settle the complaint;
- enclose our leaflet (see above); *and*
- tell the consumer about their right to refer the dispute to the Financial Ombudsman Service within six months, if they are unhappy with your response.

If, at the end of eight weeks, you want more time to investigate the complaint – and the consumer agrees to this – the ombudsman service will not automatically get involved. But you must still tell the consumer about their right to bring their complaint to the ombudsman service.

If the consumer brings their complaint to the ombudsman service after eight weeks, and we are satisfied that it has special features which mean you clearly do need more time, then we *may* decide not to look into the complaint immediately. But we do not expect you to ask us for an extension of time as a matter of routine.

how can I find out more about the complaints-handling rules?

Businesses are required by law to have in place official complaints-handling procedures. The rules requiring this are published as part of the Financial Services Authority's handbook (available online at <http://fsahandbook.info/FSA/html/handbook/DISP>). For most businesses, having complaints procedures is simply a matter of good customer service – and the rules reflect what is widely considered to be good practice in this area.

how can I get more information about the ombudsman?

Our website has a lot of useful information for businesses – including news and updates, a series of *quick guide* factsheets (like this one), and an online information resource specially for smaller businesses (www.financial-ombudsman.org.uk/faq/smaller_businesses.html).

www.financial-ombudsman.org.uk

visit our website for:

- news and frequently-asked questions
- information and updates
- technical guidance for businesses and help for consumers
- *ombudsman news* – our regular newsletter with case studies, features and commentary.

Our guides for businesses give a more detailed description of our complaints-handling process. All our publications for businesses can be downloaded from our website (or phone our publications helpline on 020 7964 0092).

We also publish a regular newsletter – *ombudsman news*. This includes case studies and feedback on recent complaints, as well as articles and background briefings on a range of topics. If you're trying to track down how we may have handled a similar type of case in the past, the "search" facility on our website helps you look through previous issues. If you would prefer to receive the printed version of *ombudsman news*, just call our publications helpline on 020 7964 0092 and we'll add you to the mailing list – free of charge.

Our **technical advice desk** is a free dedicated service for businesses, giving general information on complaints-handling matters and on how the ombudsman service might view specific issues. Drawing on our many years of experience settling financial disputes, we can help businesses resolve complaints more effectively themselves at an early stage. This often avoids the need for complaints to be referred formally to the ombudsman service. We also organise and speak at a wide range of seminars, conferences and workshops. You can call our technical advice desk on **020 7964 1400** (or email technical.advice@financial-ombudsman.org.uk).

This quick guide gives general information only. It is not a definitive statement of the law, our approach or our procedure.

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