



An tOmbudsman Seirbhísí
Airgeadais agus Pinsean

Financial Services and
Pensions Ombudsman

How to make a complaint to the Financial Services and Pensions Ombudsman (FSPO)



This leaflet will help you understand our role and how we deal with complaints. It is a quick guide which gives general information and if you have further questions, you can contact us. Our contact details are on the back of this leaflet.

About the Financial Services and Pensions Ombudsman (FSPO)

If you have a complaint about the conduct of a financial service provider or pension provider, and you cannot resolve your complaint with your provider, you can bring your complaint to the FSPO.

We provide an **independent, fair, impartial, confidential** and **free** service to resolve complaints. We deal with complaints informally first through our dispute resolution service. We listen to you and the provider and help you to reach an agreement that is acceptable to both parties. We resolve the majority of complaints informally in this way. If you and your provider don't reach a resolution through the dispute resolution service, we may formally investigate your complaint.

Following our formal investigation, the Ombudsman issues a legally binding decision. The Ombudsman may direct the provider to pay compensation to you, or he may direct the provider to fix or correct the issue. If we don't uphold your complaint, the Ombudsman will not direct the provider to take any action, or to pay compensation.

Decisions made by the Ombudsman are legally binding on both parties: you and the provider. Decisions can be appealed, by either party, only through a statutory appeal to the High Court.

We regularly publish decisions in relation to financial service complaints and case studies of pension complaints on our website. We can publish the names of financial service providers which have at least three complaints against it upheld, substantially upheld or partially upheld in a year. We can also bring matters of concern to the attention of the Central Bank of Ireland or to the Pensions Authority.

Before you make a complaint to us

The FSPO Act 2017 sets out, in law, the types of complaints we can deal with. Before making a complaint to us, please note the following:

- You must make a complaint to your provider first. If you have complained to your provider and the issues have not been resolved, you can then make a complaint to us.
- If your complaint concerns a joint account or joint policy, all owners must make the complaint.
- We cannot deal with complaints that are currently the subject of legal proceedings, or have been in the past.
- Generally, complaints must be made to us within six years of the date of the provider's conduct you are complaining about. However, complaints about a "*long-term financial service*", which has a specific meaning under the Act, can also be made within a period of three years of your awareness of the issue, even if the conduct complained of occurred more than six years ago. You can get more information on time limits on our website or by contacting us.
- We do not deal with complaints which have arisen because of a commercial decision by a provider. Commercial decisions could include a refusal to give you credit or insurance.

Some complaints can only be dealt with by other bodies. For example, complaints under the Equal Status Acts 2000-2015 that prohibit discrimination in the provision of goods and services, are dealt with by the Workplace Relations Commission. Complaints about issues of data protection, or data access, are a matter for the Data Protection Commission.

Complaints that can be made to the FSPO

You can make a complaint to us about the conduct of a financial service provider or a pension provider. A financial service provider is a business that provides financial services - such as banking, savings, insurance, loans or stockbroking.

Financial service providers include:

- > banks
- > building societies
- > insurance companies
- > credit unions
- > credit intermediaries
- > stockbrokers
- > health insurance companies
- > money lenders
- > bureaux de change
- > credit/hire purchase providers
- > mortgage brokers, insurance brokers and other intermediaries
- > pawnbrokers

A pension provider can be an organisation or person(s) involved in the running of your pension scheme. Pension providers include:

- > employers which offer occupational pension schemes, PRSAs and Trust RACs
- > trustees, administrators, consultants, and insurance companies offering occupational pension schemes, PRSAs and Trust RACs
- > Government departments or state bodies running pension schemes for their employees

You cannot make a complaint to the FSPO about social welfare pensions. These complaints should be referred to the Department of Employment Affairs and Social Protection.

If you are unsure whether your complaint falls into the categories above, or whether we can examine your complaint, please contact us.



3 steps to making a complaint about a financial service provider or pension provider

1

Contact your financial service provider or pension provider and make your complaint formally.



You should speak or write to the person you usually deal with, or ask for the complaints manager to make a complaint.

Before bringing your complaint to the FSPO, you must give your provider a chance to sort out the problem.

What information should you give them?

- Make it very clear that you are making a complaint.
- Explain your complaint.
- Suggest how the provider should put it right.



Before making a complaint to the FSPO, you must give your provider a chance to sort out the problem.

However, if you think you may be approaching the time limit for making a complaint to us (see page 3), please contact us.

2

Be patient and persistent



The provider should deal with your complaint through its complaint handling process. The provider may take up to 40 working days to deal with your complaint.



When you complain to the provider be persistent. If nothing happens, call the provider to check on the progress of your complaint.



The provider should fully investigate your complaint, in accordance with its internal dispute resolution process. This is known as IDR.

At the end of IDR, the provider will let you know its position regarding your complaint, so that either:

The provider issues a final response letter and you are satisfied with the resolution of your complaint.

The provider issues a final response letter and you are not satisfied with the resolution of your complaint.

3

Contact the FSPO



If you are not satisfied after receiving your final response letter, you may contact the FSPO. To progress your complaint, we will need:

A A fully completed complaint form



&

B A copy of your final response letter.

If you are having difficulty getting the final response and 40 days have passed please contact us.

A final response letter should set out what the provider has done to investigate your complaint through its internal dispute resolution process. It should advise you to contact the FSPO as your next step, if you are not satisfied.

Important information about using our services

Potential Costs

Bringing a complaint to us is straightforward and will not cost you anything. You do not need to hire a solicitor or any other professional assistance to handle your complaint, but if you choose to, then any costs incurred for these services are your responsibility.

Financial Obligations

Your complaint may be about a financial product for which you make regular payments or repayments, such as an investment, an insurance policy or a mortgage. Making a complaint to us does not change your financial obligations and you should continue to make payments, as normal.

How to contact us

Lincoln House, Lincoln Place,
Dublin 2, D02 VH29.

 www.fspo.ie

 info@fspo.ie

 +353 1 567 7000



Our offices and telephone lines are open to the public

Monday – Friday:

09:30 – 13:00

14:00 – 17:00

Except on bank and public holidays.

We welcome all feedback:

feedback@fspo.ie

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Watch our video