

putting things right

the level of service we provide when dealing with disputes between consumers and financial businesses

Our job is to help settle disputes between financial businesses and their customers. We were set up by law to do this – as independent experts – and we aim to resolve disputes fairly, reasonably, quickly and informally.

This factsheet tells you about:

- the service standards we aim to meet *and*
- what to do if you are unhappy with the level of service we have provided.

There are always two sides to any dispute between a consumer and a financial business. So we'll look carefully at both sides of the story and weigh up all the facts – before we reach a decision.

We understand that our decision may be disappointing for the side that doesn't get the result they hoped for. And we accept that we can't please everyone all the time.

But whatever the outcome of your case, we hope you will be satisfied with the level of service we provide. As in any organisation, things can sometimes go wrong. If this happens, we want to know about it, so we can try to put things right.

our contact with you

We aim to be polite and professional in all our contact with our customers – consumers and businesses.

Many of the disputes we are asked to settle involve complex financial and legal issues. But we always try to set out our views and decisions clearly, without using jargon.

dealing with cases as promptly as we can

We resolve a third of cases within three months. And we aim to settle most disputes within six to nine months.

But some cases can take longer, particularly if they involve very complex issues or we need to make wide-ranging enquiries.

When we start work on your case, we will let you know what is happening and keep you up-to-date with progress. We will also let you know what you need to do next. You will always know the name of the person handling your case and you can get in touch with them direct – by letter, email or phone – if you have any questions.

taking your views into account

When we look into your case we will consider the facts and arguments from *both* sides – the consumer and the business.

We will then weigh things up carefully before we form our view and tell you what we think. If you disagree with our view, at this stage you can ask us to reconsider the matter. We will explain how you can do that.

In most cases, we can usually settle the dispute informally – by making suggestions and recommendations that both the business and the consumer accept.

In a small number of cases, one of our ombudsmen will need to make a final decision, to settle the matter.

The decisions made by our ombudsmen and adjudicators are based on what they consider is fair and reasonable, in the particular circumstances of each individual case.

You will be given a clear explanation of the decision that is made in your own case.

An ombudsman's decision is final. You cannot make a further appeal to another ombudsman. So you must be sure you give us all the facts and arguments you want us to consider *before* an ombudsman makes a final decision in your case – otherwise it will be too late.

accessibility – meeting your needs

We aim to provide a service for everyone – and we can adapt the way we communicate with you, depending on your specific needs. If you would like information in a different format, such as Braille, large print or audiotape – or in a different language – let us know. We will do our best to help.

if you are unhappy about the service we have provided

If you are unhappy with the view we are coming to in your case, then you should talk to the adjudicator who is handling the case.

If we cannot resolve matters informally – in a way that both sides can accept – one of our ombudsmen will need to make a formal decision. The ombudsman's decision will be final.

If you are unhappy with the *level of service* we have provided – whatever the actual outcome of your case – then in the first instance you should tell the member of staff you are dealing with that you want to complain about the service you have received. You can do this by phone – or in writing, if you prefer.

We take complaints about our service very seriously. We want to know if, for example, you think that in handling the case, we have:

- treated you rudely or unfairly;
- failed to explain things properly; *or*
- caused unnecessary delays (but please bear in mind our usual

time-frame for resolving disputes, as explained above).

If we get things wrong, it's important that you tell us, so we can try to put matters right. This also helps us improve our service in future for other customers.

what happens next?

If you tell us you are unhappy with the level of service we have provided, we will try to put right – as quickly as possible – anything we have done wrong. Usually things can be sorted out straightaway at this stage.

After a manager has looked into the problem and been in touch with you, if you are still unhappy with the service we have provided you can ask one of our heads of casework to look into the problem.

Our heads of casework are the senior managers in charge of our various departments. The member of staff you are dealing with will tell you how to contact the relevant head of casework – if you want to take the complaint further.

how we will deal with your complaint about our service

We aim to respond within 20 working days. If exceptional circumstances mean we cannot do this, we will let you know what is happening – and when you can expect a response from us.

If we find your complaint about our service is justified, we will tell you how we will sort out the problem.

Where relevant, we will also tell you how we plan to make sure the mistake does not happen again.

what to do if you are still not happy

If we have responded to your complaint about the level of service we have provided, but you remain dissatisfied, you can contact our independent assessor – Linda Costelloe Baker OBE.

The independent assessor is appointed by our board and has her own official terms of reference. She can deal with complaints from consumers and from businesses – but only about *the level of service we provide*. She cannot look into whether we made the

right decision in a dispute between a business and a consumer.

The independent assessor will consider the information you give her. She will also look at all our papers on the case. She will then let you know her decision on your complaint about our service.

If she thinks the service we gave you was satisfactory, she will tell you why.

If she does *not* think the service we gave you was satisfactory, she will explain her reasons and will say what she thinks we should do to put things right.

You can contact the independent assessor by writing to:

The Independent Assessor
PO Box 35738
London
E14 9YU

Each year the independent assessor writes an annual report. This is published in full in our *annual review* and it sets out the independent assessor's general findings and recommendations over the previous twelve months.

Our special procedure for handling complaints about the *level of service* we provide is open to consumers and businesses. This is entirely separate from the usual process that applies if you disagree with our views on *the merits* of your case – and want us to re-consider facts and arguments.

how to contact us

write Financial Ombudsman Service, South Quay Plaza, 183 Marsh Wall, London E14 9SR

email complaint.info@financial-ombudsman.org.uk

phone **0300 123 9 123** (8am to 6pm, Monday to Friday)

If you're worried about the cost of calling us, we'll be happy to phone you back.

To help in staff training we may monitor or record phone calls.

website **www.financial-ombudsman.org.uk**

This factsheet for consumers is only a general guide. It is not legal advice. We look at each case on its own individual facts and merits. We will always give you the chance to query anything you don't understand or agree with. © *Financial Ombudsman Service Ltd, July 2010*