

## **Your Complaint and the Ombudsman**

### **Complained to your bank, insurance company or finance firm – but still not happy?**

The ombudsman has official powers to settle financial complaints you can't sort out yourself.

We look at the facts, ask questions, and decide what's fair in each individual case. If we uphold your complaint, we can order the business you've complained about to put things right.

The Financial Ombudsman Service is completely independent – and our complaints service is free for consumers.

This leaflet ([contact us](#) if you would like a printed version) tells you more about the Financial Ombudsman Service and how we use our power to settle financial complaints.

We can look at complaints about most financial matters including:

- banking
- insurance
- mortgages
- pensions
- savings and investments
- credit cards and store cards
- loans and credit
- hire purchase and pawnbroking
- money transfer
- financial advice
- stocks, shares, unit trusts and bonds.

If you're not sure if we can help with your particular problem – just contact us and ask. Call us on [0300 123 9 123](tel:03001239123).

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

### **How does the Financial Ombudsman Service help?**

We aim to settle complaints as fairly and as quickly as we can. There are always two sides to any complaint, so we'll look carefully at both sides of the story and weigh up all the facts.

If we decide the business you are complaining about has treated you fairly, we will tell you why.

If we decide the business has acted wrongly and you've lost out as a result, we can order the business to put things right for you. Generally, the aim is to put you in the position you'd be in if things hadn't gone wrong.

This can include telling the business to compensate you for losses of up to £100,000. But most complaints involve much smaller amounts than this.

### **What's the first step to complaining?**

If you have a problem with a financial product or service, it's always best to see if you can sort it out direct with the business concerned.

If you're having difficulty contacting the business, or you're not sure about anything, let us know. We'll explain what you should do next.

Call us on [0300 123 9 123](tel:03001239123).

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

We can adapt the way we communicate with you, depending on your needs.

If you would like information in a different format such as [Braille, large print or CD/audiotape](#) – or in a [different language](#) – let us know. We will do our best to help.

### **When can the ombudsman service look at my complaint?**

We can look at your complaint if:

- the business you've complained about has given you its final word on your complaint, but you're still unhappy *or*
- the business has had eight weeks already to deal with your complaint but has still not given you its final word.

### **How do I register my complaint with you?**

We will need some details from you, to see if we can help. You can tell us about your complaint by phoning us on [0845 080 1800](tel:08450801800) or [0300 123 9 123](tel:03001239123).

We may then need you to fill in our complaint form. This gives us your personal details and information about your complaint – including what you would like the business to do to put things right.

If you prefer, you can [print the form](#) off this website.

If you phone us, we may be able to fill in some of the complaint form for you. You'll only need to give us brief details of your complaint over the phone. But it will help if you can tell us any relevant account or policy numbers *etc*.

### **What happens next?**

If your complaint is one we can deal with, we'll usually start by seeing if we can help you and the business sort things out informally.

We will:

- look at your side of the story
- contact the business to get their side of the story
- weigh up the facts *and*
- tell you and the business what we think.

We might decide the business has treated you fairly and that you've not lost out as a result of its actions. If so, we'll tell you why we think this.

Sometimes we find there's no clear-cut right or wrong. If so, we might suggest a compromise to help you and the business settle the matter.

But if you've clearly lost out because of what the business has (or hasn't) done, we can tell the business what to do to put things right.

This can include telling the business to pay you back for losses of up to £100,000. But most complaints involve much smaller amounts than this.

### **What if this still doesn't solve the problem?**

In many cases, this informal approach will help to settle your complaint. If not, we may need to look at things more formally. This could mean we'll have more questions for both you and the business. We may also ask for other documents and information. So it could take some time before we can get to the bottom of your complaint.

On average, we settle most complaints within six to nine months – and we resolve a third of cases within 3 months. We'll always keep you up-to-date so you'll know what's happening with your case.

We can resolve most complaints without needing an official decision by an ombudsman. But if an ombudsman's decision is needed in your case, that decision is final.

You do not have to accept our decision. You are free to go to court instead, if you wish. But we cannot give you legal advice about any court requirements or restrictions (for example, on time limits).

### **Are there time limits for bringing a complaint to the ombudsman service?**

Yes. You will need to refer your complaint to us within six months of the date of the final response you had from the business you are complaining about.

Other time limits may also apply if:

- what you are complaining about happened some time ago *and/or*
- you leave it too long to complain after you know (or should have known) that there's a problem.

We will tell you about any rules or restrictions that may apply in your case.

### **Can someone complain on my behalf?**

Anyone can complain on your behalf – for example, a member of your family, a friend or Citizens Advice. But we will need your written permission to allow us to deal with them.

### **Do I need specialist help to bring a complaint to the ombudsman service?**

No. You shouldn't need any specialist help – for example, from a solicitor or claims-management company. We look at the facts of the case – not at how well you present your complaint. And we prefer to hear from you in your own words.

If you employ someone to present your case for you, you might have to pay their costs. This could mean you end up paying them out of any compensation you are due.

### **Is bringing a complaint to the Financial Ombudsman Service like going to court?**

The ombudsman service is not as formal as the courts. We generally decide cases based on the information that you and the business you are complaining about give us, in writing and over the phone. We settle almost all complaints without needing to have face-to-face meetings (or “hearings”) with the two sides.

Our service may not suit you if your complaint involves more than £100,000. You may also prefer to take your complaint to court if you want to inspect all the papers personally, ask your own questions, or have a hearing as a matter of course.

We will not usually handle a complaint which has already been considered by a court (or where court action is due to take place).

### **Can the ombudsman service help with complaints from small businesses?**

Yes. We can look at most complaints from smaller businesses – as long as they have an annual turnover of less than two million euros and fewer than ten employees.

### **Can the ombudsman service punish or fine businesses?**

No. Our job is to help settle individual complaints between businesses that provide financial services and their customers.

We do not write the rules for businesses. And we do not monitor (or “regulate”) businesses to make sure they follow the rules. This is the job of regulators, such as the [Financial Services Authority \(FSA\)](#) and the [Office of Fair Trading \(OFT\)](#).

This leaflet is only a general guide. The rules we have to follow can be complex.

If you ask us to look at a complaint, we will explain any particular rules or restrictions that may apply in your own individual case. We will always give you the chance to query anything you don't understand or agree with.