



Dispute resolution: Complaints

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1.6 Complaints time limit rules

Keeping the complainant informed

1.6.1

R

On receipt of a *complaint*, a *respondent* must:

- (1) send the complainant a prompt written acknowledgement providing early reassurance that it has received the *complaint* and is dealing with it; and
- (2) ensure the complainant is kept informed thereafter of the progress of the measures being taken for the *complaint's* resolution.

Final or other response within eight weeks

1.6.2

R

The *respondent* must, by the end of eight weeks after its receipt of the *complaint*, send the complainant:

- (1) a *final response*; or
- (2) a written response which:
 - (a) explains why it is not in a position to make a *final response* and indicates when it expects to be able to provide one;
 - (b) informs the complainant that he may now refer the *complaint* to the *Financial Ombudsman Service*; and
 - (c) encloses a copy of the *Financial Ombudsman Service* standard explanatory leaflet.

1.6.3

G

Respondents are not obliged to comply with the requirements in ■ DISP 1.6.2 R where they are able to rely on any of the following *rules*:

- (1) the complainant's written acceptance *rule* (■ DISP 1.6.4 R);
- (2) the *rules* for *respondents* with two-stage *complaints* procedures (■ DISP 1.6.5 R); or
- (3) the complaints forwarding *rules* (■ DISP 1.7).

- Complainant's written acceptance**
- 1.6.4 **R** ■ DISP 1.6.2 R does not apply if the complainant has already indicated in writing acceptance of a response by the *respondent*, provided that the response informs the complainant how to pursue his *complaint* with the *respondent* if he remains dissatisfied.
- Respondents with two-stage complaints procedures**
- 1.6.5 **R** If, within eight weeks of receiving a *complaint*, the *respondent* sends the complainant a written response which:
- (1) offers redress or remedial action (whether or not it accepts the *complaint*) or rejects the *complaint* and gives reasons for doing so;
 - (2) informs the complainant how to pursue his *complaint* with the *respondent* if he remains dissatisfied;
 - (3) refers to the ultimate availability of the *Financial Ombudsman Service* if he remains dissatisfied with the *respondent's* response; and
 - (4) indicates it will regard the *complaint* as closed if it does not receive a reply within eight weeks ;
- the *respondent* is not obliged to continue to comply with ■ DISP 1.6.2 R unless the complainant indicates that he remains dissatisfied, in which case, the obligation to comply with ■ DISP 1.6.2 R resumes.
- 1.6.6 **R** If the complainant takes more than a week to reply to a written response of the kind described in ■ DISP 1.6.5 R, the additional time in excess of a week will not count for the purposes of the time limits in ■ DISP 1.6.2 R or the *complaints reporting rules*.
- Speed and quality of response**
- 1.6.7 **G** It is expected that within eight weeks of their receipt, almost all *complaints* to a *respondent* will have been substantively addressed by it through a *final response* or response as described in ■ DISP 1.6.4 R or ■ DISP 1.6.5 R.
- 1.6.8 **G** When assessing a *respondent's* response to a *complaint*, the *FSA* may have regard to a number of factors, including, the quality of response, as against the *complaints resolution rules*, as well as the speed with which it was made.