

## **HANDLING GENERAL INSURANCE COMPLAINTS**

2 half days

### **Part 1 Introduction**

Objectives of training and complaints handling  
An effective complaints culture - general principles  
Learning from complaints  
FSA, FCA, FOS rules and materials

### **Relevant materials**

Law  
General Insurance Standards Council (GISC)  
ABI Statements  
FOS Ombudsman News  
FSA papers and Final Notices

### **The Process**

#### **Identifying Complaints**

Scope of DISP  
Definition of complaints  
End of next business day  
Forwarding complaints  
Record-keeping responsibilities  
Acknowledgement

#### **Investigation**

Need for independence  
Obtaining authorities  
Obtaining the version of events of all people involved  
Relationship between discipline and investigations  
8 week letters and keeping customers informed

#### **Final Response**

Regulatory requirements  
Structure and live demonstration of the letter  
Referring the customer to FOS

#### **Limits on FOS' powers**

Legitimate exercise of commercial judgement & limitation  
Dealing with obstructive customers  
Record-keeping and reporting  
FOS - how it works

## **Part 2**

### **Standards to apply**

#### **Pre- and post-2005 sales**

Negligence  
Misrepresentation Act 1967  
Non-disclosure  
GISC rules

#### **Post 2005 sales**

S. 150 FSMA

#### **Know your customer & suitability**

Policies already held by the customer – duplication of cover  
Eligibility, self-employed, age-limits  
Affordability  
Refund arrangements on cancellation

#### **Disclosure**

Form of disclosure required for face-to-face and distant sales  
Information on cost  
Optional nature of the policy  
Significant or unusual exclusions  
Statement of demands and needs  
Policy summary  
Agreements to receive only limited information

#### **Non-advised sales**

Eligibility checks  
Cold-calling issues

#### **Claims handling**

ICOBS & Consumer Insurance (Disclosure and Representations) Act 2012  
Clear questions of material matters  
Effect of failing to disclose - by the company  
Effect of failing to disclose – by the consumer

#### **Compensation**

Compensation for mis-selling under s 150, negligence or Misrepresentation Act  
Avoidance of the policy  
Paying claims  
Distress and inconvenience  
Professional fees  
Interest rates and tax