



adam samuel

The Compliance Factory

London NW6 3NN Tel 07900 248150

E-mail Adamsamuel@aol.com

Website www.adamsamuel.com

THE EFFECTIVE COMPLAINT HANDLING COURSE - EU

2 half days

Introduction

Objectives of training and complaints handling
MiFID, MiFID Org, art. 26 and the ADR Directive

Building complaints procedure

A complaints procedure and policy
Complaints management function
Scope of the procedure and the FCA Complaint Rules (DISP)

Advanced disclosure of the complaints process

Summary details and their uses
Website disclosure of the complaints process

Identifying Complaints

Definition of complaints
Defining expressions of dissatisfaction
Digital media comment
Third party complainants
Eligible complainant definitions – business customers
Handling the complainant who doesn't want to complain
Complaints about another firm and forwarding
Record-keeping
End of the next three business day rule

Acknowledgement

Time-limits and content
Obtaining authorities – handling third party cases

Investigation

Who? Need for independence
What needs to be investigated?
How to investigate
Obtaining the version of events of all people involved
Relationship between discipline and investigations
Reminder letters

Assessment

Standards to be applied
Materials to consult
Dangers of premature adjudication
Time-bars

Reasons why complaints are upheld

- Unsuitable advice
- Product provider responsibilities
- Customer's misled by non-disclosure
- Bad administration
- Compensation principles
- Interest rates and tax
- Customer unreasonableness

Final Response

- Regulatory requirements - standards and letter form
- Structure and live demonstration of the letter
- Replying to the unintentional complainant
- Referring the customer to FOS and the Pensions Ombudsman
- Dealing with obstructive customers

Ombudsman

- Limits on Ombudsman powers
- Jurisdictional filter and summary dismissal
- Ombudsman procedure
- Awards – limits and obligations to honour them

Reporting and publishing complaints data

- Basic principles – Q&A

Root cause analysis

- Learning from cases
- Identifying recurring or systemic issues
- Remedying them
- Techniques for doing root cause analysis
- Management information