

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, 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

ABI Statement
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 the Misrepresentation Act
Avoidance of the policy
Paying claims
Distress and inconvenience
Professional fees
Interest rates and tax