



Waiver of internal dispute resolution process

The Financial Services and Pensions Ombudsman Act 2017 requires complainants to complain to their financial service or pension provider and give it a reasonable opportunity to deal with the complaint before coming to the FSPO. For more information on how to complain to your provider and to the FSPO, click [here](#).

In some limited circumstances the Ombudsman may, in accordance with Section 54 (3), waive the financial service or pension provider's internal dispute resolution process.

“Section 54. Use of internal dispute resolution procedures

54. (1) *The Ombudsman may decide not to investigate or make a decision on a complaint where—*

(a) The complainant has not engaged with the financial service provider or the pension provider concerned, and

(b) That financial service provider or pension provider has not been given a reasonable opportunity to deal with the complaint, as the case may be, through the internal dispute resolution procedures of the provider concerned.

(2) The time limit specified in section 51 is suspended for the period during which a complaint is being considered under the appropriate internal dispute resolution procedure.

(3) Notwithstanding subsection (1) the Ombudsman may consider a complaint against a financial service provider or a pension provider before the internal dispute resolution process is completed where—

(a) the financial service provider or the pension provider concerned has failed to complete the internal dispute resolution process referred to in subsection (1) so as to allow the complainant to make a complaint to the Ombudsman within the time limit specified in section 51, or

(b) The Ombudsman determines a complaint is of such importance as to warrant waiving the internal dispute resolution procedure

(4) The Ombudsman may waive the internal dispute resolution procedures referred to in subsection (2), in respect of the following:

(a) Any complaint received by the Ombudsman on or after the establishment day;

(b) any complaint received by the Financial Services Ombudsman or the Pensions Ombudsman before the establishment day which had not been assessed as to its suitability for consideration by the Financial Services Ombudsman or the Pensions Ombudsman, as the case may be;”