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# FSPO Complaint Form

Please complete this form fully. If you cannot complete a field please insert "Unknown" or "N/A". PLEASE USE BLOCK CAPITALS.

If you need assistance completing this form, please contact us at:

Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place,  
Dublin 2, D02 VH29

Tel: +353 1 567 7000

Email: info@fspoi.ie

Web: www.fspoi.ie

## Section A

**Complainant 1** Title: Mr. / Mrs. / Ms. / Other \_\_\_\_\_ M  F  Other

Full Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Eircode:

Phone Number: \_\_\_\_\_

Email:

Occupation: \_\_\_\_\_ Date of Birth

Is this a joint account/product/policy? Yes  No

If Yes, please fill out the details of the second account holder below.

Both account holders must sign Section G on the last page.

**Complainant 2** Title: Mr. / Mrs. / Ms. / Other \_\_\_\_\_ M  F  Other

Full Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Eircode:

Phone Number: \_\_\_\_\_

Email:

Occupation: \_\_\_\_\_ Date of Birth

Please ensure you have provided an email address as we will use email to communicate with you.

If you have provided two addresses above, please select which one you would like us to use to contact you:

Complainant 1

Complainant 2

If you wish SOMEONE ELSE (e.g. a professional advisor or relative) to represent you in the complaint, please give their details here. Please note that all future correspondence will be sent to this person only. This will include your personal and private data.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Eircode:

Phone Number: \_\_\_\_\_

Email:

Professional advisor  Other (please state) \_\_\_\_\_

### Accessibility and practical needs

Do you require any special assistance? Yes  No

Do you have any practical needs where we may be able to help? Yes  No

If YES, please tell us how we can help you:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### If you are complaining on behalf of a business:

Business Name: \_\_\_\_\_

Are you a: (please tick one box)

Sole trader  Partnership  Company  Other \_\_\_\_\_

Please note that if the complainant’s turnover exceeds €3 million, we will not be able to investigate your complaint.

- You will be required to validate turnover for the year preceding the complaint to the FSPO, before we can progress your complaint. Please submit audited accounts or financial statements.
- If a company, at least two directors will need to sign this complaint form. If a partnership, ALL partners must sign the complaint form.

# Section B – Financial Products and Services

All fields in this section must be completed if your complaint is in relation to Financial Products and Services (for Pension Products go to Section C). Note: Time Limits apply. If you cannot complete a field please insert “Unknown” or “N/A” but do not leave the field blank, as this may cause a delay.

Who are you making the complaint against?  
(e.g. the name of your bank, insurance company, broker, etc.)

\_\_\_\_\_

Name and type of product or service you are complaining about  
(e.g mortgage, bank account, insurance policy, investment, etc):

\_\_\_\_\_

Account or policy number:

When was the product or service sold?

When did the issue you are complaining about happen?

When did you become aware of this issue?

Has the product or service expired or terminated? Yes  No

If yes, please provide the date it expired or terminated:

Was the product or service sold by a person or a financial service provider, other than the financial service provider named above?

Yes  No

If so, please give the name and details of that provider or person:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Section C – Pension Products and Services

All fields in this section must be completed if your complaint is in relation to Pension Products and Services (otherwise go to Section D). Note: Time Limits apply. If you cannot complete a field please insert “Unknown” or “N/A” but do not leave the field blank, as this may cause a delay.

### What type of pension does your complaint relate to?

- Personal Retirement Savings Account (PRSA)
- Occupational Pension Scheme
- Trust Retirement Annuity Contract (TRAC)
- Personal Pension Plan (PPP)

Who are you making the complaint against? \_\_\_\_\_

Please state the name of the pension scheme: \_\_\_\_\_

When was the product or service sold?

When did the issue you're complaining about happen?

When did you become aware of this issue?

For Personal Retirement Savings Accounts / Personal Pension Plans please quote provider's name and policy number:

Name: \_\_\_\_\_

Policy Number: \_\_\_\_\_

For Trust RACs and Occupational Pension Schemes, please quote name and address of the trustees

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Employer's name and address

Name: \_\_\_\_\_

Address: \_\_\_\_\_

# Section D – Your Complaint

All sections below must be completed, please do not leave any section blank. If you are unable to complete any section please insert "Unknown" or "N/A" but do not leave the field blank, as this may cause a delay.

Please describe the complaint in **your own words**  
*You can use bullet points, or a separate sheet if necessary.*

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Is there any other person who might be adversely affected by the FSPO's decision on the complaint?  
Yes  No

If so, please identify that person or persons, and why they might be adversely affected.

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How do you wish the complaint to be resolved?  
If you are seeking payment of a sum of money or if you have suffered a financial loss, please provide any supporting documents or relevant calculations.

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## Section E

Have you complained to your provider and given them an opportunity to investigate?

Yes  No

Have you attached the provider's Final Response Letter? Yes  No

Have you described your complaint to us and how you would like the complaint resolved?

Yes  No

Have you attached a copy of all relevant documentation relating to the complaint?

Yes  No

Time limits apply: Have you confirmed when the policy/product was sold and by whom (Section B and/or Section C)

Yes  No

If the complaint relates to a joint policy/account/mortgage etc. have both policy/account/mortgage holders signed the complaint form?

Yes  N/A

**If you have answered 'No' to any of the above, then the FSPO may not be able to proceed with your complaint.**

Has your complaint been before a Court, a tribunal or the subject of arbitration?

Yes  No

Have you previously had a complaint with the Financial Services and Pensions Ombudsman, Financial Services Ombudsman or the Pensions Ombudsman?

Yes  No

File reference: \_\_\_\_\_

**If you have answered 'Yes' to either of the 2 questions above, please submit a copy of the court proceedings as appropriate and/or reference number for your previous complaint.**

Do you wish to involve any other provider in this complaint?

Yes  No

If so a separate complaint form must be completed for your complaint against that provider.

# Section F – Data Privacy Statement

This Privacy Statement provides information about the ways in which the Financial Services and Pensions Ombudsman (FSPO) (“we”, “us”, “our”) uses your personal data. We use your data to exercise our official functions as laid down in the Financial Services and Pensions Ombudsman Act 2017 and we do so in accordance with the Data Protection Regulation (EU) 2016/679 (the “GDPR”) and any national implementing legislation (“Applicable Data Protection Law”).

## How we use your data when processing your complaint

- We only request data which we will need to investigate the complaint. We collect this information via our complaint form, written correspondence, or telephone. We do not track, record or retain phone conversations, however, we may keep a written note of your call.
- In the course of processing a complaint, we share all relevant data with the parties to the complaint. When we collect personal data, including special category data, we will take the necessary measures to ensure that it is processed appropriately.
- We routinely gather and publish complaint case studies. We also publish all legally binding decisions made on complaints against financial service providers. We take great care to ensure that all information in these publications is anonymised so that individuals are not identifiable.
- The personal data contained in complaint files is kept for at least 12 years from the date of the last action on the file and may be stored for longer for precedent/historical purposes. Further information is set out in our Records Management Policy.

## Third party personal data

Please DO NOT include any personal data belonging to a third party, unless you can supply the FSPO with that person’s written permission to you, to share that data for the purpose of a complaint to this office. If you submit such third party data without the required written permission, data protection concerns may arise and this may lead to a delay in your complaint being progressed by this office.

## Confidentiality

The FSPO’s complaint handling processes and procedures have been carefully developed to ensure the robust, fair, impartial and confidential investigation and adjudication of complaints. Both parties are required to respect the confidentiality of these processes. Details of a complaint are not permitted to be shared beyond the parties and their representatives.

## Disclosure

To process your complaint we may have to share personal data with third parties such as our external consultants, our legal representatives, or in certain instances, the Central Bank of Ireland. We will only share your data as required where it is for the performance of our functions and/or where we are obliged by law to disclose the data, for example to An Garda Síochána.

## Contacting us by email

Any emails sent to us are recorded and forwarded to the relevant section. The sender’s email address remains visible to all staff tasked with dealing with the query.

## CCTV

We have CCTV recording in operation at our offices for the safety and security of customers, staff and to assist in the prevention of security breaches.

## Safeguarding your personal data

We employ high standards of physical and technical security to protect the confidentiality of your personal data. All staff are aware of the standards of data security expected of them and the processing of personal data in relation to complaints is limited to staff who are authorised to deal with complaints.

## Using our website

Our website ([www.fspo.ie](http://www.fspo.ie)) has introduced cookies with effect from 01 January 2018. Our website uses both session cookies and persistent cookies. Within your browser you can choose whether you wish to accept cookies or not. Please see our cookie policy at [www.fspo.ie/cookies](http://www.fspo.ie/cookies).

## Access to personal data

You can make a request for your personal data online at [www.fspo.ie/dataaccess](http://www.fspo.ie/dataaccess) or you can contact our Data Protection Officer via email at [dataprotection@fspo.ie](mailto:dataprotection@fspo.ie) or in writing to: Data Protection Officer, Financial Services and Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, D02 VH29.

If you would like to ask that we amend your data or seek erasure of your data, please contact our Data Protection Officer.

## Right to Object

You can object to our use of your data. If you do object, the FSPO shall no longer process your personal data unless the FSPO can demonstrate legitimate grounds to continue to do so under the applicable data protection law. If your objection is successful it may be necessary to close your file, however, your data will be retained in line with our Records Management Policy and Retention Schedule.

### Complaint to Data Protection Commissioner

We hope you are satisfied with our use of your data. However, if you wish to make a complaint you may do so by contacting the Data Protection Commissioner at [info@dataprotection.ie](mailto:info@dataprotection.ie)

### Changes to this Privacy Statement

This Privacy Statement was approved on 1 August 2020 and will be reviewed as required in light of any legislative or other relevant developments.

## Section G – Declaration

By submitting this complaint to the FSPO, I understand:

- Where a complaint has not been settled between the parties, or withdrawn, that complaint will be the subject of a formal decision in writing from the FSPO, the terms of which will be legally binding on the parties.
- A legally binding decision of the FSPO is open to review, only by way of an appeal to the High Court not later than 35 days after the date of notification of the legally binding decision.
- The FSPO routinely gathers and publishes complaint case studies, and also publishes all legally binding decisions made on complaints against financial service providers. Great care is taken to ensure that all information in these publications is anonymised so that individuals cannot be identified by name, address or otherwise.

Signature Complainant 1: \_\_\_\_\_

Date:

Signature Complainant 2: \_\_\_\_\_

Date:

You need to sign here, even if someone else is complaining on your behalf. If the complaint concerns a policy or account which is in joint names, this form must be signed by both holders.

We would like to get your opinion about our service. Please confirm if you agree to receive a survey by email for this purpose.

Yes  No

**You are requested not to submit original documents to the FSPO. Only legible copies should be submitted and you should retain your original documents for your own records. Any hard copy documents we receive are scanned to our complaint management system. It is the policy of the FSPO to confidentially dispose of hard copy documents received by shredding.**

**If it is not possible to submit copies and you need your original documents returned, then please indicate this below.**

Do you need hard copy submissions returned? Yes  No

If Yes, please specify the document(s) that you would like returned:

\_\_\_\_\_  
\_\_\_\_\_