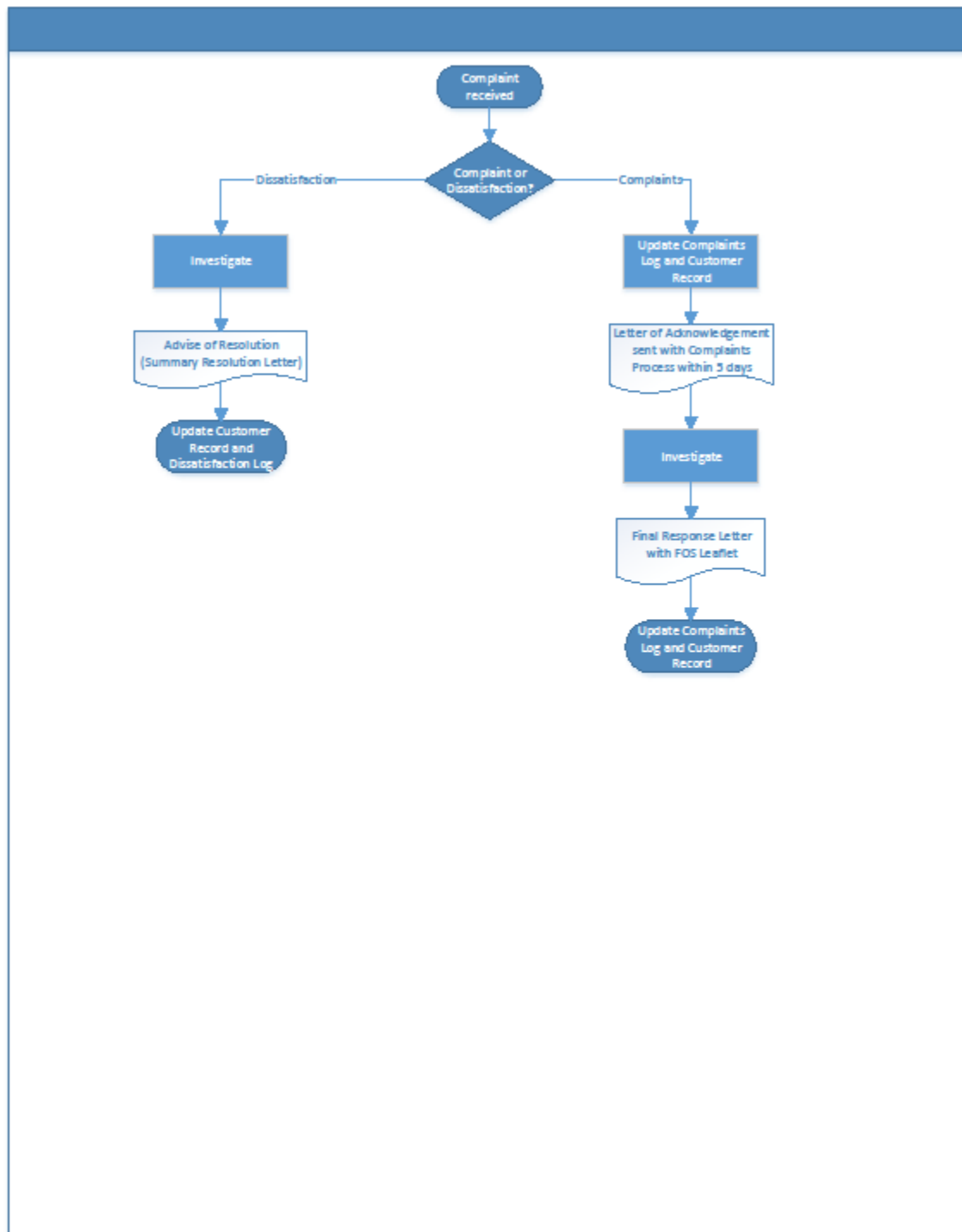


## OUSBA Complaints and Dissatisfaction Policy/Process

### Complaints\Dissatisfaction Process



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## Complaints Handling Procedure

There are two types of Complaint:

- Dissatisfaction      A complaint that can be resolved within 3 working days
- Complaint              A more complex complaint taking more than 3 working days to resolve

We have a statutory obligation to investigate all complaints and to send a Final Response to the customer within 8 weeks from the date the complaint is received.

We will only investigate complaints in relation to OUSBA Credit Agreements, Customer Service and the way we conduct our business.

OUSBA customers who contact us with a complaint relating to courses or services provided by the Open University (OU) must be advised to contact the OU directly.

The OU Complaints and Appeals website can be found at:  
[www.open.ac.uk/studentservices/complaints](http://www.open.ac.uk/studentservices/complaints)

We recognise that from time to time things can go wrong and the service we provide may fall short of the high standard we expect. It is important to us to give a fair swift and courteous response to all complaints in line with our Complaints policy and procedure.

## Complaints Handling Procedure

A complaint can be received by any means of communication

- Step 1 Refer the complaint to an OUSBA Supervisor/Manager.
- Step 2 Define whether the issue is: (Dependent on estimated time to resolve)
  - Dissatisfaction – Go to Step 3
  - Complaint - Go to Step 7
- Step 3 Resolve the issue
- Step 4 Record on Customer Record
- Step 5 Enter the Dissatisfaction details in Dissatisfaction Log (<\\jensen\ousba\Complaints\Dissatisfaction log.xlsx>)
- Step 6 Send out 'Summary Resolution Communication'
- Step 7 Enter the complaint details in the **Complaints Log**.  
<\\jensen\ousba\Complaints\Complaints Log 23 July 2013.xlsx>
- Step 8 Send out 'Acknowledgement Letter'
- Step 9 Record on Customer Record
- Step 10 Investigate the Complaint
- Step 11 Send 'Final Response' within 8 weeks including FOS leaflet
- Step 12 Update Complaints Log with details
- Step 13 Update Customer Record

## OUSBA Complaints Procedure – Customer Leaflet

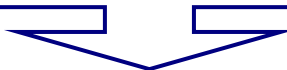
### Our commitment to you

At OUSBA every one of our customers is important to us and we believe that if you are dissatisfied with our service, you have the right to expect your complaint or concerns to be handled impartially in a, swift, sensitive and courteous manner. We will make every effort to resolve your complaint within 8 weeks from the date the complaint is received. In the event that the complexity of your complaint means that more time is required to investigate fully and we are unable to give you our final response within this 8 week period we will adhere to regulatory guidelines and will ensure that you are kept informed about our activities in response to your complaint.

We are in receipt of your complaint and we will deal with it promptly, effectively and in a positive manner.

### OUSBA Formal Complaints Procedure

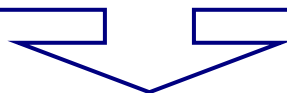
1) We will acknowledge your complaint within 5 working days of receipt of the complaint.



2) We will investigate your complaint and send our final response to you within 8 weeks of receipt of your complaint. If we are unable to provide you with our final response within this time we will send you an update.



3) If you are satisfied with our final response we will consider your complaint closed.



4) If more than 8 weeks from the date of your complaint has past and you haven't received our final response, or you are dissatisfied with our responses at any stage of the process you can write to:

Financial Ombudsman Service (FOS)  
Exchange Tower  
London  
E14 9SR

You must refer your complaint to the Financial Ombudsman within 6 months of the date on our final response.

## **OUSBA Complaints Policy**

### **Introduction**

OUSBA is committed to delivering an efficient, professional and courteous service. We aim to provide prompt, helpful and open information to all our customers. OUSBA Ltd is a wholly owned subsidiary of The Open University and has been giving OU students financial access to OU modules and qualifications since 1998. An Open University Student Budget Accounts (OUSBA) Agreement is a legally binding Credit Agreement between the customer and OUSBA Ltd. By signing this Agreement the customer will personally remain liable for the repayments and are bound by its terms and conditions.

We will only investigate complaints in relation to OUSBA Credit Agreements, Customer Service and the way we conduct our business.

OUSBA customers who contact us with a complaint relating to courses or services provided by the Open University (OU) will be advised to contact the OU directly.

The OU Complaints and Appeals website can be found at:

[www.open.ac.uk/studentservices/complaints](http://www.open.ac.uk/studentservices/complaints)

We recognise that from time to time things can go wrong and the service we provide may fall short of the high standard we expect. It is important to us to give a fair swift and courteous response to all complaints in line with our Complaints policy and procedure.

This document supports:-

- A) The Financial Conduct Authority (FCA) six consumer outcomes outlined in the FCA Treating customers fairly – towards fair outcomes for consumers publication; July 2006. The six outcomes outlined below remain core to what the FCA expect of all firms.

We use the six FCA outcomes to guide all our decisions and actions.

**Outcome 1:** Consumers can be confident that they are dealing with firms where the fair treatment of customers is central to the corporate culture.

**Outcome 2:** Products and services marketed and sold are designed to meet the needs of identified consumer groups and are targeted accordingly.

**Outcome 3:** Consumers are provided with clear information and are kept appropriately informed before, during and after the point of sale.

**Outcome 4:** Where consumers receive advice, the advice is suitable and takes account of their circumstances.

**Outcome 5:** Consumers are provided with products that perform as firms have led them to expect, and the associated service is of an acceptable standard and as they have been led to expect.

**Outcome 6:** Consumers do not face unreasonable post-sale barriers imposed by firms to change product, switch provider, submit a claim or make a complaint

B) The principles of Treating Customers Fairly (TCF) when considering our responsibilities to treat our customers fairly including:-

- Paying due regard to the interests of our customers and treat them fairly.
- Conducting our business with due skill, care and diligence.
- Taking reasonable care to organise and control our affairs responsibly and effectively with adequate risk management systems.
- Paying regard to the information needs of our customers and communicate information to them in a way which is clear, fair and not misleading.
- Taking reasonable care to ensure the suitability of our advice and discretionary decisions for any customer who is entitled to rely on upon our judgement.

C) Implementation of all Legislative requirements including:-

- The Consumer Credit Act 1974
- The Consumer Credit (Disclosure of Information) Regulations 2010
- The Consumer Credit (Agreements) Regulations 2010
- The Unfair Terms in Consumer Contracts Regulations 1999
- FCA's Consumer Credit Sourcebook (CONC)
- Treating Customers Fairly requirements
- Data Protection Act 1998

D) Adherence to the Office of Fair Trading (OFT) General Principles of Fair Business Practice.

This Document includes statements on:-

1. Scope
2. OUSBA Complaints Procedure & Process
3. Responsibilities
4. Complaints Monitoring

## 1. Scope

Policy statements in this document apply to:

OUSBA staff involved at each stage of the lending process from the pre-contractual stage through to a consideration of issues such as the handling of arrears and default.

## 2. OUSBA Complaints Procedure

1. Complaints can be made in writing, by letter fax or email, or by telephone. We request that when a complaint has been made by a customer in writing, by letter, fax, telephone or email, it should be immediately reviewed to determine whether it is a dissatisfaction (i.e. capable of being resolved promptly without a detailed investigation) or a more formal complaint and it should accordingly be categorised either as 'Dissatisfaction' or "Formal Complaint".
2. **Dissatisfactions:** Where a complaint is considered a dissatisfaction that can be resolved more quickly and by the close of the 3rd business days following the receipt of complaint, the complaints should be dealt within the faster resolution rules of the FCA. For these complaints, there will be no need to send out an acknowledgement and, instead, a Summary Resolution Communication should be sent soon after the matter has been resolved. This should be done within 2 working days of the resolution i.e. within 5 working days of the receipt of the complaint/ dissatisfaction.

A template for Summary Resolution Communication has been attached as Appendix 1 – this can be amended as necessary depending on the case.

3. **Formal Complaints: Acknowledgement:** In all other cases, we will acknowledge all written complaints within 5 working days of receipt. One of our experienced Supervisors may call the customer to establish details of all the facts and circumstances regarding their complaint. Our written acknowledgment will include a copy of our Complaints Procedure and contact details for the member of staff who is dealing with the complaint.
4. **Final Response:** All complaints will be investigated thoroughly and impartially. We will endeavour to send our final response within 8 weeks from receipt of the complaint. Our final response will include the financial Ombudsman leaflet "Your complaint and the Ombudsman". Our final response will inform the customer of his/her right to refer their complaint to the Financial Ombudsman Service (FOS) within 6 months from the date of our final response. The FOS contact details are as follows:-

**Address:** The Financial Ombudsman Service  
Exchange Tower  
London E14 9SR

**Email:** [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)

5. **FOS Consumer Helpline**

**Monday to Friday** – 8am to 8pm    **Saturday** – 9am to 1pm

- **0800 023 4567**  
Calls to this number are normally free for people ringing from a "fixed line" phone – but charges may apply if called from a mobile phone.

- **0300 123 9 123**  
Calls to this number are charged at the same rate as 01 or 02 numbers on mobile phone tariffs.

The above numbers may not be available from outside the UK –calls from abroad should call +44 20 7964 050

### **3. Responsibilities**

It is our responsibility to ensure that every complaint is investigated fully and we will endeavour to send or responses within 8 weeks from receipt of the complaint in line with the timescales outlined in this policy. In the event that the complexity of the complaint means that more time is required to investigate fully and we are unable to give our final response within this 8 week period we will adhere to regulatory guidelines and will ensure that he/she is kept informed about our activities in response to his/her complaint.

We recognise that we have an obligation to customers who are dissatisfied with our service to make every effort to resolve his/her complaint within 8 weeks from the date the complaint is received however customers also have a part to play in helping us to deliver an efficient, professional and courteous service.

For example, where our assessment of any aspect of a customer's credit agreement and or complaint, relies in whole or in part, on information provided by the customer, it is important that such information is true accurate and up to date. The customer should advise us in a timely manner of any relevant change of circumstances that is likely to significantly impact on any such assessment.

When making a complaint, to the extent that it is applicable, we request that customers have regard to both the letter and spirit of this policy.

We would not be considered culpable by the OFT for placing reliance on information provided by borrowers which was subsequently found to have been substantively inaccurate or untrue at the time that it was provided, where we had no reason to suspect that this was the case.



#### **4. Complaints Monitoring**

We will keep detailed information on individual complaints. Private information will not be shared with any 3<sup>rd</sup> parties and we will comply with the Data Protection Act 1998. These details will include:-

- How the complaint was received – Telephone, letter, fax or email
- Date the complaint was received
- Complainants details
- Outcomes of the complaint – how the complaint was dealt with
- Complaint was upheld or refuted
- Complaint referred to FOS? (Yes/No)
- Complaint status:-
  - Open
  - Resolved – Resolved to customer satisfaction
  - Complete – Within 6 months from date OUSBA final response
  - Resolved – After 6 months from date of OUSBA final response or FOS agreed with OUSBA final response.
- Redress - Financial redress if appropriate or other significant outcome resulting from the complaint.