

# Chapter 1

## Treating complainants fairly



Appropriate wording for inclusion in a final response or written acceptance

	The respondent does not consent to waive the six-month time limit in DISP 2.8.2 R (1)
(1)	<p><b>“You have the right to refer your complaint to the Financial Ombudsman Service, free of charge – but you must do so within six months of the date of this letter.</b></p> <p>If you do not refer your complaint in time, the Ombudsman will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances. For example, if the Ombudsman believes that the delay was as a result of exceptional circumstances.”</p>
	The complaint was received outside the time limits in DISP 2.8.2R(2) and the respondent does not consent to waive those time limits or the six-month time limit in DISP 2.8.2 R (1)
(2)	<p><b>“You have the right to refer your complaint to the Financial Ombudsman Service, free of charge.</b></p> <p>The Ombudsman might not be able to consider your complaint if:</p> <ul style="list-style-type: none"> <li>• what you’re complaining about happened more than <b>six years</b> ago, <b>and</b></li> <li>• you’re complaining more than <b>three years</b> after you realised (or should have realised) that there was a problem.</li> </ul> <p>We think that your complaint was made outside of these time limits but this is a matter for the Ombudsman to decide. If the Ombudsman agrees with us, they will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances (see below).</p> <p><b>If you do decide to refer your complaint to the Ombudsman you must do so within six months of the date of this letter.</b></p> <p>If you do not refer your complaint to the Ombudsman within six months of the date of this letter, the Ombudsman will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances.</p> <p>The very limited circumstances referred to above include, where the Ombudsman believes that the delay was as a result of exceptional circumstances.”</p>
	The complaint was received outside the time limits in DISP 2.8.2 R (2) and the respondent does not consent to waive those time limits but does consent to waive the six-month time limit in DISP 2.8.2 R (1)
(3)	<p><b>“You have the right to refer your complaint to the Financial Ombudsman Service, free of charge.</b></p> <p>The Ombudsman might not be able to consider your complaint if:</p> <ul style="list-style-type: none"> <li>• what you’re complaining about happened more than <b>six years</b> ago, <b>and</b></li> <li>• you’re complaining more than <b>three years</b> after you realised (or should have realised) that there was a problem.</li> </ul> <p>We think that your complaint was made outside of these time limits but this is a matter for the Ombudsman to decide. If the Ombudsman agrees with us, they will not have our permission to consider your complaint and so will only be able</p>

	<p>to do so in very limited circumstances. For example, if the Ombudsman believes that the delay was as a result of exceptional circumstances.</p> <p>The time limit for referring complaints to the Ombudsman is usually six months but we will consent to the Ombudsman considering your complaint even if you refer the complaint later than this.”</p>
	<p>The respondent does not consent to waive the time limits in DISP 2.8.7 R relating to mortgage endowment complaints</p>
(4)	<p><b>“You have the right to refer your complaint to the Financial Ombudsman Service, free of charge — but you must do so within six months of the date of this letter.</b></p> <p>The Ombudsman might not be able to consider your complaint if:</p> <ul style="list-style-type: none"> <li>• you received a letter warning you that there was a high risk that your mortgage endowment policy would not produce a sum large enough to repay the target amount at maturity; and</li> <li>• you’re complaining more than <b>three years</b> after you received that letter, and</li> <li>• you’re complaining more than <b>six months</b> after the date on which we sent you a further communication notifying you when the three-year period would expire.</li> </ul> <p>We think that your complaint was made outside of these time limits but this is a matter for the Ombudsman to decide. If the Ombudsman agrees with us, they will not have our permission to consider your complaint and so will only be able to do so in limited circumstances.”</p>
	<p>The respondent consents to waive all applicable time limits</p>
(5)	<p><b>“You have the right to refer your complaint to the Financial Ombudsman Service, free of charge.</b></p> <p>Although there are time limits for referring your complaint to the Ombudsman, we will consent to the Ombudsman considering your complaint even if you refer the complaint outside the time limits.”</p>
	<p>Other circumstances not dealt with above</p>
(6)	<p>Where the <i>respondent</i> proposes to waive the time limits in DISP 2.8.2 R or DISP 2.8.7 R and appropriate wording for the <i>respondent</i> circumstances is not set out in (1) to (5), the <i>respondent</i> must adapt the appropriate wording as necessary.</p>