

**Comments Template on EIOPA-CP 11/010a and EIOPA-CP 11/010b  
 Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance  
 Undertakings and Draft Report on Best Practices by Insurance Undertakings in handling  
 complaints**

**Deadline  
 31 January 2012  
 12:00 CET**

Company name:	RSA Insurance Group Companies in Europe	
Disclosure of comments:	EIOPA will make all comments available on its website, except where respondents specifically request that their comments remain confidential.  <i>Please indicate if your comments on this CP should be treated as confidential, by deleting the word <b>Public</b> in the column to the right and by inserting the word <b>Confidential</b>.</i>	Public

**Please follow the instructions for filling in the template:**

- ⇒ **Do not change the numbering in column "Reference", or any other formatting in the file.**
- ⇒ **Please fill in your comment in the relevant row. If you have no comment on a paragraph, keep the row empty. Please do not delete rows in the table.**
- ⇒ **Our IT tool does not allow processing of comments which do not refer to the specific paragraph numbers below.**
  - **If your comment refers to multiple paragraphs, please insert your comment at the first relevant paragraph and mention in your comment to which other paragraphs this also applies.**
  - **If your comment refers to sub-bullets/sub-paragraphs, please indicate this in the comment relating to the corresponding paragraph.**

**Please send the completed template to [CP\\_010@eiopa.europa.eu](mailto:CP_010@eiopa.europa.eu), in MS Word Format, (our IT tool does not allow processing of any other formats).**

The paragraph numbers and questions below correspond to document no. EIOPA-CP-11/010a.

There is an additional section at the end of the table for general comments on the draft Best Practices Report (document no. EIOPA-CP-11/010b).

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Reference	Comment	
General Comment	The harmonisation of complaints-handling procedures in the EU can strengthen the culture of transparency and fairness in the insurance market. However, it is important that these are proportionate to the size of the firm and are not overly burdensome.	
3.1.		
3.2.		
3.3.		
3.4.		
3.5.		
3.6.		
3.7.		
3.8.		
3.9.		
3.10.		
3.11.	<p>Further clarity is required regarding what is meant by a 'complaints management function'. Is it a function that provides oversight and ensures that the process is followed and complaints are handled appropriately and fairly or is it envisaged that all complaints are <i>handled</i> by this function? If it is the latter we do not believe that this would be appropriate. The majority of complaints can be resolved quickly by front line staff and only a small minority may benefit from specialist handling.</p> <p>While we understand that an independent complaints management function will enable complaints to be investigated fairly and impartially, we believe that this would be particularly onerous for smaller firms. As stated above, we suggest that complaints should be overseen by a nominated complaints management representative or function to ensure appropriate handling of complaints and a thorough analysis of any underlying issues.</p> <p>We believe that as long as complaints are handled appropriately, including appropriate ownership at a senior level, and that there is independent oversight then complaints handling does not have to be performed by one team.</p>	

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3.12.	Further clarity is required on this point including detail of who owns the register, whether there is a common IT system or whether firms have to build their own. Also clarity is sought on whether the submission has to be electronic, even for small firms.	
3.13.	We believe this is an excessive reporting requirement, especially for smaller businesses.	
3.14.	We believe this has the potential to be particularly onerous on smaller firms, especially point (ii).	
3.15.		
3.16.		
3.17.	Comments are not being sought on this paragraph at this stage	
3.18.	Comments are not being sought on this paragraph at this stage	
3.19.		
Q1. – on Impact Assessment		
Q2.– on Impact Assessment		
Q3.– on Impact Assessment		
Q4.– on Impact Assessment		
Best Practices Comments (EIOPA-CP-11/010b)		