

Comments Template on EIOPA-CP 13/006a and EIOPA-CP 13/006b Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance Intermediaries and Draft Report on Best Practices by Insurance Intermediaries in handling complaints		Deadline 28 June 2013 12:00 CET
Company name:	Chris Barnard	
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 Public in the column to the right and by inserting the word Confidential.</i>	Public
<p>Please follow the instructions for filling in the template:</p> <ul style="list-style-type: none"> ⇒ 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 <u>no comment</u> on a paragraph, keep the row <u>empty</u>. 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. <ul style="list-style-type: none"> ○ 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. <p>Please send the completed template to CP-13-006@eiopa.europa.eu, in MS Word Format, (our IT tool does not allow processing of any other formats).</p> <p>The paragraph numbers and questions below correspond to document no. EIOPA-CP-13/006a. There is an additional section at the end of the table for general comments on the draft Best Practices Report (document no. EIOPA-CP-13/006b).</p>		

**Comments Template on EIOPA-CP 13/006a and EIOPA-CP 13/006b
 Consultation Paper on the Proposal for Guidelines on Complaints-Handling by Insurance
 Intermediaries and Draft Report on Best Practices by Insurance Intermediaries in
 handling complaints**

**Deadline
 28 June 2013
 12:00 CET**

Reference	Comment	
General Comment	<p>Please note that the comments expressed herein are solely my personal views.</p> <p>Thank you for giving us the opportunity to comment on your Consultation Paper on: a) The Proposal for Guidelines on Complaints-Handling by Insurance Intermediaries (EIOPA-CP-13/006a) and Draft Report on Best Practices by Insurance Intermediaries in Handling Complaints (EIOPA-CP-13/006b).</p>	
1.		
2.	I agree with this. A minimum level of supervisory convergence is proportionate and practicable.	
3.		
4.		
5.		
6.		
7.	Fully agreed. This is important given that insurance intermediaries range in scale and complexity from one-person shops to large organisations.	
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.	I agree with this. Although senior management has ultimate responsibility for implementation and compliance, it would delegate the development and implementation process to another person directly reporting to it. In larger intermediaries, a compliance function would ideally monitor compliance with the complaints management policy.	
16.	In larger intermediaries, I believe that the compliance function should have overall responsibility for identifying and mitigating conflicts of interest.	

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17.		
18.		
19.		
20.	Policyholders should be made aware of any statutory time limits for bringing a complaint.	
21.		
22.		
23.		
24.		
25.		
26.		
Q1. - on Impact Assessment	<p>Benefits expected to flow from the introduction of the Complaints-Handling Guidelines:</p> <ul style="list-style-type: none"> - implementation of the Guidelines should enable fair treatment of complainants by insurance intermediaries - there should be a greater degree of consistency and harmonisation in complaints handling - the complaints management policy should be better controlled and more transparent - the complaints management function should be able to analyse the style and trend of complaints and provide input and advice to senior management - a trackable registration system should improve the efficiency of the complaints handling process - reporting will help the supervisor to prioritise its oversight accordingly, and public reporting will put pressure on the "worst offenders" to improve their processes and practices - policyholders will be better informed of intermediaries' complaints-handling process, which will improve transparency (and possibly trust), and better manages their expectations concerning actual or potential complaints 	

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	These benefits should be more pronounced in those Member States which do not already conform to (some of) the requirements.	
Q2a. - on Impact Assessment		
Q2b. - on Impact Assessment		
Q2c. - on Impact Assessment		
Q2d. - on Impact Assessment		
Q3. - on Impact Assessment	It is important that the benefits to consumers are greater than implementation and maintenance costs. Given the very large differences in insurance intermediaries' scale and complexity, this requires a proportionate regime.	
Best Practices Report Comments (EIOPA-CP-13/006b)		