

Effective: 1 January 2023

# LLOYD'S AUSTRALIA COMPLAINTS

## Handling Lloyd's Australia Complaints at Lloyd's: Guidance for managing agents and their representatives

This guidance will provide a practical process for the handling of complaints from complainants in Australia.

Where complaints arise, policyholders should expect to have their complaint dealt with in a prompt and reasonable way. At the same time, different countries have different local rules for the handling of complaints. Lloyd's revised arrangements for Australian complaints will allow for better oversight of the handling of complaints, consistent with the regulatory expectations of the Financial Conduct Authority (FCA) and the Australian Securities and Investments Commission (ASIC), whilst allowing flexibility for managing agents in the way they handle complaints.

Note: This note is only intended to provide summary guidance. It is important that managing agents continue to refer to Crystal for territory specific complaints regulations.

For more information about handling Australian complaints at Lloyd's, including correspondence templates, please refer to the [Lloyd's Australia Complaints Handling page](#).

### General Requirements

- All emails (with the exception of Notification Spreadsheets) must only contain data relating to a single policyholder.
- Lloyd's Dispute Resolution team is not to be copied in to emails between managing agents and their representatives. Any additional documentation supplied that is not required will be deleted.
- All documents, including original complaints, investigation ongoing letters and Stage One responses, are to be submitted in PDF format (see Stage 2 Escalation Request template for format, etc), by a secure file sharing arrangement (unless circumstances require the use of email).
- Should documents containing personal or sensitive information be sent by email, attachments must be password protected using the Managing Agent/Coverholder/DCA standard password provided to Lloyd's Dispute Resolution team. Where multiple documents are attached to an email, these should be attached as a password protected ZIP file.
- If there is a legal opinion on the claim this should never be referred to in any conversation or in any correspondence. Doing so may waive any legal professional privilege.

### **Expression of dissatisfaction by complainant to managing agent/representative**

Managing agents must have in place procedures that allow complaints to be made by any reasonable means, including on social media accounts owned or controlled by managing agents and/or their representatives. A complainant cannot be required to put the complaint in writing.

The definition of a complaint in Australia, under ASIC Regulatory Guide 271, is an:

*“Expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response is explicitly or implicitly expected or legally required.”*

The General Insurance Code of Practice (GICOP) states that:

*“Complaint means an expression of dissatisfaction made to us, related to our products or services, our staff or the handling of a complaint, where a response is explicitly or implicitly expected or legally required.”*

It goes on to state that:

*“A complaint also includes such expressions of dissatisfaction made about us on a social media channel or account owned or controlled by us, where the person making the complaint is both identifiable and contactable.”*

To clarify, two elements are necessary in order for there to be a complaint:

1. An expression of dissatisfaction
2. An expectation of a response or resolution

NB The customer does not need to use the word ‘complaint’, ‘dissatisfaction’, etc.

### **Which complainants?**

Whilst there is no official definition of a complainant in Australia, under RG271, it includes, at a minimum, “an individual consumer or guarantor” and a “small business” as defined by s761G of the Corporations Act.

In addition, the Australian Financial Complaints Authority (‘AFCA’) has jurisdiction to review complaints from an ‘Eligible Person’, which is defined in its Rules to include:

- a) an individual or individuals (including those acting as a trustee, legal personal representative or otherwise);
- b) a partnership comprising of individuals – if the partnership carries on a business, the business must be a Small Business;
- c) the corporate trustee of a self-managed superannuation fund or a family trust – if the trust carries on a business, the business must be a Small Business;
- d) a Small Business (whether a sole trader or constituted as a company, partnership, trust or otherwise);

- e) a club or incorporated association – if the club or incorporated association carries on a business, the business must be a Small Business;
- f) a not-for-profit organisation or club – if it carries on a business, the business must be a Small Business unless the not-for-profit organisation or club is also a charity registered with the Australian Charities and Not-for-Profits Commission;
- g) a body corporate of a strata title or company title building which is wholly occupied for residential or Small Business purposes; or
- h) the policy holder of a group life or group general insurance policy, where the complaint relates to the payment of benefits under that policy.

In relation to:

- (i) Retail General Insurance Policy (i.e. home, motor, sickness & accident, travel and personal and domestic property, including valuables, pleasurecraft, caravans, fine art, farm etc;
- (ii) Residential Strata Title Insurance Product; and
- (iii) Small Business Insurance Product, defined by the Rules (currently excluding cover in relation to Contractors All Risks, Fidelity Guarantee, Legal Liability, Professional Indemnity and Industrial Special Risks).

Small Business means a business employing under 100 employees.

In all cases, the 'complainant' is the person on whose behalf the complaint is being made (ie the individual or the company, not the broker or representative). If the complainant is being represented by a broker or other third party, this must be clear in the file, with appropriate authority included.

### Process to be followed

It is the responsibility of managing agents to handle all Australian complaints appropriately and ensure that they are compliant with relevant local rules. This includes any requirement to acknowledge complaints, provide information to the complainant and meet applicable time limits.

Please refer to the [Lloyd's Australia Complaints Handling page](#) for further information, including requisite templates.

### Key Dates

For clarity, the day a complaint is received is known as **Day Zero**.

Accordingly, if counting calendar days, **1 Calendar Day** means the calendar day after the complaint is received. Similarly, **1 Business Day** means the business day after the complaint is received. Public holidays are not counted as Business Days. Regardless of where in the process the complaint sits, the following timescale applies:

- **Day Zero** – Complaint received
- **1 Business Day** – Complaint acknowledged, and the complainant provided the name and contact details of the person reviewing the complaint
- **5 Business Days** – The Managing Agent notifies Lloyd's of the complaint's receipt:
  - **If the Managing Agent uses CareSmart DEX messaging**, by loading the complaint directly

- **If the Managing Agent does not use CareSmart DEX messaging**, by emailing the Notification Spreadsheet to [complaints-notification@lloyds.com](mailto:complaints-notification@lloyds.com)
- **10 Business Days** – Stage One review due and the Managing Agent notifies Lloyd's of the outcome within **2 Business Days** of the outcome:
  - **If the Managing Agent uses CareSmart DEX messaging**, by updating the details directly, ensuring the following two documents are attached
    1. Original Complaint (if a verbal complaint, a file note)
    2. Resolution Letter (if verbal resolution, a file note) or completed Escalation Template

**NB: These may be attached to CareSmart as a PDF or as a URL**
  - **If the Managing Agent does not use CareSmart DEX messaging**, by emailing the Notification Spreadsheet to [complaints-notification@lloyds.com](mailto:complaints-notification@lloyds.com)

**NB: Managing Agents may wish to have the above documents attached for monitoring and supervision purposes, but this is not necessary for the purpose of loading the outcome**
  - If the Stage 1 review is not completed, it is escalated to Lloyd's Australia for review, unless entity reviewing complaint requests extension from Lloyd's Australia, via [IDRAustralia@lloyds.com](mailto:IDRAustralia@lloyds.com), and provides the relevant updates to the complainant;
- **At Least Every 10 Business Days** – Entity reviewing complaint provides update to the complainant, unless otherwise agreed
- **By 30 Calendar Days** – Final decision due and, if not complete, IDR Delay Notification Letter provided to the complainant, including the reasons for the delay, the right to refer complaint to AFCA and AFCA's contact details

### Acknowledgement of complaints

All complaints are to be acknowledged within one business day, providing the complainant with the name and contact details of the person reviewing the complaint. The Stage One Complaint Acknowledgement template may be accessed online via the [Lloyd's Australia Complaints Handling page](#).

If a complaint is received in the first instance by either Lloyd's Australia or by AFCA (ie the complainant has bypassed Stage One), it will be acknowledged by Lloyd's Australia, using either the Pre-Stage 1 or Pre-Stage 2 Complaint Acknowledgement templates.

It will then be forwarded to the individual nominated by the relevant Managing Agent and/or its representative for a Stage One review, in accordance with the standard process.

Even if a complaint is first received by Lloyd's Australia or AFCA, receipt must still be notified by the Managing Agent and/or its representative (see below).

### Notification of complaints to Lloyd's – general

Lloyd's is notified of complaints received and outcomes in two ways:

1. **If the Managing Agent uses CareSmart DEX messaging**, by loading the complaint directly – the Coverholder or DCA will forward it to the Managing Agent, allowing sufficient time for it to be loaded to CareSmart.
2. **If the Managing Agent does not use CareSmart DEX messaging**, by emailing the Notification Spreadsheet to [complaints-notification@lloyds.com](mailto:complaints-notification@lloyds.com) – this may be done by either the Managing Agent or the Coverholder or DCA (as agreed with the Managing Agent).

**Notification of the receipt** of complaints to Lloyd's must occur **within five business days** of receipt.

**Notification of the outcome** of complaint reviews to Lloyd's must occur **within two business days** of the outcome. If the Managing Agent uses CareSmart DEX messaging, the Original Complaint and the Resolution Letter (or, if verbal resolution, the file note) or completed Escalation Template must be attached as a PDF or a URL.

See below for more detail on notifying Lloyd's UK of both complaints received and their outcomes.

### **Notification of complaints to Lloyd's – receipt**

- Receipt of all complaints must be notified to Lloyd's within five business days of receipt – this includes those complaints that may not be subject to local regulatory requirements or where the complainant may not have a right of referral to AFCA.
- The entity reviewing the complaint completes the Lloyd's Australia Notification Spreadsheet ('receipt' columns).
- Instructions for how to complete the Notification Spreadsheet are included in the Spreadsheet itself – this should be read carefully to ensure correct completion.

**If the Managing Agent uses CareSmart DEX messaging**, the entity reviewing the complaint forwards the details of the complaint to the Managing Agent for loading. This is typically via a completed Notification Spreadsheet. Sufficient time must be left for the Managing Agent to load the complaint within five business days. On policies or binding authorities where there is more than one syndicate participating, this responsibility belongs to the Lead Syndicate.

**If the Managing Agent does not use CareSmart DEX messaging**, the Managing Agent or the entity reviewing the complaint forwards the completed Notification Spreadsheet to [complaints-notification@lloyds.com](mailto:complaints-notification@lloyds.com). Spreadsheets must be received by 1645 GMT to be loaded on the day of receipt by Lloyd's. Otherwise, they will be loaded the following working day.

The Australia Notification Spreadsheet should be downloaded from the [Lloyd's Australia Complaints Handling page](#). Managing Agents must use the template provided by Lloyd's and should not create their own templates. The subject line of the email should state 'Notification Spreadsheet' unless the spreadsheet is automatically created by a complaint management database.

While no other attachments apart from the Notification Spreadsheet will be actioned (eg Original Complaint, Resolution Letter or Escalation Template), Managing Agents that may ask the entity submitting it to include other attachments. The Managing Agent might request this and to be copied in for the purposes of oversight.

Detailed instructions on how to complete the Notification Spreadsheet are contained in the Spreadsheet itself.

Other important points to note regarding the notification of complaints are:

- Coverholders will also need to ensure they record the information required to complete their local regulatory reporting.
- The Notification Spreadsheet is to be named '**NotificationSpreadsheetANZ.xls**', no additional columns should be added to the spreadsheet.
- No verification checks will be performed on the Notification Spreadsheet prior to upload and it will be loaded as received. In the event that the Notification Spreadsheet fails to load successfully, the Notification Spreadsheet will be returned to the Managing Agent or their representative, with details of the records that have failed. These incorrect records should be resubmitted on the next Notification Spreadsheet.

NB The complaint will not be classed as logged for performance oversight purposes until the corrected Notification Spreadsheet is received and the complaint is successfully uploaded.

- Complaints will be entered onto the complaints monitoring database by Lloyd's UK Complaints team to enable effective monitoring and reporting to the relevant regulators.
- Managing Agents must also keep their own record of each complaint received and the measures taken for their resolution.

### Review of the complaint

- A customer may receive one 'Complaint Decision Letter' only, providing AFCA details – either:
  - Confirming resolution to the customer's satisfaction (sent by the Stage One or Stage Two reviewer); or
  - Maintaining the original decision in whole or in part (sent by the Stage Two reviewer).
- Accordingly, care must be taken in the management of Stage One reviews to ensure 'resolved' complaints are fully resolved, as complaints that are not actually resolved may ultimately be referred to AFCA without the benefit of a full review taking place first.
- In all cases, a Stage One review must be completed within 10 business days of the complaint being received, unless an extension from Lloyd's Australia is granted.
- If the Stage One review is not completed within 10 business days, the entity reviewing the complaint can request an extension from Lloyds Australia by emailing the Review Extension Request template to Lloyd's Australia at [IDRAustralia@lloyds.com](mailto:IDRAustralia@lloyds.com). If granted, the entity reviewing the complaint takes responsibility for providing the requisite updates, which may be found online via the [Lloyd's Australia Complaints Handling page](#):
  - 10-Business Day Update (All Stages)
  - Request for Further Information (Stage 1)
  - IDR Delay Notification – 30-Calendar Day Letter (All Stages)
- If the Stage One review resolves the complaint to the customer's satisfaction, the complainant is issued a response using the Stage One Resolution Letter template, which may be accessed online via [Lloyd's Australia Complaints Handling page](#). The only circumstances in which a complaint is resolved, but a Resolution Letter is not sent are outlined in the dot point below.

The Resolution Letter should set out reasons for the decision and details of any redress or remedial action being offered. Redress includes:

- Payments to put the complainant back into the position the complainant should have been in had the act or omission complained about not occurred, including any claim payments.
  - Amounts paid for distress and inconvenience.
  - Goodwill payments and goodwill gestures.
  - Interest on delayed settlements.
  - Waiver of an excess.
- If the Stage One review resolves the complaint to the customer's satisfaction **within 5 business days**, a Resolution Letter does **not** need to be sent to the complainant, **unless**:
    - The complainant requests it; or
    - The complaint relates to:
      - A claim denial;
      - The value of a claim; or
      - Financial hardship.

Should this be the case, a detailed file note must be kept (in the same way a Resolution Letter would be kept), including:

- The date and time of the conversation;
- The name of the staff member and complainant/representative;
- A summary of the call, including detail of the complaint and desired response or resolution;
- The precise resolution (eg an apology, explanation, etc); and
- Explicit confirmation that the action resolves the complaint (eg ask "does this resolve the complaint for you?").

NB The above are the only circumstances in which a Stage One Resolution Letter does not need to be sent. The Notification Spreadsheet is updated to include the 'Stage One Resolution Date', 'Stage One Outcome' (ie 'Justified' or 'Not Justified'), etc.

- If the Stage One review does not resolve the complaint to the customer's satisfaction within ten business days, the complaint is auto-escalated to Stage Two. Auto-escalation will happen in two circumstances:
  - There is a Stage One outcome that does not resolve the matter to the customer's satisfaction; or
  - There is no Stage One outcome within the timeframe and no extension from Lloyd's sought.
- No formal outcome or reasons are provided to the customer. Instead, the customer is sent a letter, advising that the complaint has been elevated to Lloyd's Australia for further review, using the Advice of Escalation to Stage 2 (Stage 1) template. This is accessed online via the [Lloyd's Australia Complaints Handling page](#).  
NB This letter does not include an outcome or reasons.
- The complaint is then escalated to Lloyd's Australia by email at [IDRAustralia@Lloyds.com](mailto:IDRAustralia@Lloyds.com) for a Stage Two review using the Stage 2 Escalation template, which is also online and includes some guidance for completion.

- The managing agent's full file and confirmation of the claim reserve is provided within two business days of the Stage One review's completion or escalation. This is via an agreed filesharing arrangement. These files must include all documentation, including PDS, policy schedule, claim form, internal/external correspondence, reports and call recordings pertinent to the case along with case notes. There should be no duplicated documentation or emails. Failure to provide all documentation within this timeframe and/or in the required format may attract an additional administration charge in respect of the time taken to prepare the file.
- When the complaint has been resolved to the customer's satisfaction at Stage One or has been referred for a Stage Two review, the Notification Spreadsheet must be completed and sent to the Lloyd's UK Team as below.

### Notification of complaints to Lloyd's – Stage One outcome

The FCA and local regulators have different ways of categorising products, complaints and outcomes. Therefore, there may seem to be some repetition in some areas.

- The FCA uses the terminology 'Justified' and 'Not Justified' to distinguish outcomes where there is a change in favour of the complainant ('Justified') and those where there has been no change ('Not Justified').
  - **Justified** = Outcome is changed in favour of the complainant, i.e. original decision has been amended, and this resolves the complaint to the customer's satisfaction. Examples would include overturning a claim decision, increasing a settlement or refunding a premium. A Resolution Letter is sent (unless not required, as detailed above).
  - **Not Justified** = Outcome is not changed in favour of the complainant, i.e. the original decision is maintained, and this still resolves the complaint to the customer's satisfaction. This would be the case where an explanation is accepted and resolves the issue. A Resolution Letter is sent (unless not required, as detailed above).

NB: These two outcomes always represent that the complaint is resolved to the customer's satisfaction. That is, the complaint is finalised. Where a complaint is auto-escalated, the FCA outcome is recorded as 'Incomplete' (or left blank in the Notification Spreadsheet).

In addition to the FCA outcome, the ANZ Resolution must also be completed.

- **Resolved** = There are eight 'Resolved' categories, which are used when the complaint is resolved to the customer's satisfaction:
  - Resolved – Contract/policy variation
  - Resolved – Decision changed
  - Resolved – Monetary remedy
  - Resolved – No remedy (apology or explanation only)
  - Resolved – Other remedy
  - Resolved – Referred to another financial firm
  - Resolved – Service-based remedy
  - Resolved – Withdrawn/discontinued
- **Unresolved – Auto-Escalated** = In addition, there are two 'Unresolved – Auto-Escalated' categories, depending on whether the matter is being auto-escalated because the decision was maintained or the timeframe expired:
  - Unresolved – Auto escalated – Maintained
  - Unresolved – Auto escalated – Timeframe expired

All complaint outcomes must be updated within two business days of the Stage One outcome or when a complaint is auto-escalated to Stage Two.



**If the Managing Agent uses CareSmart DEX messaging**, the entity reviewing the complaint forwards the details of the Stage One outcome to the Managing Agent for loading. This is typically via an updated copy of the Notification Spreadsheet, with details of the outcome in the 'outcome' columns. Sufficient time must be left for the Managing Agent to load the outcome within two business days. In order to load the outcome successfully, the Managing Agent will need to attach documents tagged:

- Original Complaint (if a verbal complaint, a file note)
- Resolution Letter (if verbal resolution, a file note) or completed Escalation Template

**NB: These may be attached to CareSmart as a PDF or as a URL**

**If the Managing Agent does not use CareSmart DEX messaging**, the Stage One outcome is forwarded to Lloyd's for loading by either the Managing Agent or the entity reviewing the complaint (as agreed with the Managing Agent). The updated copy of the Notification Spreadsheet is sent to [complaints-notification@lloyds.com](mailto:complaints-notification@lloyds.com).

**NB: While not mandatory, Managing Agents may wish to have copies of the Original Complaint and Resolution Letter/Escalation Template attached for monitoring and supervision purposes.**

The Notification Spreadsheet is to be named '**NotificationSpreadsheetANZ.xls**', no additional columns should be added to the spreadsheet.

Detailed instructions on how to complete the Notification Spreadsheet are contained in the Spreadsheet itself.

### **Stage Two review by Lloyd's Australia**

- If a complaint is auto-escalated, Lloyd's Australia will undertake a Stage Two review.
- At the inception of the Stage Two review, Lloyd's Australia will issue a further acknowledgement letter to the complainant. In the case of a complaint referred to the UK Complaints team, Lloyd's Australia will acknowledge it in the first instance and the UK Complaints team will issue further correspondence on allocation of the complaint.
- The Managing Agent's file, together with the documentation provided by the complainant, will be reviewed by Lloyd's Australia with further information being requested as necessary. Requests for additional information/agreement to proposed resolution are to be responded to within the deadline provided by Lloyd's. The deadline provided will be dependent upon the regulatory deadline of the complaint.
- Where the Lloyd's Australia proposed resolution to a complaint has a value of £50,000 or less (or equivalent), or where the proposed resolution involves a non-monetary outcome the decision of the Lloyd's Complaints team may be made binding by them if agreement cannot be reached. Managing Agents may appeal such decisions by appealing to the contact details provided on the Complaints Mandate proforma within 2 business days. Managing Agents are required to appoint a nominated person(s) to make the appeal on their behalf. This person must be a senior person within the Managing Agent who is not directly involved with the management or oversight of either the claim or complaint process.

- All Lloyd's complaint handling staff are authorised to make a compensation payment of up to £50 (or equivalent) without having to follow the formal mandate process. Such a payment will only be required where the complainant is satisfied that it is fair and reasonable to do so. Managing Agents will be instructed to make the payment when Lloyd's Complaints team provides a copy of their Final Response.
- On completion of its review, Lloyd's Australia will issue a written final response to the complainant. The letter will inform the complainant that they may refer the matter to the AFCA in Australia or FOS in the UK, as applicable.
- Lloyd's Australia will update the Lloyd's complaint system with the outcome.
- In most cases Lloyd's Australia will complete its investigation and send the final response within 10 business days of the complaint being escalated. Where Lloyd's Australia cannot provide a final response within 30 calendar days of the complaint being raised, Lloyd's Australia will send an IDR Delay Notification to the complainant explaining why it is not in a position to provide a final response and advise the customer that the complaint may be elevated to AFCA, together with AFCA details.
- A copy of the final response letter will be provided to the Managing Agent or its representative by Lloyd's Australia. The Managing Agent or its representative is asked to confirm that they have carried out the action required by Lloyd's Complaints team final response or EDR decision within 14 days of request. If it necessary for Lloyd's Australia to chase for this confirmation, an additional administration charge will be levied.

### **Referral to EDR**

- Subject to local applicable eligibility criteria, complainants may refer their complaints to the AFCA or UK FOS.
- If AFCA or UK FOS refers a complaint to the Managing Agent or its representative in the first instance, Lloyd's Australia must be informed immediately. Lloyd's will then have the matter re-registered in Lloyd's name.
- If the complainant contacts AFCA before the complaint is reviewed through the IDR process, AFCA will send a notification to Lloyd's Australia. The complaint will be classified by AFCA as either 'pre' or 'post' IDR.
- If a post-IDR matter, the complaint has already been reviewed as part of the IDR process and a decision letter provided (ie either a Resolution Letter, which should be rare, or a Final Decision Letter, at Stage Two). Lloyd's Australia will coordinate the response to AFCA with the relevant Managing Agent, Coverholder or DCA, who will draft any submissions using the Lloyd's Australia EDR Submission Template, online via the [Lloyd's Australia Complaints Handling page](#).
- If a pre-IDR matter, the complaint has not been fully reviewed as part of the IDR process and a decision letter has not been issued (either a Resolution Letter at Stage One or a Final Decision at Stage Two). The complaint will be acknowledged by Lloyd's Australia, using one of two templates:

- **Pre-Stage 1 Complaint Acknowledgement.** This is used where the complaint has not yet been through a Stage One review. The complaint will be referred to the relevant Managing Agent, Coverholder or DCA to complete the Stage One review as normal, but with some minor changes. That is, where the review resolves the complaint to the customer's satisfaction, Lloyd's is informed, provided with the Resolution Letter and will advise AFCA of same and ask that the case be closed. AFCA may contact the complainant to confirm the matter is resolved before closing its file. Where the review does not resolve the complaint to the customer's satisfaction, it is escalated to Lloyd's Australia, as normal, using the Stage Two Escalation template. Lloyd's Australia will review the complaint as usual and coordinate the response to AFCA with the relevant Managing Agent, Coverholder or DCA, as necessary.  
NB The Managing Agent is responsible for completing and submitting the Notification Spreadsheet, as normal.
- **Pre-Stage 2 Complaint Acknowledgement.** This is used where the complaint has had a Stage One review and provided with a Resolution Letter, yet in fact remains dissatisfied and escalates the matter to AFCA. The complaint will be reviewed by Lloyd's Australia. Where the review resolves the complaint to the customer's satisfaction, Lloyd's will advise AFCA and ask that the case be closed. AFCA may contact the complainant to confirm the matter is resolved before closing its file. Where the review does not resolve the complaint to the customer's satisfaction, Lloyd's Australia will coordinate the response to AFCA with the relevant Managing Agent, Coverholder or DCA, as necessary.
- AFCA determinations are binding on the insurer and must be implemented promptly and in their entirety. Any payments must be made within the timeframe stipulated or, if not stipulated, 14 calendar days.

### Assessment of Managing Agent Compliance with the Code

- On a quarterly basis, Lloyd's will review Managing Agents' performance against the published standards, KPIs and other measures.
- Managing Agents failing to meet the required standards will be required to explain the measures being taken to address any failings. Failure to improve performance may result in remedial or enforcement action.

### FCA complaints return

- Every six months, Lloyd's is required to submit a return to the FCA, detailing the number of complaints received, how quickly they were resolved, how many were upheld in the period and the amount of redress paid. This contains details of both UK and non-UK complaints.
- Managing Agents are required to provide details of the number of policies in place for eligible complainants, broken down into specific product categorisations and territory. Managing Agents must ensure that the product categorisation used to report complaints aligns with the product categorisations used for the eligible complainant return. A reconciliation of this data must be

undertaken prior to submitting the eligible complainant return to ensure that there are no discrepancies between the two data sets.

- As required by the FCA, Lloyd's publishes these figures on its website at: [www.lloyds.com/complaints](http://www.lloyds.com/complaints).

### **Business Continuity**

For whatever reason, should a prolonged business interruption incident or outage occur, resulting in Lloyd's being unable to complete Stage Two reviews and issue Final Decisions, Lloyd's may initiate an alternate process. This would utilise Managing Agents, Coverholders and DCAs to provide the Final Decision, with input from Lloyd's.

Specifically:

1. Lloyd's issues an 'Activation of Lloyd's Australia Business Continuity Plan' email to all complaints and compliance contacts (Managing Agent, Coverholder and DCA), explaining the situation and providing instructions;
2. Managing Agents or their representatives continue to receive, record and review Stage One complaints **as usual**;
3. Where the Stage One review does not resolve the matter to the customer's satisfaction, the Auto-Escalation Template is completed as usual, but the complaint is not auto-escalated; instead, the Managing Agent or its representative contacts Lloyd's to discuss the case;
4. Lloyd's discusses the case and Stage One review outcome with the Stage One reviewer, with reference to:
  - a. The completed Auto-Escalation Template
  - b. The policy wording and schedule, including any specific provisions relied upon
  - c. Any reports or other information that would usually be considered as part of a thorough review and they agree on an outcome
5. Lloyd's and the Stage One reviewer agree on a Final Decision
6. Stage One reviewer drafts a Complaint Decision Letter and reviews it with Lloyd's
7. Stage One reviewer issues the Complaint Decision Letter, providing outcome, reasons and EDR options