

## what happens now my case has been referred to an ombudsman?

### who exactly is “the ombudsman”?

An ombudsman has the power to tell a financial business what it should do to put things right in an individual case – if the ombudsman thinks the business has done something wrong.

There isn't just one ombudsman. There is a panel of ombudsmen. Each one specialises in a particular area of financial complaint.

The ombudsmen are appointed by our board of “public interest” directors under the Financial Services and Markets Act 2000. They are completely independent and impartial.

By law, the board is required to appoint ombudsmen who have appropriate qualifications and experience to decide complaints. They come from a wide range of backgrounds, as shown on our website (in the section “about us”).

Many are lawyers but this is not a specific requirement of the job. What is required is a high level of professionalism and sound judgement.

### I thought I was already dealing with “the ombudsman”

Up until now, you've probably been dealing with an adjudicator. You may have talked with them over the phone or you could have received letters from them.

At the ombudsman service our role is to sort out problems less formally than the courts. In nine out of ten cases our adjudicators do this without an ombudsman having to get directly involved.

But where this isn't possible, both you and the business have the right to “appeal” – which means your case will be independently reviewed by one of our ombudsmen.

### how do I get my case to the right ombudsman?

We do that for you. Once it's confirmed that we have everything we need, we will check that the paperwork is in proper order – and that there are no loose ends. Your case will then join other similar complaints waiting to be matched to the right area of expertise.

The ombudsmen in that area will decide which one of them is the most suitable to take on the case – taking into account their experience and availability.

### won't the ombudsman just “rubber stamp” what the adjudicator said?

No. The ombudsman is completely impartial. Their review is independent of what has gone before. The ombudsman will look again at all the information you and the business have already given us. You don't need to send copies of anything you have already sent.

If you have any new information you want the ombudsman to consider, you must send it by the deadline we give you. But by this stage, both sides have usually already provided everything they want us to take into account.

### will I have to contact the ombudsman directly?

No. The adjudicator you've been dealing with most recently will usually be your main contact point. They will be able to answer any queries you might have.

The ombudsman will come to their decision entirely on their own – and is legally responsible for this decision.

## will the ombudsman need to phone me before they make the decision?

Not usually. Normally the ombudsman already has all the information they need to make their decision – including records of any conversations you've had with us.

But occasionally the ombudsman may look for more information to help them make their decision. If the ombudsman has any questions, someone might get in touch with you on behalf of the ombudsman.

## when will I get my decision from the ombudsman?

It depends. In some cases it can be as quick as a month or two. But in other cases it can take much longer. For example, complaints referred to an ombudsman about mis-sold PPI can take up to eighteen months because of the large volumes of complaints referred to us.

But of course we will keep you updated.

## what happens if the ombudsman comes to a different decision from the adjudicator?

Where this seems likely, the ombudsman may choose to make a provisional decision before they make their final decision on your case.

A provisional decision will explain what the ombudsman thinks the outcome should be – but will give both you and the business the opportunity to send in your thoughts or any further information before the final decision.

## will the decision cover everything that the adjudicator looked at?

In each decision the ombudsman focuses on the key issues they have identified during their review of the case. The ombudsman sets out clearly the reasons for their decision – and the evidence they have relied on.

While the ombudsman will take into account all the points you have raised and the information you have provided, their written decision may not always deal with every issue point by point.

The ombudsman will focus on those points that they think are crucial to their reasoning. This is

to help you and the business understand how they came to their conclusion on your case.

## what will the final decision actually look like?

We want our decisions to be as clear and concise as possible. Some ombudsmen write their decisions as reports. And some decisions are written as short, to-the-point summaries.

What the decision looks like largely depends on the complexity of the case – and what the ombudsman thinks the most suitable format should be.

We will post the ombudsman's decision to you (unless you have asked us to correspond with you in a different way). There will also be a letter explaining the next steps you need to take. We will send the business a copy of the decision on the same day.

We put the final decisions of our ombudsmen on our website. But so you will not be identified, your name will not appear anywhere.

## what do I need to do in the meantime?

We are sorry if waiting for a decision on your case takes a long time. Please bear with us while we take on more ombudsmen to deal with the unprecedented rise in complaints.

We'll contact you if we need anything from you or have news for you.

## what will I need to do when I get the ombudsman's final decision?

You will need to decide whether to accept it – and we will give you a deadline for this.

We will be happy to answer any questions at that stage about the next steps. But once an ombudsman has made their decision, we won't be able to discuss the merits of your complaint with you any further.

And no ombudsman, however senior, can overturn another ombudsman's decision.

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This factsheet for consumers is only a general guide. It is not legal advice. We look at each case on its own individual facts and merits.