

Policy on delegation and review of rejection decisions

Introduction

- 1 The Financial Services Ombudsman (Bailiwick of Guernsey) Law 2014 and the Financial Services Ombudsman (Jersey) Law 2014 ('the Ombudsman Laws') give the Channel Islands Financial Ombudsman ('CIFO') powers to reject certain complaints.¹
- 2 In respect of those powers to reject complaints, the Ombudsman Laws require CIFO to publish its policy on:
 - designation/delegation of investigatory and decision-making functions; and
 - arrangements to review rejection decisions made other than by an Ombudsman.²This policy comes into effect on 16 November 2015.

Designation/delegation of investigatory and decision-making functions

- 3 The designated persons with delegated investigatory and decision-making powers to reject complaints are:
 - any Ombudsman (including the Principal Ombudsman); and
 - any other member of CIFO's staff authorised by the Principal Ombudsman ('case handlers').³
- 4 The Principal Ombudsman will only authorise members of CIFO's staff who are appropriately qualified to carry out these functions.⁴

Arrangements to review of rejection decisions made by case handlers

- 5 Rejection of a complaint will be by notice in writing to the complainant and respondent, setting out the reasons for the rejection and any provision for review.⁵
- 6 A rejection decision by a case handler is subject to review by an Ombudsman (including the Principal Ombudsman) as follows:
 - The complainant must request a review and provide reasons why he/she considers that the rejection was incorrect.
 - Unless the complainant is prevented by disability, the request and the reasons must be provided to CIFO in writing.
 - Ordinarily, the request must be received by CIFO within one calendar month of CIFO sending the rejection decision.
 - If exceptional circumstances have prevented the complainant complying with this time limit, an Ombudsman may agree to an extension of time.
- 7 A rejection decision by an Ombudsman (including the Principal Ombudsman) is not subject to review.

¹ Section/article 12(1) to (4)

² Section/article 12(7)

³ Schedule 1 paragraph 8(3)

⁴ Section 12(6)(a)(ii) of the Guernsey Ombudsman Law

⁵ Section/article 12(4)

- 8 The principal ombudsman will keep this policy under review in the light of cases received by CIFO, and will publish updated policies if necessary. Any comments or suggestions on this policy should be sent to consultations@ci-fo.org.