

## Annex 3b: Code of Practice minimum standards on Complaints Handling Procedure

This Code of Practice minimum standards outlines the minimum actions required to fulfil the obligations detailed in the Condition 33 of the Electricity Supply Licence and Condition 2.8 of the Gas Supply Licence and other relevant licence conditions. This Code of Practice should be no more than two clicks from the homepage on the supplier's website.

### Definition of complaint

*“The expression (through various possible channels: letter, email, phone call or physical claim) of a person's dissatisfaction.”*

### Accessibility of Complaints Handling Procedure

- a) The Code of Practice shall include arrangements by which the Licensee will establish and operate **an accessible, equitable and transparent, simple and inexpensive** complaints procedure which shall enable any person who is being supplied with electricity or gas by the Licensee or has at any time received a supply of electricity or gas from the Licensee, to bring and have **promptly dealt** with any complaint he may have in respect of the Licensee's activities in providing such a supply.

The complaints procedure established and operated by the Licensee in accordance with the Code of Practice shall as a minimum:

- specify the period, which may differ for different types of complaint but which shall not be longer than three months, within which it is intended that complaints will be processed and resolved;
- be made available to any person without charge;
- facilitate the fair and prompt settlement of complaints and disputes; and
- provide for a system, where required by the Authority under Condition 29 of the electricity licence and under Condition 2.20 of the gas licence or otherwise warranted, of making a reimbursement and/or compensation payment to complainants. (Condition 33, 2 & 3, Electricity, Condition 2.8.2 and 2.8.3 Gas)

In order to fulfil the above licence condition suppliers must:

- ensure that customer facing staff are able to inform any person about the energy company's complaints handling procedure and the role and contact details of the Consumer Council.
- ensure that the relevant terms and conditions, customer statements and bills and any other applicable literature refer to the existence of the Code of Practice on Complaints Handling and should signpost people to how they can get a copy.
- provide, insofar as is reasonably practical, free of charge to any person who requests it, a copy of the Code of Practice on Complaints Handling Procedure in hard copy or where appropriate other format as agreed with the person.
- place a link to up to date details of the complaints handling procedure in a prominent position on the home page of their website
- ensure that the complaints handling procedure is sufficiently accessible to enable any person and in particular those persons with disabilities or those without internet access to lodge and progress a complaint.
- ensure that complaints procedures should be transparent and simple so that they do not deter any person from making a complaint.
- have in place low cost options for any person to make a complaint that must include but not be limited to:
  - a phone number charged at the equivalent of a local call rate
  - a Northern Ireland postal address
  - an email address or internet web page form.

- allow for complaints to be made and progressed orally (by telephone or in person) or in writing (including email).
- where a person who is of pensionable age, disabled or chronically sick or has other specific needs or someone representing such a person makes a complaint, the energy company must take additional steps as deemed necessary or appropriate to help the person resolve the complaint in an appropriate and prompt manner.
- have due regard to the Gas (Individual Standard of Performance) Regulations (Northern Ireland) 2014<sup>28</sup>. This applies to gas suppliers only.

## Transparency

In order to fulfil the above licence condition suppliers must:

- have a clearly written Code for handling complaints made by any person (including Domestic and Industrial and Commercial customers).
- ensure that the Code is concise, easy to understand and written in plain English.
- as part of the Code suppliers must include information about:
  1. The contact details for making a complaint
  2. The process for making a complaint
  3. The steps the supplier will take to investigate and resolve the complaint
  4. The timeframe in which the supplier will endeavour to resolve the complaint which shall not be longer than three months, including a prompt first answer or acknowledgement within 5 working days of the receipt of the complaint and the lead time to deal with a

---

<sup>28</sup> <http://www.legislation.gov.uk/nisr/2014/60/contents/made>

complaint. Gas Suppliers must take account of the Gas (Individual Standards of Performance) Regulations (Northern Ireland) 2014 when establishing timeframes for dealing with complaints.

5. The contact details for dispute resolution i.e. the Consumer Council.
  6. The arrangements for compensation arrangements (if applicable).
- set out, in the Code of Practice, the different remedies that may be available to a person under the complaints handling process such as:
    1. An apology
    2. An explanation
    3. The taking of appropriate remedial action by the supplier
    4. The award of compensation in appropriate circumstances
  - on receipt of a complaint, record:
    1. The date the complaint was received
    2. In what format the complaint was made (oral/written)
    3. The identity and contact details of the relevant person making the complaint or on whose behalf the complaint is made
    4. A summary of the complaint
    5. A summary of any advice given or action taken
    6. Whether the complaint was resolved and if so an explanation of why it is deemed resolved.
    7. The date the complaint was resolved.
    8. If the complaint remains unresolved, the supplier must record the date that the consumer was advised that they may pursue the complaint through the Consumer Council.
  - retain written records collected through the complaints handling procedure for a period of at 2 years.
  - record all complaints and report in keeping with the UR's REMM complaint classifications.

- allow for compensation if applicable under Condition 29 in the electricity supply licence and Condition 2.20 in the gas supply licence. Gas Suppliers must provide compensation in accordance with the Gas (Individual Standards of Performance) Regulations (Northern Ireland) 2014<sup>29</sup>.

### **Prompt and Effective**

In order to fulfil the above licence condition suppliers must:

- establish clear timeframes, and a clear and reasonable escalation process for dealing with complaints with clear commitment to specified response times.
- ensure timely and fair investigation and resolution of complaints and show how it is intended that complaints will be processed and resolved within three months.
- allocate and maintain such level of resources as may reasonably be required to enable them to receive, handle and process consumer complaints in an efficient and timely manner.

---

<sup>29</sup> <http://www.legislation.gov.uk/nisr/2014/60/contents/made>

## Dispute Resolution

b) The Licensee shall keep each of its Customers informed: (a) of the Customer's rights to initiate the Licensee's complaints handling procedure (as established in accordance with the requirements of Condition 33 for electricity and Condition 2.8 for gas); (b) that the General Consumer Council can assist in resolving complaints which the Licensee has not resolved to the Customer's satisfaction; (c) that the Customer has the right to refer complaints which relate to billing matters to the Authority where the General Consumer Council has not been able to resolve the complaint to the Customer's satisfaction; (Condition 38, 10 (a-c) Electricity, Condition 2.19.10 (a-c))

In order to fulfil the above licence condition suppliers must:

- ensure appropriate training is given to all staff who come in contact with customers or the general public so they may make any person aware of the company's complaints handling procedure.
- ensure that front-line staff are fully informed and trained on the right of consumers to go to the Consumer Council if they are unhappy with how their complaint is being handled.
- ensure appropriate correspondence (such as bills, statements etc) provided to customers includes information on the right of consumers to take unresolved complaints to the Consumer Council. The information will include:
  1. The contact details of the Consumer Council.
  2. Reference to the fact that any person can utilise the scheme at no cost to themselves.
  3. The person's right to go to court if they deem the solution unsatisfactory is not affected by this procedure.

- include this information in their Complaint Handling Procedure so that it is available to any person making a complaint.

## Reporting Requirements

Report on Performance. Condition 36, 2 (e) & 3 of the Electricity Supply Licence, Condition 2.23.2(e) & 2.23.3 of the Gas Supply Licence.

The gas and electricity supply licences state reporting requirements with regard to performance on complaints. In order to fulfil the above licence condition suppliers must:

- provide to the Authority and publish on an annual basis the number of complaints received by the Licensee, whether made in writing, in person or by telephone and the number resolved by the Licensee.
- provide a copy of their complaints report free of charge to any person who requests a copy.