
STATUTORY INSTRUMENTS

2008 No. 2355

The Postal Services (Consumer Complaints
Handling Standards) Regulations 2008

PART II

Standards for handling consumer complaints

Regulated providers' complaints handling procedure

- 3.—(1) Each regulated provider must have in place at all times a complaints handling procedure.
- (2) Each regulated provider must comply with its complaints handling procedure in relation to each consumer complaint made through that complaint handling procedure.
- (3) Each regulated provider's complaints handling procedure must—
- (a) be transparent, simple and inexpensive;
 - (b) be in plain and intelligible language;
 - (c) allow for consumer complaints to be made orally or in writing (including electronically);
 - (d) set out contact details to allow a relevant consumer to make a consumer complaint;
 - (e) allow for consumer complaints to be progressed through each stage of the complaints handling procedure orally or in writing (including electronically);
 - (f) allow for consumer complaints with no evidence base to be dealt with;
 - (g) describe the process which the regulated provider will follow with a view to investigating and resolving a consumer complaint and the likely timescales for that process;
 - (h) provide for an internal review of an existing consumer complaint where a complainant indicates that they would like such a review to occur because he or she is dissatisfied with the handling of that consumer complaint;
 - (i) set out contact details for Consumer Direct;
 - (j) describe the complainant's right to refer a consumer complaint to a qualifying redress scheme—
 - (i) from the point at which the regulated provider notifies the complainant in writing, that it is unable to complete the consumer complaint to the complainant's satisfaction; or
 - (ii) after the expiry of the specified time period.
- (4) Each regulated provider must, not less than once every three calendar years, review its complaints handling procedure and seek feedback from a reasonable number of complainants to ensure the complaints handling procedure meets the needs of relevant consumers.

Recording consumer complaints

4.—(1) Upon receipt of a consumer complaint made through its complaints handling procedure each regulated provider must record in a written or electronic format the following details—

- (a) the date that the consumer complaint was received;
- (b) whether the consumer complaint was made orally or in writing;
- (c) the identity and contact details of the complainant; and
- (d) a summary of the consumer complaint.

(2) For each consumer complaint received through its complaints handling procedure the regulated provider must also record—

- (a) a summary of any subsequent contact with the complainant and any advice given or action taken in response to the consumer complaint;
- (b) the date (if any) on which the consumer complaint became a completed complaint; and
- (c) the date (if any) on which the regulated provider sends a written notice to a complainant in accordance with Regulation 5.

(3) Where a regulated provider has recorded a consumer complaint as a completed complaint but within three months of the date of making that record a subsequent contact is made by or on behalf of the complainant in relation to that consumer complaint which indicates that it is not a completed complaint, the regulated provider—

- (a) must as soon as reasonably practicable take account of that consumer complaint in any report which it is obliged to prepare and publish in accordance with Regulation 9;
- (b) shall not otherwise be entitled to treat that consumer complaint as a completed complaint for the purposes of these Regulations until that consumer complaint is demonstrably a completed complaint.

Signposting consumers to the redress scheme if consumer complaints cannot be completed

5.—(1) Each regulated provider must send a notice to a complainant in accordance with paragraph (2) on the earlier of—

- (a) the first working day after the day on which the regulated provider becomes aware that it is not able to complete a consumer complaint made through its complaints handling procedure to the complainant's satisfaction; or
- (b) the first working day after the day on which the specified time period for that consumer complaint expires.

(2) The notice must be in writing (including electronically) or in such other format as may have been agreed with the complainant, to notify the complainant—

- (a) of their right to refer the consumer complaint to a qualifying redress scheme;
- (b) of the contact details of the qualifying redress scheme;
- (c) that the qualifying redress scheme process is independent of the regulated provider;
- (d) that the qualifying redress scheme process is free of charge to the complainant;
- (e) of the types of redress that may be available under a qualifying redress scheme; and
- (f) that any outcome of the qualifying redress scheme process is binding upon the regulated provider but not upon the complainant.

Allocation and maintenance of adequate resources for complaints handling

6. Each regulated provider must allocate and maintain such level of resources as may reasonably be required to enable that regulated provider to receive, handle and process consumer complaints made through its complaints handling procedure in an efficient and timely manner and in accordance with these Regulations.

Vulnerable consumers

7.—(1) Each regulated provider must put in place arrangements to deal with section 12 complaints made through its complaints handling procedure.

(2) If a regulated provider identifies a consumer as a vulnerable consumer with a consumer complaint, or the Council refers such a consumer to a regulated provider, that regulated provider must take such additional steps as it considers necessary or appropriate with a view to assisting that vulnerable consumer and completing their consumer complaint in an appropriate and prompt manner.