



## General Member Complaints Procedure

It is the aspiration of your credit union that a complaint against the credit union will be resolved in a fair and equitable manner. In order that this is accomplished, the following is the procedure which you should follow in order to have your complaint/dispute, in your capacity as a member, settled. For a full description of this procedure, please see Rule 108 of the Standard Rules of the Credit Union.

**Step 1.** You as the complainant, may discuss the complaint with the relevant department line Manager who will, where possible, resolve the complaint.

***Should your complaint not be resolved at this stage to your satisfaction then;***

**Step 2.** You must complete the "Complaints Form" which is pre-addressed to the Complaints Officer. You, as the complainant will have the right to be heard by this officer who will investigate, discuss and, wherever possible, resolve the complaint. The designated officer for this step is **Denis Toomey**.

***Should your complaint not be resolved at this stage to your satisfaction then;***

**Step 3.** The complaints officer will forward a copy of the completed "Complaints Form" to the secretary of the credit union who will forward it to a complaints committee. The complainant will have the right to be heard by the committee, which will investigate and, wherever possible, resolve the complaint.

***Should your complaint not be resolved at this stage to your satisfaction then;***

**Step 4.** The complainant should request the secretary of the credit union to forward the "Complaints Form" to the board of directors of the credit union which will investigate, discuss and wherever possible, resolve the complaint. The complainant will have the right to be heard by the board. If the complaint is not resolved to the satisfaction of the complainant, they have the right to refer the matter to the Financial Services Ombudsman. Details of such are available on request.

**Note:** *Nothing in Rule 108 shall prevent the Financial Services & Pensions Ombudsman from investigating and adjudicating a complaint made against a credit union about the provision of, or failure to provide, a financial service, so long as the complaint:*

*(a) Falls within the jurisdiction of that Ombudsman, and*

*(b) Does not relate to a matter that involves only the governance of the credit union.*

*In accordance with the Credit Union Act, 1997 (as amended) ("the Act"), because the Rules of the credit union give directions as to the manner in which disputes are to be decided, every dispute to which the credit union is a party shall be decided in that manner. Thus, a dispute by a member against the credit union under a contract constituted by the Rules of the credit union may not normally be referred to the courts and must be dealt with in accordance with the complaints procedure. Where no decision is made on a dispute within 50 days from the date on which the Complaints Form is submitted to the credit union, any party to the dispute may apply to the District Court which may hear and determine the matter in dispute.*

St. Canice's Kilkenny Credit Union Ltd. is regulated by the Central Bank of Ireland.

*An application for the enforcement of a decision made under the scheme may be made to the District Court.*

*As an alternative to availing of this scheme, the complaining member and the credit union, may by consent, refer a dispute to the Registrar of Credit Unions who shall hear and decide the dispute. If a dispute is referred to the Registrar in this way, it will not be heard under this scheme.*

*The Member Complaints Procedure is drawn up in accordance with the Rules and the Credit Union Act 1997 (as amended). It is a standard scheme for all credit unions in the Republic of Ireland affiliated to the Irish League of Credit Unions and applies to the credit union following registration of its amended Rules under the Act. It will be appreciated; this guide only contains the principal features of the scheme and is not intended as a full legal analysis nor should it be relied on as such. Full details of the scheme are contained in Rule 108 of the Rules of the credit union, a copy of which will be available to the member on request from the credit union. The legal basis for the scheme is contained in Part VIII of the Act.*

## Payment Services Complaints Procedure

It is the aspiration of your credit union that a complaint against the credit union will be resolved in a fair and equitable manner. In order that this is accomplished, the following is the procedure which you should follow in order to have your complaint/dispute, in your capacity as a member, settled when it relates to a payment service provided by the credit union. For a full description of this procedure, please see Article 125 of the 18012 S.I. No.6 of 2018 European Union Payment Services Regulations 2018

**First of all:** Please discuss your complaint with any client facing officer of the credit union who will, where possible, resolve the complaint. Then if your complaint is not resolved to your satisfaction, please complete the "Complaints Form".

**Within 15 working days of receipt of the written complaint:** The credit union will provide a full written response, in a durable medium, to you, addressing all points raised. Also, you shall be informed of your right to contact the Financial Services & Pensions Ombudsman, who has jurisdiction over the settlement of disputes between payment service users and providers concerning their rights and obligations.

**In exceptional circumstances, if our response is taking more than 15 working days for reasons beyond the scope of the credit union:** We will issue a holding reply to you, by email or letter, informing of the reason for the delay and specifying the deadline by which you will receive a final reply.

**In the above exceptional circumstances, if within 35 working days of receiving the complaint, we are unable to comply for reasons beyond our control:** We must provide the final reply to you. This correspondence will inform you of your right to refer your complaint to the Financial Services & Pensions Ombudsman, in situations where you are unhappy with the outcome of the resolution process. It is important you are aware, that you may only make such a referral, where you have not received a holding response after 15 business days, or some response 35 days after the credit union received your complaint.

**The above will not apply, if:**

We resolved your complaint to your satisfaction within **5 working days** of receipt of the complaint and we maintain a record of the resolution of the complaint to your satisfaction.

**Once the investigation has been completed:** we will either by email or letter, inform you of the outcome, including where applicable;

Any terms of any offer or settlement being made and;

that you may be in a position to make a complaint to the Financial Services & Pensions Ombudsman and;

that your ability to do will depend on whether, inter alia, you fall within the scope of the class of persons who can make complaints to the Financial Service & Pensions Ombudsman. Please see below the contact details of the **Financial Service & Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, D02 VH29**

**Phone:** +353 1 567 7000

**Email:** [info@fspo.ie](mailto:info@fspo.ie)

St. Canice's Kilkenny Credit Union Ltd. is regulated by the Central Bank of Ireland.



## SME Lending Complaints Procedure

It is the aspiration of your credit union that a complaint against the credit union will be resolved in a fair and equitable manner. In order that this is accomplished, the following is the procedure which you should follow in order to have your complaint/dispute, in your capacity as a member, settled when it relates to a payment service provided by the credit union. For a full description of this procedure, please see Central Bank (Supervision and Enforcement) Act 2013 (Section 48) (Lending to Small and Medium-sized Enterprises)

**First of all:** Please discuss your complaint with any client facing officer of the credit union who will, where possible, resolve the complaint. Then if your complaint is not resolved to your satisfaction, please complete the "Complaints Form"

**Within 5 working days:** If you did not make your complaint in person, we will acknowledge the complaint, either by email or letter, confirming the name of the officer appointed as your point of contact for the complaint.

**Within 20 working days of receipt of the complaint:** We will provide a full written response, in a durable medium, to you, addressing all points raised.

**If response is taking more than 20 working days to resolve:** We will update you by email or letter, every 20 working days of the progress of the investigation.

**Within 40 working days of receiving the complaint:** We will aim to complete the complaints investigation

**If our response is taking more than 40 working days to resolve:** We union will inform you by email or letter of;

- the anticipated timeframe within which the credit union expects to resolve the complaint,
- that you may be in a position to make a complaint to the Financial Services & Pensions Ombudsman and;
- that your ability to do so, will depend on whether, inter alia, you fall within the scope of the class of persons who can make complaints to the Financial Service Ombudsman. We will provide you with the contact details of the Financial Service & Pensions Ombudsman.

**Once the investigation has been completed:** we will either by email or letter, inform you of the outcome, including where applicable;

- any terms of any offer or settlement being made and;
- that you may be in a position to make a complaint to the Financial Services & Pensions Ombudsman and;

□ that your ability to do will depend on whether, inter alia, you fall within the scope of the class of persons who can make complaints to the Financial Service & Pensions Ombudsman. Please see below the contact details of the **Financial Service & Pensions Ombudsman, Lincoln House, Lincoln Place, Dublin 2, D02 VH29**

**Phone:** +353 1 567 7000

**Email:** [info@fspo.ie](mailto:info@fspo.ie)



## **Complaints Form**

Please read our Complaints Procedure Brochure before completing this form:  
**Brochure available at all our Branches**

**To:** Complaints Officer

**Name of Complainant:** \_\_\_\_\_

**Address of Complainant:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Contact number:** \_\_\_\_\_

**Membership No:** \_\_\_\_\_

**Please give a description of your complaint, using additional pages if required. Please attach copies of any relevant documentation. Please continue overleaf, if required.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Please retain a copy of this form for your own records.**

St. Canice's Kilkenny Credit Union Ltd. is regulated by the Central Bank of Ireland.