

Disputes

Members of ICNZ are governed by the Fair Insurance Code, which sets high standards of service for them in all their dealings. However, sometimes things don't go as expected. If you're dissatisfied with something your insurer has done (or failed to do), you can make a complaint to them.



You can download the Fair Insurance Code here:
<https://www.icnz.org.nz/fair-insurance-code/download-the-code/>

All ICNZ members have processes in place to provide customers with speedy and fair resolutions to disputes.

Steps to take

Each insurer has an internal complaints process to try to resolve your complaint. If you're not satisfied with the resolution your insurer has offered you after you've been through their internal process, you can take your complaint to an external disputes resolution scheme (EDRS). To do either of these things, take the following steps:

1. Contact your insurer to express your concerns. Most insurers have details of how to make a complaint on their website. You can also ask the person you've been dealing with to escalate your complaint to their manager.

2. Each insurer's complaints process is different. Your complaint may need to be escalated to someone else in the organisation if your claims handler or their manager cannot resolve it.

3. When your complaint is first received, your insurer will
 - a. acknowledge your complaint within 5 working days of receiving it,
 - b. investigate your complaint and advise you of its progress or outcome within 10 working days of having all the information they need to resolve it,
 - c. update you with progress at least every 20 business days, or other timeframe agreed with you,
 - d. inform you of your right to take your complaint to your insurer's disputes resolution service within 2 months if your complaint hasn't been resolved to your satisfaction.



There are 2 EDRSs used by ICNZ members:

- the Insurance and Financial Services Ombudsman (IFSO) – www.ifso.nz
- Financial Services Complaints Ltd – www.fscl.org.nz

4. If you and your insurer can't resolve your complaint within 2 months and you're still not satisfied with their decision, you'll be sent a letter of deadlock.

You can then take your complaint to the insurer's EDRS. They'll make an independent assessment of your claim, undertake negotiation and mediation where appropriate, and decide whether your claim should be paid. This service is free for you and binding on your insurer.

5. If you're still not happy with the decision from the EDRS, you can take your complaint through the courts process. If you choose to do this, you will need to pay any legal fees you incur.

Fair Insurance Code complaints

If you have a complaint about your insurer under the Fair Insurance Code, you must follow the steps above the same way you would for a claims dispute. When the EDRS hears your complaint, they will decide whether there has been a significant breach. If they believe there has, they and your insurer will report it to ICNZ.

The Fair Insurance Code's Code Compliance Committee (CCC) considers all significant breaches that are reported to ICNZ. If the CCC believes breaches are significant enough, they can refer them to ICNZ's Board. The Board will consider all serious or systemic breaches of the code and the insurer concerned can be fined up to \$100,000 or be expelled from ICNZ.



Disclaimer

The information herein is provided as a general guide only. It is not a substitute for seeking your own professional advice.