



## **IMA Competent Authority Complaints Procedure**

Before the completion of a DRO application any intermediary approved by the IMA will be obliged to provide information about the IMA as the Competent Authority which has approved them as an Intermediary. These details will include the name and address of the Competent Authority. The Intermediary must ensure that the client has access to their own complaints procedure and those of the IMA (as the Competent Authority). The IMA complaints procedure will be available electronically on our website. It must be provided in paper format, by the Intermediary upon request by the client.

### **Complaints:**

- Complaints must be made in writing addressed to the IMA
- Complaints will be directed to the Chair of the Trustee Board, or a Trustee with delegated duties
- A letter acknowledging the complaint will be sent out within 7 working days and will give details of the procedure to follow
- The board will make a decision regarding the extent, if any, which it can be dealt with by the IMA
- Within one month the board will aim to outline those aspects of the complaint they intend to investigate and those aspects that cannot be dealt with by the IMA
- The Board will notify the complainant of this and then allocate any necessary investigation of the matter to a relevant member of staff, trustee or council

### **What type of complaints the IMA will deal with:**

- If an intermediary applicant disagrees with the IMA decision to refuse approval the applicant has the right to ask the IMA to review the procedure applied.
- If an intermediary applicant disagrees with the IMA decision to rescind approval the applicant has the right to ask the IMA to review the procedure applied.
- If the intermediary fails to comply with any statutory duty in connection with the making of a DRO application
- Where the client alleges that the intermediary is responsible for a potentially material error on the completion of the DRO application which is likely to cause the client privation, the client has the right to ask the IMA to review the application.

### **What type of complaints the IMA will not deal with:**

Should the client wish to complain about the service or advice they have received they should follow the intermediary's complaints procedure or the procedure of the agency which the intermediary works for.

## **What the IMA can do:**

### **In the case of complaints from intermediary applicants**

- Consider whether the application process has been followed correctly and if not make recommendations for re-assessment, correction or further action
- Consider whether the approval withdrawal procedure has been followed correctly and if not make recommendations for re-assessment, correction or further action

### **In the case of complaints from others**

- Consider whether it is a complaint which the IMA can deal with
- Review the DRO application in question
- Share the results of this review with the complainant and the intermediary
- Use the review to aid ongoing assessments of Intermediaries competence
- The IMA aims to deal with any complaint within 90 days but this will depend on the complexity of the complaint and resources available
- The results of the review will include details of how the client can proceed if they are not satisfied

## **What the IMA cannot do:**

- Overrule or change the content of a DRO application
- Overrule or change the outcome of the DRO
- Interfere with the complaints procedure of any other agency

## **What the complainant can do next:**

If the complainant is not happy with the review by the IMA the complainant can bring it to the attention of the Secretary of State.

See the IMA Competent Authority Information and Complaints Leaflet