
STATUTORY INSTRUMENTS

2008 No. 1898

**The Gas and Electricity (Consumer Complaints
Handling Standards) Regulations 2008**

PART II

Standards for handling consumer complaints

Regulated providers' complaints handling procedure

- 3.—(1) A 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 it receives.
- (3) Each regulated provider's complaints handling procedure must:
- (a) be in plain and intelligible language;
 - (b) allow for consumer complaints to be made orally (by telephone or in person at the regulated provider's business premises) or in writing (including by email);
 - (c) allow for consumer complaints to be progressed through each stage of the complaints handling process orally (by telephone or in person at the regulated provider's business premises) or in writing (including by email);
 - (d) describe the steps which the regulated provider will take with a view to investigating and resolving a consumer complaint and the likely timescales for each of those steps;
 - (e) provide for an internal review of an existing consumer complaint where a complainant indicates that they would like such a review to occur because they are dissatisfied with the handling of that consumer complaint;
 - (f) inform relevant consumers of the names and contact details of the main sources of independent help, advice and information that are available to them. For these purposes a source of help, advice and information shall be independent if it is independent of regulated providers, a qualified redress scheme and the Authority;
 - (g) describe the relevant consumer's right to refer a consumer complaint to a qualifying redress scheme:
 - (i) on and from the point at which the regulated provider notifies the relevant consumer in writing that it is unable to resolve the consumer complaint to the relevant consumer's satisfaction; and
 - (ii) after the expiry of the specified time period; and
 - (h) set out the different remedies that may be available to a relevant consumer under the complaints handling procedure in respect of a consumer complaint, which remedies must include:
 - (i) an apology;
 - (ii) an explanation;

- (iii) the taking of appropriate remedial action by the regulated provider; and
- (iv) the award of compensation in appropriate circumstances.

(4) Those regulated providers who hold a licence under:

- (a) section 7A(1) of the Gas Act 1986; or
- (b) section 6(1)(d) of the Electricity Act 1989,

must include in their complaints handling procedure as a remedy the award of compensation to domestic consumers, in appropriate cases, where the domestic consumer has been adversely affected by a failure of that regulated provider to comply with its obligations under, respectively, standard condition 25 (Marketing gas to domestic customers) of the Standard Conditions of the Gas Supply Licence or standard condition 25 (Marketing electricity to domestic customers) of the Standard Conditions of the Electricity Supply Licence.