LLOYD'S

Effective: 1 July 2026

LLOYD'S AUSTRALIA COMPLAINTS – ONE STAGE

Handling Lloyd's Australia Complaints: Guidance for Managing Agents and their Delegates

Index

Introduction

1. This guidance sets out the process for handling Lloyd’s Complaints from Complainants in Australia which are on the One-Stage process. Please refer to the Lloyd’s Australia Complaints Guidance 1 March 2025 if the complaint is under the Two-Stage process.

2. The guidance is for Managing Agents, who have ultimate accountability for Complaint handling, so is therefore applicable to their Delegates.

3. Where Complaints arise, Complainants should expect to have their Complaint dealt with in a prompt and reasonable way. Lloyd’s arrangements for Australian Complaints allows for oversight of the handling of Complaints, consistent with the regulatory expectations of the Financial Conduct Authority (FCA) and the Australian Securities and Investments Commission (ASIC), whilst allowing flexibility for Managing Agents in the way they handle Complaints.

4. For more information about handling Australian Complaints at Lloyd’s, including correspondence templates, please refer to the Lloyd’s Australia Complaints Handling page.

General

What is a Complaint?

5. The definition of a Complaint in Australia, under ASIC Regulatory Guide 271, is an:

“Expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a Complaint, where a response is explicitly or implicitly expected or legally required.”

6. The General Insurance Code of Practice (GICOP) states that:

“*Complaint means an expression of dissatisfaction made to us, related to our products or services, our staff or the handling of a Complaint, where a response is explicitly or implicitly expected or legally required.”*

7. It goes on to state that:

"A Complaint also includes such expressions of dissatisfaction made about us on a social media channel or account owned or controlled by us, where the person making the Complaint is both identifiable and contactable."

8. To clarify, two elements are necessary for there to be a Complaint:
   a. An expression of dissatisfaction; *and*
   b. An expectation of a response or resolution.

9. Importantly:
   a. The Complainant does not need to use words such as 'Complaint' or 'dissatisfaction' when making a Complaint
   b. Care must be taken to ensure Complaints are not incorrectly categorised in ways that might exempt them from this process (e.g. as 'feedback' or a 'contentious/complex claim')

How are Complaints made?

10. A Complainant must be able to make a Complaint by any reasonable means, including by:
    a. Telephone;
    b. Email;
    c. Post; and
    d. Social media (on social media accounts owned or controlled by Managing Agents and/or their Delegates).

11. A Complainant cannot be required to put the Complaint in writing.

Who is a Complainant?

12. There is no official definition of a Complainant in Australia.

13. Under RG271, it includes, at a minimum, "an individual consumer or guarantor" and a "small business" as defined by s761G of the Corporations Act.

14. In addition, the Australian Financial Complaints Authority ('AFCA') has jurisdiction to review Complaints from an 'Eligible Person', which is defined in its Rules to include:

    a. An individual or individuals (including those acting as a trustee, legal personal representative or otherwise);
    b. A partnership comprising of individuals – if the partnership carries on a business, the business must be a Small Business;
    c. The corporate trustee of a self-managed superannuation fund or a family trust – if the trust carries on a business, the business must be a Small Business;
    d. A Small Business (whether a sole trader or constituted as a company, partnership, trust or otherwise) employing under 100 employees;
    e. A not-for-profit organisation or club – if it carries on a business, the business must be a Small Business unless the not-for-profit organisation or club is also a charity registered with the Australian Charities and Not-for-Profits Commission;
    f. A body corporate of a strata title or company title building which is wholly occupied for residential or Small Business purposes; or
    g. The policy holder of a group life or group general insurance policy, where the Complaint relates to the payment of benefits under that policy.

15. There are additional requirements which must be met for AFCA to consider a complaint:

    a. The Complaint must arise from a customer relationship or other circumstance that brings the Complaint within AFCA's jurisdiction.
    b. There must be a sufficient connection with Australia.
    c. Generally, there is a time limit within which the Complaint must be submitted to AFCA.
    d. If the Complaint is about a Traditional Trustee Company Service that involves Other Affected Parties, the Complainant must get the consent of all Other Affected Parties.

What if the Complainant is represented by someone else?

16. In all cases, the Complainant is the person on whose behalf the Complaint is being made (i.e. the individual or the company, not the broker or representative).

17. If the Complainant is being represented by a broker, family member or other third party, appropriate authority must be in the file.

18. Appropriate authority could include:

    a. An engagement letter;
    b. Policy documentation (e.g. certificate of insurance care of a broker);
    c. An email from the Complainant providing authority to a friend or family member; or
    d. A detailed file note following a telephone call with the Complainant (in which case, an email should also be forwarded to the Complainant confirming the authority).

Dealing with Lloyd's

Email communication

19. All emails (except for Notification Spreadsheets) must only contain data relating to a single policyholder.

20. Lloyd's Australia Dispute Resolution Team is not to be copied into emails between Managing Agents and their Delegates. Any additional documentation supplied that is not required will be deleted.

21. Complaint files or other documents containing personal or sensitive information should not be sent to Lloyd's Australia by email. These are to be shared via the relevant SecureShare site. If, for whatever reason, documents containing personal or sensitive information can only be sent by email, they must be password protected.

Data protection and file sharing

22. The protection of customers' personal information is important. Lloyd's Australia uses SecureShare for sharing files.

23. All documents are to be submitted in accordance with Lloyd's Australia's file presentation requirements.

24. If there is a legal opinion on the claim this should never be referred to in any conversation or in any correspondence. Doing so may waive any legal professional privilege.

Process to follow when handling a Complaint

25. It is the responsibility of Managing Agents and their Delegates to handle all Australian Complaints appropriately and ensure that they are compliant with relevant local rules. This includes any requirement to acknowledge Complaints, provide information to the Complainant and meet applicable time limits.

26. Please refer to the Lloyd's Australia Complaints Handling page for further information, including requisite templates and flow diagrams on the Complaints process.

Key Timeline

27. Below is a high-level timeline for Complaint handling:

Timeframe	Requirement
Day 0	Complaint received
Within 1 business day	Acknowledge receipt of the complaint
At least every 10 business days	Provide progress updates to the complainant
Within 5 business days	Notify Lloyd's of complaint
Within 30 calendar days	Issue a complaint decision to the complainant
If delayed beyond 30 days	Issue an IDR Delay Notification letter to the complainant prior to 30 calendar days

28. **Day Zero** is the calendar day a Complaint is received, regardless of time.

29. **1 Calendar Day** is the calendar day after the Complaint is received.

30. **1 Business Day** means the business day after the Complaint is received. Public holidays are not counted as Business Days.

Acknowledgement of Complaints received by Managing Agents or their Delegates

31. All Complaints must be acknowledged within 1 Business Day, which must include:
    a. The name and contact details of the person reviewing the Complaint; and Information about your complaint handling process.
32. Lloyd's Australia has produced a Complaint Acknowledgement template and Complaint Handling Brochure may be of assistance and accessed online via the Lloyd's Australia Complaints Handling page.

Acknowledgement of Complaints received by Lloyd's

33. If a Complaint is first received by Lloyd's Australia, either directly from the Complainant or from AFCA (bypassing the Managing Agent):
    a. It will be forwarded to the Managing Agent or its Delegate for acknowledgement and review; and
    b. Lloyd's Australia will inform the Complainant of the same.

34. Even if a Complaint is first received by Lloyd's Australia or AFCA, the Managing Agent or its Delegate must still formally notify Lloyd's, as set out below.

Notification to Lloyd's of receipt of a Complaint

35. Lloyd's and most Managing Agents use a shared complaint managing system, Caresmart, which allows Lloyd's and Managing Agents to communicate via DEX messaging. Managing Agents and their Delegates need to be clear on the method of notifying Lloyd's of complaints.

36. Receipt of all Complaints must be notified to Lloyd's within five Business Days of receipt, via the Notification Spreadsheet or DEX messaging, including:
    a. Complaints that may not be subject to local regulatory requirements; or
    b. Where the Complainant may not have a right of referral to AFCA.

37. Lloyd's is required to report on Complaints to both local regulators and the FCA. As different regulators sometimes have different ways of categorising products, Complaint types and outcomes, there may seem to be repetition in some areas of the Notification Spreadsheet.

How is Lloyd's notified of receipt of a Complaint?

38. If the Managing Agent uses DEX messaging:
    a. The Delegate reviewing the Complaint forwards the details of the Complaint to the Managing Agent for loading onto Caresmart, via a completed Notification Spreadsheet.
    b. The Delegate must allow sufficient time for the Managing Agent to load the Complaint onto Caresmart within five Business Days.

39. If the Managing Agent does not use DEX messaging:
    a. The Managing Agent or its Delegate forwards a completed Notification Spreadsheet to Lloyd's by email to Complaints-notification@lloyds.com.
    b. Notification Spreadsheets must be received by 16:45 GMT by Lloyd's to allow the Complaint to be loaded onto Caresmart the day of receipt. Otherwise, the Complaint will be loaded the following working day.

How is the Notification Spreadsheet completed?

40. The Lloyd's Australia Notification Spreadsheet must be used when notifying Lloyd's of a Complaint.

41. The template can be downloaded from the Lloyd's Australia Complaints Handling page and must not be altered.

42. Fill out the 'Receipt' columns, following the Instructions tab on the template to ensure correct completion.

43. Name the document 'NotificationSpreadsheetANZ.xls'.

44. When emailing it, the subject line of the email should state 'Notification Spreadsheet'.

45. No other attachments apart from the Notification Spreadsheet will be actioned by Lloyd's (e.g. Original Complaint, Complaint Decision Letter). However, Managing Agents may ask Delegates to be copied in and include other attachments for the purposes of oversight.

Loading of the Notification Spreadsheet by Lloyd's

46. No verification checks will be performed on the Notification Spreadsheet prior to upload, and it will be loaded as received.

47. If it fails to load successfully:
    a. The Notification Spreadsheet will be returned to the Managing Agent or its Delegate, with details of the records that have failed;
    b. These incorrect records should be resubmitted; and
    c. The Complaint will not be classed as logged for performance oversight purposes until the corrected Notification Spreadsheet is received and the Complaint is successfully uploaded onto Caresmart.

Review of the Complaint

A review of the complaint must be completed within 30 Calendar Days of the Complaint being received (unless certain exceptions apply, see IDR Delay Notification below)

48. In accordance with best practice and regulatory guidance, wherever possible, the review is completed by a person not involved with the handling of the claim or policy in dispute.

49. If a reviewer finds evidentiary deficiencies in a file or investigation and considers further information is required (e.g. an expert report or clarification), any request must be timely and reasonable.

50. The reviewer is responsible for sending relevant regulatory updates to the Complainant, per the process outlined below.

51. A Complainant must be sent only one 'Complaint Decision Letter' by the reviewer, and must include:

    a. The outcome of the review including details of any redress or remedial action (the decision);
    b. Reasons for the decision; and
    c. AFCA details.

52. Redress may include:
    a. Payment of a claim;
    b. Amounts paid for distress and inconvenience;
    c. Goodwill payments and gestures;
    d. Interest on delayed settlements;
    e. Refund of policy premium; or
    f. Waiver of an excess.

53. The Compliant Decision Letter template may be accessed online via [Lloyd's Australia Complaints Handling page].

54. A Compliant Decision Letter does not need to be sent to the Complainant if the review resolves the Complaint to the Complainant's satisfaction within 5 Business Days, unless:
    a. The Complainant requests a letter; or
    b. The Complaint relates to:
        i. A claim denial;
        ii. The value of a claim; or
        iii. Financial hardship.

55. If a Compliant Decision Letter is not sent, a detailed file note must be kept and Lloyd's still needs to be notified of the outcome, as usual. The detailed file note must include:
    a. The date and time of the conversation which resolved the Complaint;
    b. The name of the staff member and Complainant/representative;
    c. A summary of the call or communication, including detail of the Complaint and desired response or resolution;
    d. The precise resolution (e.g. an apology, explanation, etc); and
    e. Explicit confirmation that the action resolves the Complaint (e.g. ask "does this resolve the Complaint for you?" or "As agreed, we will close the Complaint from out end, is that right?" or "I will send you an email confirming what we discussed and I will consider this case closed, is that okay?").

If the Managing Agent or its Delegate needs more time

56. While every effort must be made to complete a review within 30 Calendar Days, this is not always possible, appropriate or resolution-focused.

57. RG271 Provides for limited circumstances in which a complaint decision may be issued after 30 Calendar Days.

58. Where the Managing Agent or its Delegate requires additional time to finalise the review, the Complainant must be notified in writing before the expiry of the 30 Calendar Day timeframe and must include the following:
    a. The reasons for the delay; and
    b. The Complainant's right to escalate the complaint to AFCA, including AFCA's contact details.

59. RG271 states that the only valid reasons for delayed Complaint Decisions are:
    a. The Complaint is particularly complex; and/or
    b. Circumstances beyond the Managing Agent's control are causing complaint management delays (this does not include resourcing deficiencies).

60. The Managing Agent or its Delegate remains responsible for providing timely and appropriate updates to the Complainant throughout the process, including (where appropriate):
    a. 10 Business Day Update; and
    b. Request for Further Information; and
    c. IDR Delay Notification – 30 Calendar Day Letter.

61. The templates for the above updates may be found online via the Lloyd's Australia Complaints Handling page.

Notification to Lloyd's of Review outcomes

62. The outcome of all reviews must be notified to Lloyd's within two Business Days of the outcome.

How is Lloyd's notified of the outcome of a review?

63. If the Managing Agent uses DEX messaging:
    a. The Delegate reviewing the Complaint forwards the details of the outcome to the Managing Agent for loading onto its complaint handling system, normally via updated copy of Notification Spreadsheet with the 'outcome' columns completed.
    b. The Delegate must allow sufficient time for the Managing Agent to load the outcome within two Business Days of the outcome.

c. To load the outcome successfully, the Managing Agent will need to attach documents tagged:
    i. Original Complaint (if a verbal Complaint, a file note); and
    ii. Compliant Decision Letter (if verbal resolution, a file note).

64. If the Managing Agent does not use DEX messaging:
    a. The Managing Agent or its Delegate forwards the updated Notification Spreadsheet to Lloyd's by email to Complaints-notification@lloyds.com.
    b. 'Receipt' information, such as names and reference numbers should not be changed, as it can result in the creation of duplicate complaints.
    c. Notification Spreadsheets must be received by 16:45 GMT by Lloyd's to allow the outcome to be loaded onto Caresmart the day of receipt. Otherwise, the outcome will be loaded the following working day.

How is the Notification Spreadsheet completed?

65. When the review is complete, regardless of the outcome, the 'Outcome' columns of the Notification Spreadsheet must be completed.

66. Update it, by filling out the 'Outcome' columns, following the Instructions tab on the template to ensure correct completion.

67. Name the document 'NotificationSpreadsheetANZ.xls'.

68. When emailing it, the subject line of the email should state 'Notification Spreadsheet'.

What is "ANZ Resolution" in the Notification Spreadsheet?

69. The ANZ resolution must also be completed one of the 'Resolved' options.

70. This must be completed accurately as it forms part of ASIC reporting requirements.

71. There are eight 'Resolved' options:
    a. Contract/policy variation
    b. Decision changed
    c. Monetary remedy
    d. No remedy (apology or explanation only)
    e. Other remedy
    f. Referred to another financial firm
    g. Service-based remedy
    h. Withdrawn/discontinued

72. 'Resolved - No remedy (apology or explanation only)' would be used in the instance where the Outcome is not changed in favour of the Complainant.

What is "Justified' and "Not Justified' in the Notification Spreadsheet?

73. The FCA uses these terms to distinguish outcomes:
    a. Justified = Outcome is changed in favour of the Complainant.
    b. Not Justified = Outcome is not changed in favour of the Complainant.

74. Examples of 'Justified' outcomes include:
    - The original decision has been amended, resolving the Complaint to the customer's satisfaction; or
    - Overturning a claim decision, increasing a settlement, or refunding a premium.

75. A “Not Justified” outcome could be where the original decision is maintained but still resolves the Complaint to the Complainant’s satisfaction. This would be the case where an explanation is accepted and resolves the issue.

76. These two outcomes (Justified and Not Justified) both indicate that the Complaint is resolved.

Complaints subject to Additional Oversight

77. Where Lloyd’s Australia, in its discretion, determines that the Managing Agent or their Delegate, an individual complaint or a class of complaints require additional oversight, a referral process may be implemented, in which case, the Managing Agent must:
    a. Provide Lloyd’s Australia with the complaint file and draft complaint decision letter at least 5 business days before the due date;
    b. Not issue any complaint decision letter until Lloyd’s Australia confirm that it may do so;
    c. Implement all mandatory amendments specified by Lloyd’s Australia before finalising the correspondence; and
    d. Comply with any other requests made by Lloyd’s Australia.

Can Lloyd’s mandate decisions in relation to complaints subject to Additional Oversight?

78. If the claim has a value of £50,000 or less (or equivalent), or where the proposed resolution involves a non-monetary outcome, the decision may be made binding by Lloyd’s Australia if agreement cannot be reached with the Managing Agent or its Delegate.

Can Managing Agents appeal a decision by Lloyd’s Australia?

79. Managing Agents may appeal decisions by appealing to the contact details provided on the Complaints Mandate proforma within 2 Business Days.

80. Managing Agents are required to appoint a nominated person(s) to make the appeal on their behalf. This person must be a senior person within the Managing Agent’s company who is not directly involved with the management or oversight of either the claim or Complaint process.

External Dispute Resolution (EDR)

Referral to AFCA or UK FOS

81. Subject to local applicable eligibility criteria, Complainants may refer their Complaints to AFCA or UK FOS.

82. If the Managing Agent or its Delegate is located in Australia and writes or handles classes of business which fall within AFCA’s jurisdiction it must be a member of the Australian Financial Complaints Authority (“AFCA”).

83. Where a Managing Agent or its Delegate receives notification of a complaint escalation from AFCA or the UK FOS, they must immediately notify Lloyd’s via IDRAustralia@lloyds.com, provide a copy of the escalation notice, and clearly confirm the applicable EDR submission deadline.

84. If the Complainant contacts AFCA before the Complaint is reviewed through the IDR process, AFCA will send a notification to the Managing Agent or it's Delegate.

85. The Managing Agent or their Delegate are to follow the direction of AFCA in good faith and in a complete and timely manner.

86. The relevant Managing Agent, or its Delegate, is responsible for providing an EDR Response and any other responses to AFCA in a timely manner.

87. The EDR response must be uploaded to the AFCA portal, and confirmation of the same sent to IDRAustralia@lloyds.com.

88. The Managing Agent or their Delegate must notify within 1 business day of the date and outcome of the final AFCA Decision, including a copy of any AFCA Determination and Closure Notice to IDRAustralia@lloyds.com.

89. If the Complainant sought review by FOS UK the Managing Agent must immediately notify Complaints@lloyds.com.

90. Lloyd's Australia has developed an EDR Submission Template and Guide that may be accessed online via Lloyd's Australia Complaints Handling page.

EDR Complaints subject to Additional Oversight

91. Where Lloyd's Australia determine that the Managing Agent or their Delegate, an individual complaint or a class of complaints require additional oversight, a referral process may be implemented, in which case, the Managing Agent must:
    a. Provide Lloyd's Australia with the draft EDR Response at least 5 business days before the due date;
    b. Not issue any EDR submission until Lloyd's Australia confirm that it may do so;
    c. Implement all mandatory amendments specified by Lloyd's Australia before finalising the correspondence; and
    d. Comply with any other requests made by Lloyd's Australia.

Are an EDR scheme's determinations binding?

92. EDR determinations are binding on the insurer and must be implemented promptly and in their entirety.

93. Any payments must be made within the timeframe stipulated or, if not stipulated, within 14 Calendar Days of the date of the determination.

94. The Managing Agent or its delegate must confirm with Lloyd's that the determination has been actioned.

Assessment of Managing Agent Performance

95. On a quarterly basis, Lloyd's will review Managing Agents' performance against the principle-based oversight standards, KPIs and other measures.

96. Managing Agents failing to meet the required standards will be required to explain the measures being taken to address any failings.

97. Failure to improve performance may result in remedial or enforcement action.

Assessment of Delegate Performance

98. On a quarterly basis, Lloyd's will review Delegates' performance against the principle-based oversight standards, KPIs and other measures.

99. Delegates failing to meet the required standards will be required to explain the measures being taken to address any failings and may be subject to additional oversight.

100. Failure to improve performance may result in remedial or enforcement action.

FCA Complaints return

What is the FCA Complaints return?

101. Every 6 months, Lloyd's is required to submit a return to the Financial Conduct Authority (FCA) in the UK.

102. The return must detail the number of Complaints received, how quickly they were resolved, how many were upheld in the period and the amount of redress paid.

103. This contains details of both UK and non-UK Complaints.

What Managing Agents must do to facilitate the FCA Complaints return

104. Managing Agents are required to provide details of the number of policies in place for eligible Complainants, broken down into specific product categorisations and territory.

105. Managing Agents must ensure that the product categorisation used to report Complaints aligns with the product categorisations used for the eligible Complainant return.

106. A reconciliation of this data must be undertaken prior to submitting the eligible Complainant return to ensure that there are no discrepancies between the two data sets.

Is this information published?

107. As required by the FCA, Lloyd's publishes these figures on its website at: www.lloyds.com/Complaints.

Business Continuity in Handling of Complaints

If Managing Agent or its Delegate has a business interruption

108. Each Managing Agent and their Delegates must have a Business Continuity Plan in relation to complaint handling,

109. In the event of a prolonged business interruption or system outage that prevents the Managing Agent or its Delegate from completing reviews and issuing Final Decisions, an alternative process may be implemented in accordance with the procedures set out in their Business Continuity Plan.

110. Where an alternative process is initiated due to a prolonged business interruption or system outage, the Managing Agent or its Delegate should ensure that the complainant, Lloyd’s Australia, and AFCA are notified in a timely manner. Such notification should clearly explain the nature of the disruption, its impact on the handling of the complaint, and any anticipated delay in issuing a Final Decision.