



Banc Ceannais na hÉireann  
Central Bank of Ireland

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Eurosystem

# **Conduct of Business Return – Credit Institutions**

**Notes on Compilation**

October 2014

## **Abbreviations**

<b>CBI</b>	Central Bank of Ireland
<b>COBR</b>	Conduct of Business Return
<b>CPD</b>	Consumer Protection Directorate
<b>ESAs</b>	European Supervisory Authorities
<b>PRISM</b>	Probability Risk and Impact System

## ***I. General Guidance***

These notes are designed to help reporting firms understand and complete the bi-annual Conduct of Business Return. The primary aims of collecting these data are to provide evidence-based intelligence on the potential occurrence of consumer detriment and to inform Consumer Protection policy-making.

**Reporting institutions should complete the return in respect of *conduct of business activities undertaken in the Republic of Ireland only.***

### ***i. General FAQs***

#### **What is the Conduct of Business Return ('COBR')?**

The Central Bank of Ireland ('CBI') has developed the COBR which is required to be completed on a bi-annual basis by selected financial services providers. The information the CBI is requesting relates to:

- general regulated entity details including compliance staff and MCC accreditation data;
- the regulated entities' book of personal consumer business;
- detailed complaints data;
- sales and strategy developments and
- Early encashment and advertising spend

#### **Why is the Consumer Protection Directorate ('CPD') developing a COB return?**

To date, CPD has largely identified consumer risk by monitoring compliance with various conduct of business requirements including, amongst others, the Consumer Protection Code. This compliance monitoring is achieved primarily through activities such as themed inspections; mystery shop reviews; advertising monitoring; together with reviewing and analysing any other data, information and research which comes to our attention.

A new Market Intelligence function has been established in CPD to more formally capture relevant information and proactively research issues impacting consumer protection.

The COBR will be one of the key evidence sources which will help identify and analyse data and trends which may translate into conduct risk and result in poor outcomes for consumers. It is a strategic priority<sup>1</sup> for the CPD and will support proactive and early intervention supervision of firms.

The Central Bank's overarching aim in consumer protection is to *get it right for consumers*. This is underpinned in the 5Cs framework – Confidence, Compliance, Challenge, Culture and Consumers. This drives the Central Bank's consumer protection work to ensure that it continues to prioritise the interests of consumers of financial services. In order to achieve this, work is focused on setting standards for firms and monitoring and enforcing those standards. The introduction of the COBR is consistent with the 5Cs framework.

### **What will the COBR data be used for?**

The introduction of the COBR is one key element of our overall market intelligence framework:

- The data from the COBR and additional sources (data from other agencies, research projects and results from thematic review and inspections etc.) will be analysed for issues of possible consumer detriment and fed into the CPD's bi-annual market intelligence report. This information will be used to influence and plan themed inspections, policy formulation, communication messages and possible enforcement actions.
- It is anticipated that the sourcing of such evidence-based information will enable the CPD to proactively anticipate and intervene earlier in key consumer risk issues.
- It is anticipated that data from the COBR will be used to source Key Risk Indicators to feed into PRISM in order to help supervisors score Conduct Risk for regulated entities.

### **How was the return developed and who did the Bank consult with?**

The COBR was devised following:

- an extensive scoping exercise (of existing CBI regulatory returns, conduct of business returns in other jurisdictions)
- consideration of the European Supervisory Authorities (ESAs) future data reporting requirements
- Internal discussion.

The CBI considered the specific data requirements of CPD that would be needed to identify possible risks/issues of consumer detriment.

The CBI also consulted extensively with the IBF to ensure that industry considerations were discussed and addressed.

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<sup>1</sup> High Level Goal 5 of the Central Bank's Strategic Plan 2013-2015 is: '*Protection of consumers of financial services*'

### **Is there information in this return that is duplicated in other Central Bank supervisory reports?**

No, this is a new reporting requirement based solely on personal consumer-related data. The CPD identified a gap in reporting which cannot be fulfilled by using information that is already being captured in other regulatory reports submitted to the CBI.

The focus of our return is specifically on conduct of business – this is the dedicated work of the CPD so we require specific information relevant to our key objectives. Where the COBR requests data on sales/product offerings, the nature of the data requested relates solely to retail product offerings. Existing CBI regulatory returns do not offer the retail/personal consumer breakdown of data which we now require in order to meet the overall objectives of the new Market Intelligence function.

### **What happens if I cannot make deadlines?**

We are aware you may need time to consider our requirements within your current systems and any additional resources required to refine, categorise, collate and analyse information as well as the development of appropriate sign-off procedures. CPD has consulted with the IBF to come up with a practical deadline for you to provide the necessary detailed information to us and one which takes account of other priorities in the banking sector at the moment. We are also providing you with this document to ensure that you understand what is required.

### **Are there plans to change the content of the report in the future?**

There are no immediate plans to make any content changes to the COBR however it is expected that any changes would be done with prior consultation with industry, as standard best practice.

### **Is participation mandatory?**

The CBI is requiring regulated entities to submit the COBR data under Section 5C of the Central Bank Act 1942 and under Sections 22(1) and 22(3) of the Central Bank (Supervision and Enforcement) Act 2013. Data received will be used by the CPD as a supervisory tool.

### **Are there any definitions to help me clarify the Product and Problem codes?**

Yes. In *“II. Detail on each section of the return”* of this document, we have clarified terms used in the COBR and have included product and issue definitions, to guide you and to ensure consistency of interpretation. This will enable you to provide us with the most accurate data. When collating data, industry should reference only the definitions used in this document.

### **How will data from the return be used? And will the information be made public?**

Firm specific data will not be made public and is solely for internal use in the CBI. Aggregate data may be published, for example as part of the results/findings of a themed inspection. Any future changes to disclosure of the data will be done in liaison with industry representative bodies (IBF).

## Where do I go if I need further information?

We hope that this FAQ addresses any questions you may have. If you have any further queries, please submit the queries using the *Submit a Request* function on the ONR.

### *ii. Reporting Frequency*

The return must be completed on a bi-annual basis. The return must be submitted **20 business days** after the last day of the reporting period in question.

The first six-monthly return in a given year ('H1 Return') will report on the data applicable to the period 01 Jan to 30 June.

The second six-monthly return in a given year ('H2 Return') will report on the data applicable to the period 01 July to 31 December.

### *iii. Application*

This return applies to the **regulated activities**<sup>2</sup> of **regulated entities**<sup>3</sup> operating in the State, including:

- financial services providers authorised, registered or licensed by the Central Bank of Ireland; and
- Financial services providers authorised, registered or licensed in another EU or EEA **Member State** when providing services in this State on a branch or cross-border basis.

The return will initially be piloted to credit institutions that have a significant retail presence in the State. It is anticipated that all regulated entities, in due course, will submit conduct of business data.

Data submitted in the COBR must relate to **personal consumers** resident in the State only. As per the Consumer Protection Code 2012, a **personal consumer** is defined as: "**a consumer**<sup>4</sup> who is a natural

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<sup>2</sup> "**regulated activities**" are the provision of products or services that are provided in this State by a **regulated entity** and which are subject to the regulation of the Central Bank of Ireland and a "**regulated activity**" is the provision of any one such product or service;

<sup>3</sup> "**regulated entity**" means a financial services provider authorised, registered or licensed by the Central Bank of Ireland or other EU or EEA Member State that is providing **regulated activities** in the State;

<sup>4</sup> "**consumer**" means any of the following:

- a **person** or **group of persons**, but not an incorporated body with an annual turnover in excess of €3 million in the previous financial year (for the avoidance of doubt a group of **persons** includes partnerships and other unincorporated bodies such as clubs, charities and trusts, not consisting entirely of bodies corporate) or
- incorporated bodies having an annual turnover of €3 million or less in the previous financial year (provided that such body shall not be a member of a **group** of companies having a combined turnover greater than the said €3 million);

*person acting outside his or her business, trade or profession*". As such, data relating to the provision of financial products/services to any form of incorporated body is not required for the purposes of the COBR.

#### **Outsourcing:**

Where a firm has outsourced the servicing of its book of business to a third party, the firm (not the third party) has responsibility to submit the COBR to the Central Bank and to ensure the accuracy and completeness of the data which is submitted.

#### **iv. Nature of the data**

All data in the COBR are to be recorded as the outstanding "stock" (unless otherwise stated) at the end of the reporting period. Outstanding stock refers to all firm information, customer book data, product offerings data, complaints data, sales and strategy/business model data, which are outstanding on the last working day of the reporting period.

#### **v. Currency/Value**

All monetary values should be reported in euros. Firms should report the full euro value (excluding decimal points which should be rounded up or down), and not report the value in thousands ('000s)

#### **vi. References to columns and rows**

The guidance on compilation in Section II of this document is based on each cell of the return being identified by a specific Row and Column code combination. This is explained in each section below.

References to columns include brackets i.e. (180) and references to rows exclude brackets e.g. 180.

## **II. Detail on each section of the return**

These Guidance Notes are designed to aid firms in the completion of each section of the COBR. **Any queries in relation to the COBR can be submitted using the *Submit a Request* function on the ONR.**

- A. General
- B. CCMA
- C. Switching Stats
- D. Complaints Received
- E. Complaints Resolution
- F. Complaints FSO Findings
- G. Complaints Redress

All sections must be completed when submitting the return.

Product and Problem codes feature prominently in almost all sections of the return. These codes were devised in consultation with industry representatives as a means to provide standardised reporting on consumer issues (such as complaints and sales of retail products). The development of standardised codes was not designed to alter how firms currently record, manage and report data in-house, it was simply to provide high-level categorisations whereby firms' existing product and problem classifications could be mapped to.

The Product codes are high-level categorisations of retail products which are sold to personal consumers in Ireland. There are a total of 46 Product codes applicable to the COBR. For the purposes of capturing the data required to complete the return, each firm will map **all** their existing personal consumer retail product codes and classifications to the relevant code from the list of 46. Once submissions of data are received at each reporting period, the Central Bank may from time to time request from firms more granularity on the data which constitutes each Product code.

The Problem codes are high-level categorisations of the complaint type encountered by consumers in their interaction with financial services providers. There are a total of 18 Problem codes applicable to the COBR. For the purposes of capturing the data required to complete the return, each firm can map their existing problem codes and classifications to the relevant code from the list of 18. Once submissions of data are received at each reporting period, the Central Bank may from time to time request from firms more granularity on the data which constitutes each Problem code.

It is acknowledged that not all products or problems exist independently of each other. In this respect, there are several products which financial services providers offer which are composite/packaged products, wherein an anchor product comes with additional benefits which may in their own right have product codes which should attach to them. For such composite products, complaints and sales will be tagged against the anchor product. So, for example, a sale of a credit card with in-built insurance would be recorded as a sale of a credit card, but no sale of the constituent insurance benefit would be separately recorded, and if a complaint was made regarding the insurance element this would be tagged against credit cards.

Firms may be requested for a breakdown of product data on an anchor/ancillary basis in order to provide greater clarity on the nature of the data.

Definitions of what is included under each Product and Problem Code are provided for in Appendix 1.

Product Codes:

Product Code List	
Banking and Credit	01 - Current Accounts
	02 - Cards
	03 - Foreign Exchange
	04 - Demand Savings Accounts
	05 - Notice/Fixed Term Savings Accounts

	<ul style="list-style-type: none"> <li>06 - Personal Loans</li> <li>07 - Principal Private Residence - Tracker Rate</li> <li>08 - Principal Private Residence - Fixed Rate</li> <li>09 - Principal Private Residence - Variable Rate</li> <li>10 - Principal Private Residence - Long Term Forbearance Accounts</li> <li>11 - Buy-to-Let/Investment - Tracker Rate</li> <li>12 - Buy-to-Let/Investment - Fixed Rate</li> <li>13 - Buy-to-Let/Investment - Variable Rate</li> <li>14 - Buy-to-Let - Long-Term Forbearance Accounts</li> <li>15 - Hire Agreements</li> </ul>
Insurance	<ul style="list-style-type: none"> <li>16 - Life Assurance: Unit-Linked Protection</li> <li>17 - Life Assurance: Non-linked protection</li> <li>18 - Critical Illness (standalone insurance)</li> <li>19 - Income protection</li> <li>20 - PRSAs (including AVC PRSAs)</li> <li>21 - Personal Pensions</li> <li>22 - ARF / AMRF</li> <li>23 - Buy-out bonds</li> <li>24 - Annuities</li> <li>25 - Other Pensions (including occupational pensions)</li> <li>26 - Lump-sum with capital protection</li> <li>27 - Lump-sum with no capital protection</li> <li>28 - Regular premium savings</li> <li>29 - Household</li> <li>30 - Private Motor</li> <li>31 - Pet</li> <li>32 - Personal Accident</li> <li>33 - Travel</li> <li>34 - Payment Protection</li> <li>35 - Legal Expenses</li> <li>36 - Gadget</li> <li>37 - Medical Expenses</li> <li>38 - Health</li> <li>39 - Marine</li> </ul>
Investments	<ul style="list-style-type: none"> <li>40 - Managed Products/Services</li> <li>41 - Direct Investment</li> <li>42 - Derivatives</li> <li>43 - Government Schemes</li> <li>44 - Financial Spread Betting</li> <li>45 - Pensions - Non-Life Insurance Policies</li> </ul>
N/A	<ul style="list-style-type: none"> <li>46 - No Product</li> </ul>

Problem Codes:

<b>Problem Code List</b>
01 - Customer Communications
02 - Unsolicited Contact
03 - Sales
04 - Mis-selling
05 - Performance and Rate of Return
06 - Account Admin and Processing
07 - Misappropriation/Forgery/Fraud
08 - Trading/Investment and Securities
09 - Customer Service
10 - Mortgage Arrears
11 - Other Arrears
12 - Fees and Charges
13 - Interest Rates
14 - Claims
15 - Data Protection
16 - Bank Policy Complaints
17 - Third Party Complaints
18 - Other

## Sheet A. General

### 1. Entity Information

<u>Row</u>	<u>Definition:</u>
Row 10	<p><b>Does your firm provide products/services to personal consumers resident in the Irish state? (Please refer to COBR industry guidelines for additional clarification).</b></p> <p>Yes or No must be selected</p>
Row 20	<p><b>Regulated Entity Name</b></p> <p>The name of the <b>regulated entity</b> submitting the return. Returns must be submitted at regulated entity (i.e. <b>not Group</b>) level. However, certain data items (clearly listed on the return) may only be available at Group level. Where this is the case, the regulated entity should use the appropriate columns titled “Group Level” to signify that the data is unavailable at entity level.</p>
Row 30	<p><b>Firm’s CBI Code</b></p> <p>Your Central Bank of Ireland ‘C’ code which is designated to each regulated entity.</p>

**Validation Rule for Rows 10 – 30: All rows must be completed**

Row 40	<p><b>Total number of employees</b></p> <p>The total number of employees at regulated entity level as at the end of the reporting period should be recorded in column 8. Contract workers should also be included in this figure. Employee numbers should be recorded in full-time equivalent (FTE) format. For example, an employee working three days per week should be recorded as a 0.6 FTE. If the total number of employees at regulated entity level is unavailable, firms should insert group level data in column 9.</p>
Row 50	<p><b>Total number of compliance staff</b></p> <p>Column 8 must be populated with the total number of staff within the regulated entity’s Compliance Function as at the end of the reference period. The definition of a Compliance Function is that which is used in the Fitness and Probity Regulations. If the total number of employees at regulated entity level is unavailable, firms should insert group level data in column 9.</p>

**Row 60**      **Total number of employees who are MCC accredited persons**

Means accredited persons as defined in the Minimum Competency Code 2011. The only data to be provided here in Column 8 is the accredited persons number that appears on the firm's MCC register on the final day of the reporting period. If the MCC data is unavailable at entity level, firms should insert group level data in column 9.

**Validation Rule for rows 40 – 60: A value must be entered for 40 (8), 50 (8) and 60 (8) or 40 (9), 50 (9) and 60 (9). Decimals are permitted for these cells, however numerical/percentage values entered elsewhere in the COBR should be integer values and not decimals.**

**Row 70**      **Compliance Officer: Name**

The name of the person managing the overall compliance function.

**Row 80**      **Compliance Officer: Contact Number**

The contact number of the person managing the compliance function.

**Row 90**      **Compliance Officer: Email address**

The email address of the person managing the compliance function

**Validation Rule for rows 70 – 90: Data must be entered for these cells.**

## **2. Customer Book**

This section is designed to capture a point-in-time snapshot of the regulated entities' personal consumer book of business. Aside from the total number of accounts/policies outstanding at the start of the period, closed during the period and outstanding at the end of the period (ss. 2.1 to 2.3), a complete breakdown of the end of period personal consumer book by product categories is required (section 2.4). All 45 product categories applicable to credit institutions are identified in rows 130 to 174 of section 2. Firms should insert data in the relevant columns 20, 30 and 40 which are applicable to them. Some firms may not hold personal consumer accounts that fall into the product categories – where this is the case, firms should leave the relevant cells blank (i.e. there is no requirement to insert a zero value)

As per General Guidance Section iii of these notes, all 'Accounts' or 'Policies' referred to in this return relate to **Personal Consumers** as per the definition in the Consumer Protection Code 2012: a **personal consumer** is defined as: "*a consumer<sup>5</sup> who is a natural person acting outside his or her business, trade or profession*".

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<sup>5</sup> "**consumer**" means any of the following:

- c. a **person** or **group** of **persons**, but not an incorporated body with an annual turnover in excess of €3 million in the previous financial year (for the avoidance of doubt a group of **persons**)

The following conditions also apply:

- Inactive accounts and zero-balance accounts should be included in this figure.
- Joint-accounts and single accounts both constitute **one** account opened or closed for reporting purposes.
- Additional parties added to, or removed from, an account would **not** constitute a new account opened or an account closure.
- Upgrades of accounts (e.g. from a standard current account to a packaged current account for the same customer) would **not** be treated as a new account.

**Where a bank acts as an intermediary for a 3<sup>rd</sup> party, the following should apply:**

**Products/policies:**

Firms should only include those policies in their Conduct of Business Return where the firm is the holder of such policies.

**Complaints:**

Firms should only include those complaints in their Conduct of Business Return, where the firm is the actual subject of the complaint. For example, if a credit institution acts as an intermediary and sells a product on behalf of a third party, should the institution then receive a complaint in relation to the sales process for example, then the institution should record this complaint in their own return. Should the institution receive a complaint which relates to the product producer of the product, then the institution would forward this complaint onto the product producer for their consideration, and the product producer would then record the complaint in their conduct of business return to the Central Bank, the credit institution would not.

**Row/ (Column) guidance:**

**Row 100 (Column 10) 2.1 Total Number of Personal Consumer Accounts/Policies at the start of the period**

The total number of accounts/policies held by the regulated entity at the beginning of the reporting period.

**110 (10) 2.2 Total number of Personal Consumer Accounts/Policies closed in the period**

The total number of accounts or policies closed/lapsed in the reporting period (i.e. the number of accounts that were in place at the beginning of the period that are no longer in place at the end of the period for whatever reason).

**Validation Rule applying to 110(10): 110(10) >= sum(420(262):429(262))**

**Please only enter full integer value; do not enter a decimal place**

includes partnerships and other unincorporated bodies such as clubs, charities and trusts, not consisting entirely of bodies corporate) or

- d. incorporated bodies having an annual turnover of €3 million or less in the previous financial year (provided that such body shall not be a member of a **group** of companies having a combined turnover greater than the said €3 million);

**120 (10) 2.3 Total number of Personal Consumer Accounts/Policies at the end of the period**

The total number of accounts or policies outstanding as at the end of the reporting period.

Please note that the total number of new customer accounts/policies opened in the period will be captured in row 290 of the return (as part of the New Business section).

**Validation Rule applying to 120(10):  $\text{Sum}(100 (10) + 290 (90) - 110 (10) = 120 (10))$**

**130-174 2.4 Number, Value/Outstanding Balance and Number of Accounts in Arrears (if applicable) of Customer Accounts/Policies.**

This is a breakdown of all personal consumer accounts/policies held at the firm. The breakdown is per Product Code (i.e. breakdown per the list of 45 Product Codes that is contained in the return). Not all products will be applicable to all entities and as such, the relevant cells should be left blank. For example, if the entity does not hold any Demand Savings Accounts for personal consumers, all cells in row 133 can be left blank.

**Validation Rule applying to Section 2.4: If value is entered into (20), a value must also be entered into (30), and vice versa. If a value is entered into (40) then values must be entered for both (20) and (30). This rule is applicable to rows 130 – 174 inclusive.**

**Please only enter full integer value; do not enter a decimal place**

An explanation of what must be inserted in each column is given here:

- In **column 20**, the total number of consumer accounts held/policies in place at the end of the reporting period should be inserted here.
- The total value (EUR) of policies held/outstanding balance must be completed for **column 30**. The value balance is *inclusive* of arrears. There is no uniform methodology of how firms should calculate the value of products. The data submitted should mirror the valuations that firms use internally and that which appears on the firm's financial statements. Where there is a mix of products, the product code chosen should be the 'primary' or 'anchor' element of the product. Determining the anchor product is at the discretion of the bank, although banks can include in the guidance notes how the primary product was determined.
- If applicable (i.e. depending on the Product Code in question), the number of accounts in arrears must be inserted in **column 40**. The definition of *arrears* to be used is that which is found in the CPC 2012:

*"arrears"* arise where a personal consumer:

- a. has not made a full repayment, or only makes a partial repayment, as set out in the original loan account contract, by the scheduled due date; or
- b. in the case of a credit card account, has not made the minimum repayment by the due date.

The total arrears value should be captured (i.e. no breakdown of arrears split out by months/days in arrears is required).

For clarity, firms should only report on the primary number of personal consumer mortgages whose accounts they hold i.e. firms should not include the warehouse accounts that are created as part of a Split Mortgage Alternative Repayment Arrangement. Firms should only report the main mortgage account, for the purposes of the COBR. This will apply to all sections of the COBR (with the exception of the complaints/redress sections).

**Validation Rule applying to 175 (20):**

- The figure in 175 (20), must equal the figure in 120 (10)
- 175 (20) should equal to sum of 130:174 (20)
- 175 (30) should equal to sum of 130:174 (30)
- 175 (40) should equal to sum of 130:174 (40)
- Please only enter full integer value; do not enter a decimal place

### **3. Complaints**

The complaints section of the overview tab contains high-level complaints data. Detailed breakdowns of the complaints data are recorded in sheets D, E, F and G of the return (guidance is included in later sections of these notes). The definition of a complaint to be used when compiling this section of the return is:

**“Complaint”** refers to an expression of grievance or dissatisfaction by a **personal consumer**, either orally or in writing, in connection with:

- a. the provision or the offer of the provision of a product or service to a **personal consumer** by a **regulated entity**; or
- b. the failure or refusal of a **regulated entity** to provide a product or service to a **personal consumer**;

Firms must ensure that, where stated, **all** complaints are included in the COBR (regardless of, for example, the application of any internal ranking of the seriousness of the complaint or whether or not only a certain subset of complaints were subject to the firm’s complaints procedure).

As with all other parts of the return, the complaints sections should be completed with respect to **personal consumers** only.

#### **3.1 Complaints processed by the firm (rows 180-241)**

This section deals with complaints that are processed “in-house” by the firm (i.e. all complaints that are **not** subject to referral from an Ombudsman/third party). Financial Services Ombudsman (FSO) complaints are reported on separately in section 3.2 of sheet A, as well as in sheet F of the return.

Note: In general, the COBR is only seeking data on **new** complaints as opposed to re-opened complaints (although Row 200 should contain the number of re-opened complaints in the period). The

requirements in relation to specific complaints data to be submitted are outlined in the below sections.

**Row 180 (50) 3.1.1 Total number of complaints outstanding at the beginning of the period**

This is the total stock of complaints that are recorded on the firm's complaints register as at the beginning of the reporting period. This figure should match the figure in row 220 from the previous reporting period.

**190 (50) 3.1.2 Total number of new (i.e. excluding re-opened) complaints received in the period**

This is the total number of brand new complaints (i.e. a complaint that was not previously opened) that have been received by the firm in the period.

**Validation Rule for 3.1.2: This figure should mirror the total of new complaints received figure as recorded in cell U52 of Sheet D. Complaints Received of the return.**

**200 (50) 3.1.3 Total number of re-opened complaints in the period**

This is total number of complaints that had been previously resolved/closed (regardless of when) but have been re-opened in the current reporting period.

**210 (50) 3.1.4 Total number of all complaints resolved in the period**

All complaints (i.e. new *and* re-opened regardless of when these complaints were opened) resolved in the period should be recorded here.

**220 (50) 3.1.5 Total number of complaints outstanding at the end of the period**

This is the total stock of complaints that are outstanding at the end of the reporting period.

**Validation Rule applying to 220(50):  $\text{Sum}(180 (50) + 190 (50) + 200 (50) - 210 (50) = 220 (50))$**

**230 (60) 3.1.6 Percentage of new complaints resolved within 40 business days of when complaint first made**

This is the percentage of all *new* complaints resolved by the firm within 40 business days of when the complaint was first made.

The return seeks data in relation to complaints resolved within 40 business days in line with Provision 10.9 (d) of the CPC 2012: "the *regulated entity* must attempt to investigate and resolve a complaint within 40 *business days* of having received the *complaint*, [...]".

**Validation Rule applying to 230(60): Please only enter full integer value, do not enter a decimal place or include a percentage sign**

**240 (60) 3.1.7 Percentage of complaints upheld in favour of the personal consumer**

This is the percentage of *all* complaints (i.e. new and re-opened complaints) closed by the firm in the period that were upheld/found in favour of the personal consumer. This figure includes both Upheld and Partially Upheld (should firms already distinguish between both upheld and partially upheld on their systems).

**Validation Rule applying to 240(60): Please only enter full integer value, do not enter a decimal place or include a percentage sign**

**241 3.1.8 Total number and value of redress paid to complainants in the period**

These data refer to redress paid to complainants in the period. The redress value is to be derived where the monetary value of the redress paid is easily identifiable by the firm. For example, 'goodwill gestures' to customers may not always have a monetary value attached and recorded by the firm. In these instances, it may not be possible to identify the monetary value and hence is not recordable. Once again, firms should include in the return any guidance, such as how redress is reflected, to explain the nature of the data returned.

**Validation Rule: Sheet A 'General' D90 must equal Sheet G 'Complaints Redress' AO54  
Sheet A 'General' F90 must equal Sheet G 'Complaints Redress' AN54**

**241 (50)** this is the total number of accounts/policies which were awarded redress as a result of a complaint in the reporting period.

**241 (70)** this is the total EUR value awarded as redress in the reporting period.

A detailed breakdown of redress by Product and Problem code combination is provided for in **Sheet G. Complaints Redress**.

**Validation Rule: Please only enter full integer value; do not enter a decimal place**

**3.2 Financial Services Ombudsman (FSO) complaints: rows 250-280 (80)**

Only FSO-related complaints should be captured in this section of the return. These complaints data are derived from instances where the FSO notifies the firm that a complaint has been raised with the FSO.

A detailed breakdown of FSO findings is provided for in **Sheet F. Complaints FSO Findings** of the return. This breakdown is on a Product and Problem combination and captures whether the FSO finding was: Upheld; Partially Upheld; or Not Upheld

**250 (80) 3.2.1 Total number of complaints outstanding at the beginning of the period received from the FSO**

The total number of complaints outstanding at the beginning of the reporting period that was received from the FSO.

**260 (80) 3.2.2 Total number of complaints received from the FSO during the period**

This field should be populated with the total number of FSO-notified complaints received during the reporting period.

**270 (80) 3.2.3 Total number of complaints closed by the FSO with findings during the period**

This is total number of complaints where the FSO issued a finding during the reporting period. This field should include all FSO complaints which were closed by the FSO with findings, including those findings which were upheld, partially upheld or not upheld.

**Validation Rule: This number should be equal to the total number of FSO closed complaints in Sheet F. Complaints FSO Findings.**

**272 (80) 3.2.4 FSO Registered complaints settled with the firm during the FSO process**

This is the number of FSO complaints which were settled between the regulated entity and the customer before the FSO issued a finding.

**274 (80) 3.2.5 FSO registered complaints closed without finding**

This is the number of complaints in the period notified by the FSO to the regulated entity where the FSO stated that it was closing the complaint (for whatever reason) without a finding being issued.

**280 (80) 3.2.6 Total number of complaints outstanding at the end of the period that were received from the FSO**

This is the number of FSO complaints outstanding at the end of the period.

**Validation Rule for 280 (80): =sum(250(80)+260(80)-270(80)-272(80)-274(80)=280(80))**

## **4. New Business/Strategy**

This section is designed to capture data on the firm's new personal consumer business in the period as well as changes to its retail product offering and strategy. New business/sales data relate solely to new personal consumer accounts/policies opened in the period, i.e. rollovers of deposits or restructuring of mortgage accounts do not equate to new business and should not be included here.

### **4.1 Total number of new Personal Consumer Accounts/Policies opened in the period**

**290 (90)** the total number of new accounts or policies across the firm's entire suite of personal consumer products that were opened in the reporting period. This number relates solely to brand new policy/account openings in the period. Renewals or rollovers of existing policies/accounts should not be included.

**290 (100)** the total EUR value of new accounts or policies opened in the reporting period. There is no uniform methodology of how firms should calculate the value of products. The data submitted should mirror the valuations that firms use internally and/or what appears on the firm's financial statements. Where there is a mix of products, the product code chosen should be the 'primary' element of the product. Determining the primary product is at the discretion of the bank, although banks will include in guidance how the primary product was determined.

For clarity, firms should only report on the primary number of personal consumer mortgages whose accounts they hold i.e. firms should not include the warehouse accounts that are created as part of a Split Mortgage Alternative Repayment Arrangement. Firms should only report the main mortgage account, for the purposes of the COBR. This will apply to all sections of the COBR (with the exception of the complaints/redress sections).

**Validation Rule for 290 (90): If value is entered for 290(90), value must also be entered for 290(100) and vice versa**

**Please only enter full integer value; do not enter a decimal place**

**Validation Rule for 290 (90):  $290(90) \geq \text{sum}(300(130):304(130)) + \text{sum}(320(160):324(160))$**

#### **4.2 Top Sales - Loans**

This section captures data on the loans products that accounted for the greatest proportion of new loans business in the period. The top 5 products sold in the period should be reported.

**300 (110)** the name of the loans product that was the top seller (by number of new accounts) in the period should be inserted here

**300 (120)** the relevant product code which the product named in 300 (110) above should be chosen from the drop down menu here (e.g. code 06 – Personal Loans).

**300 (130)** the total number of new accounts opened in the period for the product named in 300 (110) should be inserted here. This number is a subset of the overall total number of new accounts opened in the period that is captured in 290 (90).

The above should be replicated for rows 301-304.

**Validation Rule for Section 4.2: If value entered for 300 (110), and/or 300 (120) and/or 300 (130), then a value must be entered for 300 (110) and 300 (120) and 300 (130). This validation applies to rows 300 – 304 inclusive.**

### 4.3 Top Sales – Savings

This section captures data on the savings products that accounted for the greatest proportion of **new** savings business in the period. The top 5 products sold in the period should be reported.

**320 (140)** the name of the savings product that was the top seller (by number of new accounts) in the period should be inserted here.

**320 (150)** the relevant product code which the product named in 320 (140) above should be chosen from the drop down menu here (e.g. code 04 – Demand Savings Accounts).

**320 (160)** the total number of new accounts opened in the period for the product named in column 130 should be inserted here. This number will be included in the overall total number of new accounts opened in the period that is captured in 290 (90).

The above should be replicated for rows 321-324.

**Validation Rule for Section 4.3: If value entered for 320 (140), and/or 320 (150) and/or 320 (160), then a value must be entered for 320 (140) and 320 (150) and 320 (160). This rule is also applicable to rows 320 – 324.**

### 4.4 Changes to Product Offering

Data on new personal consumer retail products offered in the period, personal consumer retail products withdrawn in the period and material changes to existing personal consumer retail products are to be captured here.

#### 4.4.1 New products offered in the period

This section captures data on new personal consumer products that the regulated entity launched in the reporting period.

**340 (170)** the name of the product that was newly offered to personal consumers in the period.

**340 (180)** the relevant product code which the product named in 340 (170) relates to must be chosen from the drop down menu here.

The above should be replicated for rows 341-349.

**Validation Rule for 4.4.1: If value is entered for 340 (170), value must also be entered for 340 (180) and vice versa. This rule is applicable to rows 340 – 349 inclusive.**

#### 4.4.2 Products withdrawn in the period

This section captures data on new personal consumer products that the firm withdrew in the reporting period. These data relate to products that were closed to new consumers only.

- 360 (190)** the name of the product that was withdrawn to personal consumers in the period.
- 360 (200)** the relevant product code which the product named in 360 (190) relates to must be chosen from the drop down menu here.
- 360 (210)** a high-level business rationale for the withdrawal of the product to new customers should be recorded here. These cells allow for free-text.

The above should be replicated for rows 361-369.

**Validation Rule for 4.4.2: If value is entered for either 360 (190), and/or 360 (200) and/or 360 (210), then a value must be entered for 360 (190) and 360 (200) and 360 (210). This rule is also applicable to rows 360 – 369 inclusive.**

#### **4.4.3 Changes to terms and conditions of products in the period**

This section captures data on changes to the terms and conditions of personal consumer products. Only material changes as those defined in the stated terms and conditions of the product should be reported.

- 380 (220)** the name of the product that was the subject of amendments to its terms and conditions
- 380 (230)** the relevant product code which the product named in column 220 relates to must be chosen from the drop down menu here.
- 380 (240)** this cell allows for a free-text explanation of what the change in the terms and conditions was.

The above should be replicated for rows 381-389.

**Validation Rule for 4.4.3: If value is entered for either 380 (220), and/or 380 (230) and/or 380 (240), then a value must be entered for 380 (220) and 380 (230) and 380 (240). This rule is applicable to rows 380 – 389 inclusive.**

#### **4.5 Retail Product Development**

Please give details (as at the last day of the reporting period) of your product pipeline (for launch) in the next six months. Only high-level detail is required here. A new product may typically be flagged for launch when the product proposal has been accepted and signed-off by the appropriate level of management. If the proposed launch date of the new/amended product is within six months of the last day of the reporting period, this new product should be captured in this part of the return.

- 400 (250)** the name of the product that is flagged for launch.
- 400 (251)** the relevant product code which the product named in 400 (250) must be chosen from the drop down menu here.

**400 (252)** a brief, high-level description of the product should be inserted here.

The above should be replicated for rows 401-409 (if applicable)

**Validation Rule for 4.5: If value is entered for either 400 (250), and/or 400 (251) and/or 400 (252), then a value must be entered for 400 (250) and 400 (251) and 400 (252). This rule is applicable to rows 400 – 409 inclusive.**

Please note that it is acknowledged that the product pipeline may, for whatever reason, change from what is reported in this section. What is reported in this section is not viewed as any commitment to the actual launch of the product(s).

## **5. Early Encashment and Advertising Spend**

### **5.1 Early Encashment/Withdrawals from Savings and Investment Products**

This section is designed to capture data where consumers are exiting products and suffering penalties (which are stated in the terms and conditions of the product) when doing so. Retail personal consumer savings and investment products may not be designed for early encashment and a penalty will apply if a consumer chooses to exit early from the product. The product's terms and conditions will specify the time period from when early withdrawal fees/charges apply. Encashment that occurs during the statutory cooling-off periods is not required to be reported. Early withdrawals which result in both funds remaining with, and leaving, the firm should be captured here (a breakdown between these two categories is not required). Products encashed resulting in a payment to the client which is less than the amount invested due to reasons of market fluctuation or other charges should not be included. Only those encashments which incur specific early withdrawal penalties should be reported.

The section is divided into two parts: one detailing encashment that occurred in full (i.e. the total amount invested in the product was withdrawn) and the other detailing partial encashment (i.e. less than the total amount invested in the product was withdrawn).

#### **5.1.1 Full Early Encashment/Withdrawal**

This should detail all products that were encashed/withdrawn in full and where an early withdrawal/encashment charge was applied regardless of the rationale i.e. routine business reasons or otherwise (tax, legislative, natural ending).

**420 (260)** the Product Name that was subject to the greatest number of early encashment during the period should be reported here.

**420 (261)** the relevant product code which the product named in 420 (260) relates to must be chosen from the drop down menu here.

**420 (262)** the total number of accounts/policies that early encashed in full the product named 420 (260) should be reported here.

The above should be replicated for rows 421-429. For example, row 421 will detail the Product Name that was subject to the second greatest number of early encashment during the period. 422 will detail the third greatest number and so on.

**Validation Rule for 5.1.1: If value is entered for either 420 (260), and/or 420 (261) and/or 420 (262), then a value must be entered for 420 (260) and 420 (261) and 420 (262). This rule is applicable to rows 420 – 429 inclusive.**

### 5.1.2 Partial Early Encashment/Withdrawal

This should detail all products that were partially encashed and where an early withdrawal/encashment charge was applied regardless of the rationale i.e. routine business reasons or otherwise (tax, legislative, natural ending).

**440 (260)** the Product Name that was subject to the greatest number of partial early encashment during the period should be reported here.

**440 (261)** the relevant product code to which the product named in 440 (260) relates must be chosen from the drop down menu here.

**440 (262)** the total number of accounts/policies that partially encashed the product named in 440 (260) should be reported here.

The above should be replicated for rows 441-449. For example, row 441 will detail the Product Name that was subject to the second greatest number of partial early encashment during the period. 442 will detail the third greatest number and so on.

**Validation Rule for 5.1.2: If value is entered for either 440 (260), and/or 440 (261) and/or 440 (262), then a value must be entered for 440 (260) and 440 (261) and 440 (262). This rule is applicable to rows 440 – 449 inclusive.**

## 5.2 Advertisement expenditure

This section is designed to show which business categories the firm is focusing its advertising spend on. There are six high-level categories identified for advertising spend:

- Brand
- Mortgages
- Deposits and Savings
- Cards
- Investment and Stockbroking
- Insurance

Regulated entities should break down their overall advertising spend for the period for each business category listed in rows 460-465 and allocate the appropriate percentages of each in column 271.

Where these data are only available at Group level (i.e. not available on a regulated entity level), firms should break down their overall advertising spend for the period for each business category listed in rows 470-475 and allocate the appropriate percentages of each in column 271.

The definition of an advertisement is that which is contained in the Consumer Protection Code 2012: **“advertisement”** means any commercial communication in respect of a **regulated entity**, which is addressed to the **consumer** public or a section of it, the purpose being to advertise a **regulated activity** or a **regulated entity** excluding name plaques, **sponsorship material** and a prospectus drawn up in accordance with the Prospectus Directive (2003/71/EC).

- Firms must complete either 5.2.1 Entity Level or 5.2.1 Group Level, but not both
- Validation Rule for 5.2.1 Entity Level: firms must enter a value for 460 (271) – 465 (271)
- Validation Rule for 5.2.1 Group Level: firms must enter a value for 470 (271) – 475 (271)
- **Please only enter full integer value, do not enter a decimal place or include a percentage sign**

## **B. Code of Conduct on Mortgage Arrears (CCMA)**

### **6. MARP Accounts**

#### **6.1 Total number of mortgage accounts included in the MARP framework (CCMA Provision 18)**

**Row 500 (300)** *This is the total number of mortgage accounts in the Mortgage Arrears Resolution Process (MARP) at the end of the reporting period.*

**Row 500 (310)** *This is the total value of mortgage accounts in the MARP at the end of the reporting period.*

**Row 500 (320)** *This is the total number of mortgage accounts in the MARP and in arrears at the end of the reporting period.*

#### **6.1.1 of which: No existing forbearance arrangement in place**

**Row 501 (300)** *This is the total number of mortgage accounts in the MARP without an existing alternative repayment arrangement in place at the end of the reporting period.*

**Row 501 (310)** *This is the total value of mortgage accounts in the MARP without an existing alternative repayment arrangement in place at the end of the reporting period.*

**Row 500 (320)** *This is the total number of mortgage accounts in the MARP without an existing alternative repayment arrangement in place and in arrears at the end of the reporting period.*

**Validation Rule: 501 (300) cannot be greater than 500 (300)**  
**501 (310) cannot be greater than 500 (310)**  
**501 (320) cannot be greater than 500 (320)**

#### **6.2 Total number of MARP accounts where borrower offered Alternative Repayment Arrangement (ARA) by lender (CCMA Provision 42 is effected by lender)**

**Row 502 (300)** *This is the total number of mortgage accounts in the MARP that have been offered an ARA in the reporting period.*

**Row 502 (310)** *This is the total value of mortgage accounts in the MARP that have been offered an ARA in the reporting period.*

**Row 502 (320)** *This is the total number of mortgage accounts in the MARP that have been offered an ARA and are in arrears at the end of the reporting period.*

**6.2.1 of which: total number of ARAs rejected by borrower (CCMA Provision 47 is effected by lender)**

**Row 503 (300)** *This is the total number of mortgage accounts in the MARP where the borrower is not willing to enter into the ARA offered in the reporting period.*

**Row 503 (310)** *This is the total value of mortgage accounts in the MARP where the borrower is not willing to enter into the ARA offered in the reporting period.*

**Row 503 (320)** *This is the total number of mortgage accounts in the MARP where the borrower is not willing to enter into the ARA offered and is in arrears at the end of the reporting period.*

**6.2.2 of which: total number of ARAs accepted by borrower**

**Row 504 (300)** *This is the total number of mortgage accounts in the MARP where the borrower has accepted an ARA and it has been applied to the account in the reporting period.*

**Row 504 (310)** *This is the total value of mortgage accounts in the MARP where the borrower has accepted an ARA and it has been applied to the account in the reporting period.*

**Row 504 (320)** *This is the total number of mortgage accounts in the MARP where the borrower has accepted an ARA, it has been applied to the account and is in arrears at the end of the reporting period.*

Firms should only submit the completed long term ARA data, as opposed to submitting records which show both trial and long term ARAs, and thereby duplicating the number of ARAs.

**Validation Rule: 503 (300) cannot be greater than 502 (300)**  
**503 (310) cannot be greater than 502 (310)**  
**503 (320) cannot be greater than 502 (320)**

**Validation Rule: 504 (300) cannot be greater than 502 (300)**  
**504 (310) cannot be greater than 502 (310)**  
**504 (320) cannot be greater than 502 (320)**

**6.3 Total number of MARP cases where the lender does not offer the borrower an ARA (CCMA Provision 45 is effected by lender)**

**Row 505 (300)** *This is the total number of mortgage accounts in the MARP where the lender does not offer the borrower an ARA in the reporting period.*

**Row 505 (310)** *This is the total value of mortgage accounts in the MARP where the lender does not offer the borrower an ARA in the reporting period.*

**Row 505 (320)** *This is the total number of mortgage accounts in the MARP and in arrears where the lender does not offer the borrower an ARA in the reporting period.*

**6.4 Total number of CCMA cases where the borrower was issued a not co-operating warning letter (CCMA Provision 28)**

**Row 506 (300)** *This is the total number of mortgage accounts in the MARP where the lender has written to the borrower prior to classifying the borrower as not co-operating in the reporting period.*

**Row 506 (310)** *This is the total value of mortgage accounts in the MARP where the lender has written to the borrower prior to classifying the borrower as not co-operating in the reporting period.*

**Row 506 (320)** *This is the total number of mortgage accounts in arrears and in the MARP where the lender has written to the borrower prior to classifying the borrower as not co-operating in the reporting period.*

**6.5 Total number of CCMA cases where the borrower is classified as not co-operating (CCMA Provision 29)**

**Row 507 (300)** *This is the total number of mortgage accounts, to which the CCMA applies, where the lender has classified the borrower as not co-operating in the reporting period.*

**Row 507 (310)** *This is the total value of mortgage accounts, to which the CCMA applies, where the lender has classified the borrower as not co-operating in the reporting period.*

**Row 507 (320)** *This is the total number of mortgage accounts in arrears, to which the CCMA applies, where the lender has classified the borrower as not co-operating in the reporting period.*

Firms are advised that where they have issued Provision 28 letters, the total number of Provision 28 letters issued should be recorded in question 6.4 of the COBR, irrespective of whether or not a Provision 29 letter was subsequently issued to the borrower. Question 6.5 (relating to Provision 2.9) should then show the total number of Provision 29 letters issued to borrowers by the firm.

**7.SFS Applications**

**7.1 Number of SFSs received**

**Row 510 (330)** *This is the total number of completed Standard Financial Statements (SFS) received in respect of mortgage accounts in the MARP, in the reporting period.*

**7.2 Number of SFSs processed**

**Row 511 (330)** *This is the total number of completed SFSs received and assessed in respect of mortgage accounts in the MARP, in the reporting period.*

### **7.3 Average time taken (days) to process SFSs**

**Row 512 (330)** *This is the average time taken from receipt of completed SFS to assessment in respect of mortgage accounts in the MARP, in the reporting period.*

In terms of COBR submissions, and the recording of when completed SFS applications are received, the time taken to process an SFS begins when the firm has received everything that is needed to enable the firm to make a decision.

### **8.1 CCMA appeals to Appeals Board against the decision of the Arrears Support Unit (CCMA Provision 49 a) and b))**

#### **8.1.1 Number of appeals outstanding at period start**

**Row 520 (340)** *This is the total number of CCMA appeals received regarding the decision of the lender to offer/not to offer an ARA but not yet considered and adjudicated on by the Appeals Board at the start of the reporting period.*

#### **8.1.2 Number of appeals received in period**

**Row 521 (340)** *This is the total number of CCMA appeals received regarding the decision of the lender to offer/not to offer an ARA in the reporting period.*

#### **8.1.3 Number of appeals upheld in period**

**Row 522 (340)** *This is the total number of CCMA appeals where the Appeals Board fully agreed with the borrower's appeal regarding the decision of the lender to offer/not to offer an ARA in the reporting period.*

#### **8.1.4 Number of appeals partly upheld in period**

**Row 523 (340)** *This is the total number of CCMA appeals where the Appeals Board partially agreed with the borrower's appeal regarding the decision of the lender to offer/not to offer an ARA in the reporting period.*

#### **8.1.5 Number of appeals rejected in period**

**Row 524 (340)** *This is the total number of CCMA appeals where the Appeals Board disagreed with the borrower's appeal regarding the decision of the lender to offer/not to offer an ARA in the reporting period.*

#### **8.1.6 Number of appeals outstanding at period end**

**Row 525 (340)** *This is the total number of CCMA appeals received regarding the decision to offer/not to offer an ARA made by the Arrears Support Unit (ASU) but not yet considered and determined by the Appeals Board at the end of the reporting period.*

#### **8.1.7 Number of appeals received from the FSO in period**

**Row 526 (340)** *This is the total number of FSO-notified complaints regarding the decision of a lender to offer/not to offer an ARA received during the reporting period*

#### **8.1.8 Number of appeals adjudicated on after 40 business days of having received appeal**

**Row 527 (340)** *This is the total number of CCMA appeals regarding the decision of a lender to offer/not to offer an ARA, that were considered and adjudicated on after 40 business days of having received the appeal*

<b>Validation Rule: 525 (340) = sum (520 (340) + 521 (340) - 522 (340) - 523 (340) – 524 (340))</b>
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## **8.2 CCMA appeals to Appeals Board against the lender's decision to classify a borrower as not co-operating (CCMA Provision 49 c)**

#### **8.2.1 Number of appeals outstanding at period start**

**Row 530 (340)** *This is the total number of CCMA appeals received regarding the lenders decision to classify a borrower as not co-operating but not yet considered and adjudicated on by the Appeals Board at the start of the reporting period.*

#### **8.2.2 Number of appeals received in period**

**Row 531 (340)** *This is the total number of CCMA appeals received regarding the lenders decision to classify a borrower as not co-operating in the reporting period.*

### 8.2.3 Number of appeals upheld in period

**Row 532 (340)** *This is the total number of CCMA appeals where the Appeals Board fully agreed with the borrowers appeal regarding the lenders decision to classify a borrower as not co-operating in the reporting period.*

### 8.2.4 Number of appeals partly upheld in period

**Row 533 (340)** *This is the total number of CCMA appeals where the Appeals Board partially agreed with the borrowers appeal regarding the lenders decision to classify a borrower as not co-operating in the reporting period.*

### 8.2.5 Number of appeals rejected in period

**Row 534 (340)** *This is the total number of CCMA appeals where the Appeals Board disagreed with the borrowers appeal regarding the lenders decision to classify a borrower as not co-operating in the reporting period.*

### 8.2.6 Number of appeals outstanding at period end

**Row 535 (340)** *This is the total number of CCMA appeals received regarding the lenders decision to classify a borrower as not co-operating but not yet considered and determined by the Appeals Board at the end of the reporting period.*

### 8.2.7 Number of appeals received from the FSO in period

**Row 536 (340)** *This is the total number of FSO-notified complaints, regarding the lenders decision to classify a borrower as not co-operating, received during the reporting period*

### 8.2.8 Number of appeals adjudicated on after 40 business days of having received appeal

**Row 537 (340)** *This is the total number of CCMA appeals regarding the lenders decision to classify a borrower as not co-operating that were considered and adjudicated on after 40 business days of having received the appeal*

<b>Validation Rule: 535 (340) = sum (530 (340) + 531 (340) - 532 (340) - 533 (340) – 534 (340))</b>
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## C. Switching Stats

This section is designed to capture data relating to the Code of Conduct on the Switching of Current Accounts with Credit Institutions 2010 ('Switching Code'). The data requested broadly mirror the current account data which were historically collected by the IBF but which moved to the Central Bank in early 2013.

Each regulated entity must complete sections I and II of the Switching Stats worksheet of the COBR. Firms must **only** use the scope and definitions that are contained in the Switching Code when completing this return.

The data are required to be broken down on a monthly basis on the return.

- For H1 Return: only January - June to be completed
- For H2 Return: only July - December to be completed

### I. Accounts Switched In

#### 9.1 Number of Completed Transfers In

This is the total number of accounts (as defined in the Switching Code) that were transferred into the reporting regulated entity in each month of the reporting period. For example, the number of accounts switched into the firm in January is recorded in 580 (360).

#### 9.2 Number Completed Outside Timeframe

This is the total number of accounts (as defined in the Switching Code) that were transferred into the regulated entity but were completed outside of the stipulated 10 business days' timeframe of the Switching Code (Provision 10). For example, the number of accounts completed outside of the timeframe in January is recorded in 580 (370). This number will be a subset of the number recorded in 580 (360).

#### 9.3 Average number of days taken for completion outside timeframe

This is the average number of days that it took for account switches completed outside of the timeframe. For January, this figure is recorded in 580 (380).

**Validation Rule for Accounts Switched In: If value is entered for either 580 (360), and/or 580 (370) and/or 580 (380), then a value must be entered for 580 (360) and 580 (370) and 580 (380). This rule is applicable to rows 580 – 591 inclusive.**

**Where value is entered into (370), this value should be <= (360)  
Decimal values may be entered for the 'Average number of days taken for completion outside timeframe', however all other values may be integers only**

## II. Accounts Switched Out

### 9.4 Number of Completed Transfers Out

This is the total number of accounts (as defined in the Switching Code) that were transferred out of the regulated entity in each month of the reporting period. For example, the number of accounts switched out in January is recorded in 580 (390).

### 9.5 Number Completed Outside Timeframe

This is the total number of accounts (as defined in the Switching Code) that were transferred out of the regulated entity but were completed outside of the stipulated 7 business days' timeframe of the Switching Code (Provision 17). For example, the number of accounts completed outside of the timeframe in January is recorded in 580 (400). This number will be a subset of the number recorded in 580 (390).

### 9.6 Average number of days taken for completion outside timeframe

This is the average number of days that it took for account switches completed outside of the timeframe. For January, this figure is recorded in 580 (410).

**Validation Rule for Accounts Switched Out: If value is entered for either 580 (390), and/or 580 (400) and/or 580 (410), then a value must be entered for 580 (390) and 580 (400) and 580 (410). This rule is applicable to rows 580 – 591 inclusive.**

**Where value is entered into (400), this value should be  $\leq$  (390)**

**Decimal values may be entered for the 'Average number of days taken for completion outside timeframe', however all other values may be integers only**

## D. Complaints Received

The remaining sections of the return (sections D-G) provide for a detailed breakdown of complaints data.

### 10. Complaints Received in the Period by Product and Problem Code

A complete matrix of all **new** complaints received by the regulated entity in the reporting period must be captured in this section of the return. In order to complete this and subsequent sections of the return, each complaint that is received by the firm will have a Product and Problem code attached to it.

To complete section 10 the firm should:

- Choose the relevant Product/Problem Code combination from the matrix. For example, to record complaints about current accounts (product code 01 - Current Accounts) where the problem identified related to fees & charges (problem code 12 - Fees and Charges), the regulated entity should record the relevant number of complaints associated with this code combination in cell 600 (432).
- It is not necessary to input zero values where the code combinations are not applicable – firms should simply leave these cells blank.

**For validation purposes the firm must input the total number of complaints on a Problem and Product basis at the bottom and side of this section of the COBR.**

**Validation Rule: The total number of new complaints recorded at the bottom right of Sheet D should match the figure recorded in 190 (50) of Sheet A.**

## E. Complaints Resolution

### 11. Speed of resolution of complaints

This section of the return is designed to capture the percentage of ***new*** complaints that are resolved within 40 business days of the complaint having been received. Please note that the resolved complaint could have been received in a previous reporting period (i.e. the data do not solely relate to new complaints received ***and*** resolved in the same reporting period).

To complete section 11, firms should do the following:

- 1) The first Product Code on the sheet that is applicable should be chosen. For example, if there were new complaints about cards ***resolved*** in the period, the firm should go to **02 – Cards** in row 651.
- 2) The total number of new complaints resolved by the firm within 40 business days in the reporting period that relate to the Product code chosen in step 1 above should be recorded in **column 450**. For example, if there were 50 new complaints about Cards resolved within 40 business days of receipt, the firm should enter 50 in 651 (450).
- 3) The number of complaints resolved within 40BD and recorded in step 2 above, as a percentage of the total number of new complaints resolved in the period for the product code chosen in step 2, should be recorded in column 451. Continuing the above example, if there were a total of 60 new complaints resolved for Cards in the period, with 50 resolved within 40BD, firms will input 83 (per cent) in cell 651 (451).

Firms should replicate the above steps for all applicable Product Codes of Sheet E

It is not necessary to input zero values where the code combinations are not applicable – firms should simply leave these cells blank.

**Validation Rule for Sheet 11: If value is entered for 650 (450), value must also be entered for 650 (451) and vice versa. This rule is applicable to rows 650 – 695 inclusive.**

**Please only enter full integer value, do not enter a decimal place or include a percentage sign**

## F. Complaints – FSO Findings

### 12. FSO Findings Issued

This section of the return is designed to capture the breakdown of FSO findings issued in the period on a Product/Problem code combination. **Please note that section 12 is the only section of the COBR where the data fields are dynamic, i.e. additional rows can be inserted by firms.** Firms should select from the drop-down list any additional rows required to capture all FSO findings issued.

To complete section 12 the regulated entity should do the following:

- 1) The first Product Code from the drop-down list that is applicable should be chosen in **column 460**. For example, if the FSO issued a finding about current accounts in the period, the firm should select **01 – Current Accounts** from the drop-down list (**460**).
- 2) The first relevant Problem Code that is associated with the Product Code in column 460 in step 1 above should be chosen from the from the drop-down menu in **Column 461**. For example, if the FSO issued a finding about customer communications on currents accounts, the firm will select Problem Code **01 – Customer Communications** from the drop-down menu in column 461. The number of complaints (which have the Product/Problem code combination outlined in steps 1 and 2 above) which the FSO upheld in favour of the customer in the period should be captured in **column 462**.
- 3) The total value of awards which the FSO made (which have the Product/Problem code combination outlined in steps 1 and 2 above) on **upheld** cases during the reporting period should be captured in **column 463**.
- 4) The number of complaints (which have the Product/Problem code combination outlined in steps 1 and 2 above) which the FSO **partially upheld** in favour of the customer in the period should be captured in **column 464**.
- 5) The total value of awards which the FSO made (which have the Product/Problem code combination outlined in steps 1 and 2 above) on **partially upheld** cases during the reporting period should be captured in **column 465**.
- 6) The number of complaints (which have the Product/Problem code combination outlined in steps 1 and 2 above) which the FSO did **not uphold** in favour of the customer in the period should be captured in **column 466**.

Firms should replicate the above steps for all applicable Product/Problem code combinations in additional rows by selecting from the drop-down lists in columns 460 and 461.

#### Validation Rule for Sheet 12:

- If a value is entered for any cell in row 11, a value must also be entered for all other cells in that row.
- This rule is applicable to all other rows which may be created during the submission process
- Please do not enter decimal places, only integer values may be entered here

## G. Complaints Redress

### 13. Complaints Redress

This section of the return is designed to capture the breakdown of redress offered to complainants (by the firm) on a Product/Problem code combination in the reporting period. FSO awards are **not** included in this section.

To complete section 13 the regulated entity should do the following:

- 1) The first Product Code (from rows 800-845) where redress was paid in the period the relevant cell in the matrix should be chosen. For example, if there was redress paid on FX in the period, the firm should go to row 802 where **03 – Foreign Exchange** redress data can be entered.
- 2) The applicable Problem Code related to the redress offered on the Product Code chosen in step 1 above should now be selected. For example, if redress was paid on complaints relating to **06 – Account Administration and Processing** on FX, go to columns 480 and 481 (row 802) to insert data relating to this Product/Problem code combination.
- 3) The EUR value and number of personal customer accounts/policies of the redress offered relating to the complaint detailed in steps 1 and 2 above can now be inserted. For example, if redress of EUR5,000 was paid on 10 accounts relating to FX/account admin and processing in the period, please insert 5,000 in 802 (480) and 10 in 802 (481).

Firms should replicate the above steps for all applicable Product/Problem code combinations of Sheet G.

It is not necessary to input zero values where the code combinations are not applicable – firms should simply leave these cells blank.

**For validation purposes, please input the total value and number of redress cases on a Problem and Product basis at the bottom and side of this section of the COBR.**

- If a value is entered for Value (470), a value must also be entered for No. of Accounts (471) and vice versa. This rule is also applicable to all other Value/No. of accounts columns on this sheet.
- $AN8 = \text{sum}(D8+F8+H8+J8+L8+N8+P8+R8+T8+V8+X8+Z8+AB8+AD8+AF8+AH8+AJ8+AL8)$
- $AO8 = \text{sum}(E8+G8+I8+K8+M8+O8+Q8+S8+U8+W8+Y8+AA8+AC8+AE8+AG8+AI8+AK8+AM8)$
- $D54 = \text{sum}(D8:D53)$  – this is applicable for all other row totals from D54:AM54
- Please do not enter decimal places, only integer values may be entered here

## Appendix 1 – Product and Problem Code definitions

PRODUCT CODE	DEFINITION
01 Current Account	All current accounts across customer segments.
02 Cards	Credit cards only (not including debit cards)
03 Foreign Exchange	Buying & Selling of Currency, Spot transactions
04 Demand Savings Accounts	As stated
05 Notice/Fixed Term Savings Accounts	As stated
06 Personal Loans	Fixed and variable interest rate personal loans, Student Personal Loans (variant of the Personal loan account).
07 Principal Private Residence – Tracker Rate	As stated
08 Principal Private Residence – Fixed Rate	As stated
09 Principal Private Residence – Variable Rate	As stated
10 Principal Private Residence - Long Term Forbearance Accounts	As stated
11 Buy-to-let/Investment – Tracker Rate	As stated
12 Buy-to-let/Investment – Fixed Rate	As stated
13 Buy-to-let/Investment – Variable Rate	As stated
14 Buy-to-let/Investment - Long Term Forbearance Accounts	As stated
15 Hire Agreements	Hire Purchase, Customer Hire and Leasing Agreements.
16 Life Assurance Unit linked protection	As stated
17 Life Assurance non-linked protection	As stated
18 Critical illness (standalone insurance)	As stated
19 Income Protection	As stated
20 PRSA's (including AVC PRSAs)	As stated
21 Personal Pensions	As stated
22 ARF/AMRF	As stated
23 Buy-out bonds	As stated
24 Annuities	As stated
25 Other pensions (including occupational pensions)	Occupational pensions including group pension schemes

26 Lump sum with capital protection	As stated
27 Lump sum with no capital protection	As stated
28 Regular premium savings	As stated
29 Household	Building and Content insurance
30 Private Motor	As stated
31 Pet	As stated
32 Personal accident	As stated
33 Travel	As stated
34 Payment Protection	Income, Mortgage and Credit Card protection
35 Legal Expenses	As stated
36 Gadget	As stated
37 Medical Expenses	As stated
38 Health	As stated
39 Marine	Pleasure craft insurance (such as yachts etc.)
40 Managed Products/Services	Investment in a managed fund portfolio e.g. Commodities, Hedge Funds, UCITs. Also includes non-insured tracker products.
41 Direct Investment	Investment in a direct product and manages that investment themselves e.g. property investments, Bonds, Equities
42 Derivatives	Foreign Exchange Swaps, Forwards contracts, Interest Rate Swaps, Options etc.
43 Government Schemes	Business Expansion Schemes, SSIA's, Employment and Investment Incentive (EII) Scheme
44 Financial Spread Betting	As stated
45 Pensions non-life insurance policies	Occupational pensions other than insured plans
46 No Product	No specific product is identified

<b>PROBLEM CODE</b>	<b>DEFINITION</b>
01 Customer Communications	Complaints relating to account opening, card cancelled incorrectly, advertising issues, customer relationship management contact by phone & letters, unclear/inaccurate communication
02 Unsolicited Contact	Complaints relating to permission based marketing breach
03 Sales	Complaints relating to cooling off period, conditions of sanction, current product offers
04 Misselling	Complaints relating to being sold a product that was not requested e.g. PPI. Alleged misselling of a product, Product suitability
05 Performance and Rates of Return	Complaints relating to product performance and product performance investment return issues
06 Account Admin and Processing	Complaints relating to incorrect customer details/Incorrect statement pages received, standing order and direct debit issues e.g. set up incorrectly, cheque issues e.g. cheque book held at branch in error, electronic business banking issues, accounts opened/closed in error, switching/transferring account issues, disputed transactions, lost/mislaid documentation, debit/credit posted for wrong amount/wrong account number, declined transactions, delay in application processing, Irish Credit Bureau records not updated.
07 Misappropriation/Forgery/Fraud	Complaints relating to disputed transactions at ATM/POS, alleged fraud on accounts, ATM fraud skimming
08 Trading/Investment and Securities	Complaints relating to investment product availability issues, reinvestment without customer authorisation
09 Customer Service	Complaints relating to documentation not sent out, account closing request not actioned, delay in opening accounts, card issues e.g. chargeback disputes, change of customer details e.g. name not amended, Investment issues e.g. notice not actioned, property issues e.g. Branch queue issues/lack of privacy in branches/night safe issues, accessibility to staff members/No follow up action, telephone issues e.g. calls not answered/returned.
10 Mortgage Arrears	Complaints relating to Non CCMA appeals
11 Other Arrears	Complaints relating to credit and lending complaints e.g. MABS advisor complaints, content in arrears letters
12 Fees and Charges	Complaints relating to breaches of pricing regulation, breakage costs, incorrect charges, duplicate statement charging, FX exchange rates & fees, Government stamp duty, incentives not applied, incorrect customer type, legal fees, overdraft facility fees, referral charges, unpaid fees.
13 Interest Rates	Complaints relating to interest calculation & rates, renewal price complaints
14 Claims	Complaints relating to the administration and decline of claims
15 Data Protection	Complaints relating to breaches of confidentiality and data protection e.g. statement received by incorrect customer

16 Bank Policy	Bank opening hours, Bank daily limits etc
17 Third Party	Retailers not accepting bank cards and other non-performance of third parties
18 Other	Complaints relating to inaccurate instruction from customers, postal delivery issues etc.

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ENDS *(last updated December 2013)*