

Insurers

FAQ Complaints survey

Frequently Asked Questions

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What is the definition of a complaint?

A statement of dissatisfaction addressed to an insurance undertaking by a person relating to the insurance contract or service he/she has been provided with. Complaints handling should be differentiated from claims handling as well as from simple requests for execution of the contract, information or clarification. This latter part (claims-handling and simple requests) is not covered by the definition of a complaint.

To complete the complaints survey, it is important that you apply the aforementioned EIOPA definition. If you have any questions about this definition, please contact the Business Desk via ondernemersloket@afm.nl. It is important that you include all statements of dissatisfaction. The AFM is mindful in this respect that not all statements of dissatisfaction are necessarily a signal and/or violation.

What is the reporting period?

The survey which the AFM will send to you at the beginning of 2024 relates to the 2023 Reporting period. This period is defined by the timespan between 1 January 2023 and 31 December 2023. This means that you report to the AFM all complaints received, closed and those still pending throughout 2023. If your previous reporting on the 2022 period had any complaints that were still pending at the end of 2022, you need to use the *same* complaint numbers for your next survey. Please note that you may not reuse previously used complaint numbers of complaints that are now closed for new complaints to be submitted.

Why does the AFM request me to submit the reporting?

In accordance with national and European regulations, the AFM aimed to have an overview of complaints filed by clients with insurers. The AFM carries out risk-based supervision and uses different risk indicators to apply its limited capacity as effectively as possible. Based on all complaint reporting, the AFM also expects to observe earlier developments in the market and to counteract their unwanted effects.

Can I prepare myself for the submission of the reporting?

Check your complaints administration to see the extent to which it meets the requirements. The requirements are available in the KUV1 Complaints survey specification, the KUV3 Definitions and range of values and other documents published on the website <https://www.afm.nl/complaintssurvey>. You can open the Excel data entry form to gather an idea of what such reporting should look like. You then decide whether you wish to compile the reporting from your in-house computer systems or whether you wish to make use of the Excel data entry form.

Is it mandatory to keep a complaints administration?

Financial service providers have to ensure proper handling of complaints from clients with regard to financial services or financial products based on EIOPA Guidelines and the Financial Supervision Act (Wet op het financieel toezicht).¹ This also means that you need to keep a complaints administration. In this complaints administration, you record at least the following:

- a the name and address of the client filing the complaint;
- b the complaint, along with the date of receipt;
- c a description of the complaint; and

¹ Guidelines of complaints handling by insurance undertakings (EIOPA-BoS-12/069 and Section 4:17 of the Financial Supervision Act (Wft).

d a description of the manner in which the financial undertaking handled the complaint.²

The AFM requests you to report **all** complaint entries throughout 2023 in 2024 as well as all characteristics of each complaint.

How do I gain access to the reporting environment?

The AFM has a secured portal, the AFM Portal, which you can use to upload the complaint reporting (<https://portaal.afm.nl>). In order to gain access to the AFM Portal, you first need to create a permanent account once and link that to your company. When doing so, you will need an up-to-date extract from the Commercial Register stating that you are an executive director or legal representative. **Please note:** if your company already has an account for one or more provider licences, you may use that account. If your group has multiple provider licences, you can link multiple companies to your account. **Be sure to remember your login details** as you will need them for all future reporting. To find out how many links/accounts you need to create, you will receive a separate announcement letter for each licence. The AFM Portal's login page has a manual explaining the registration procedure. The direct link to the AFM Portal is <https://portaal.afm.nl>. Per authorisation, you may of course provide multiple persons access to the portal. You will find the upload feature in the *Reporting requirements* section.

What do I need the licence number given in the request for information for?

The AFM registers you as a provider of insurances in its own system with a unique number. We inform you of this 'licence number' in the request for information which you will receive from us in February 2024. You enter your licence number on the initial tab of the Excel data entry form.

What file name do I give the reporting?

The complaint entries must be submitted as XML data. You are free to name the file whatever you want, as long as you save it as XML data. Please note, do not save your file as an XML spreadsheet.

- Ownnamereporting.xml

How do I check in advance that the complaints entered in the Excel data entry form meet the technical requirements? And why do I need to report in Dutch?

You are advised to check in advance whether the complaints entered by you meet the technical requirements. This is known as validating. You do so as follows: having opened the Excel data entry form in Excel, you can tick the validation option in the programme header under 'Data' and then 'Properties', before saving the Excel as XML. The exact explanation is provided in Paragraph 3.1.2 'Validation' in the document titled 'Complaints survey specification for Insurers'. Before converting your report to XML, it is useful to keep in mind that there should be no empty records ('fields') in the Excel data entry form, that the notation is exactly the same as from the range of values. The translation is listed in the range of values (KUV3). The reporting language of the range of values is in Dutch, given that the validation also takes place in Dutch. Also see the step-by-step plan on our website.

I have lost my account details for the AFM Portal. What do I need to do?

If you have forgotten your password, you can request a new one by clicking the 'forgotten password' option. If you cannot remember your username, simply request a new permanent account. Your account will not be blocked if you enter incorrect passwords.

² Section 41 of the Decree on Conduct of Business Supervision of Financial Undertakings under the Wft (Bgfo).

Who falls within the scope of the complaints survey? Why is that?

The AFM is the market conduct authority for all Dutch citizens. All financial service providers that have a licence to offer insurance in the Netherlands, or that operate in the Dutch market via a European passport, are therefore invited to submit the complaint reporting.

You will not receive an invitation if:

- 1 You were no longer in operation as of 1 January 2023 (your licence has been withdrawn).
- 2 Your licence was granted after 31 December 2023, in which case you do not yet need to take part this year.

We received no invitation for the complaints survey, or may have wrongly received one. What should I do?

If you believe that you do not fall within the scope of the complaints survey (see a frequently asked question about this), please contact the Business Desk via ondernemersloket@afm.nl.

When can I upload and send the reporting?

We will send you an invitation in February 2024 to upload the reporting. Both the letter, and the AFM Portal after you have logged in, state the time limit within which you have to upload the reporting. This time limit is five weeks.

How much time do I have to send the reporting?

You have five weeks from the start of the reporting period to send the reporting.

I have submitted an incorrect reporting. Can I still change it?

As soon as the reporting has been sent to the AFM successfully, it is no longer possible to make any changes. In that case, please contact the Business Desk via ondernemersloket@afm.nl. They can then reopen the portal for you.

I am going to end my business. Do I still need to fill in the reporting?

Yes, you must report as long as your licence remains active.

My company has recently undergone a change, and I have now received an invitation to submit the reporting on behalf of my 'old' company. What should I do now?

You have to report complaints for your 'old' company until the end date of your 'old' company's licence. You will receive a separate request for information for your 'new' company to report complaints. Please be aware that you will then need to create another account in the AFM Portal for your new company. You only have to do this once.

How does my company fill in the complaints registration in case of a group?

The starting point is: each licensee reports its own complaint database. In cases of companies that form part of a group, the following applies:

- 1 Multiple providers without an independent licence within one licensed group that record complaints at group or holding company (licensee) level: complaint reporting at licensed group or holding company level. This licensee will receive one request for information.
- 2 Multiple providers with an independent licence within one group of which the providers keep their own in-house complaints administration: complaint reporting at the level of the individual licensee. Each licensee

will receive one request for information. Please note: you may receive several requests for information at group level. Please make sure that a link or separate account has been created in the AFM Portal for each independent licence.

- 3 Providers with an independent licence within one group of which the licensees do not keep an in-house complaints administration, but administer complaints at group or holding company's level: complaint reporting at licensee's level. This means that complaints from the central administration must be split per licensee. Each licensee will receive one separate request for information. Please make sure that a link or separate account has been created in the AFM Portal for each independent licence.
- 4 Providers without an independent licence within one licensed group where the providers keep their own in-house complaints administration: complaint reporting at licensed group or holding company's level (licensee). This means that complaints from the individual records must be merged. Each licensee is sent one request for information. You thus also create one account in the AFM Portal from where you can upload the merged reporting.

Can I only send the reporting via the reporting environment?

Yes, your complaint reporting can only be uploaded via the AFM Portal.

Information has been sent. What do I do now? Do I receive a confirmation after having sent the reporting?

As soon as the reporting has been sent successfully, the pop-up notification 'in process' will appear in the AFM Portal. After you have submitted the reporting, the AFM will perform a number of data-quality checks. Only when these are completed will you see a green tick. You will not receive any general feedback. The portal will show you that your reporting was submitted successfully.

If the complaint database does not meet the rules of validation, as explained in the content-related requirements (KUV1), a feedback pops up with details of the deficiencies in your file. Also see the Step-by-step plan in KUV1 to solve any possible deficiencies. Please note that the AFM will perform an additional data-quality check on any complaints still pending from the previous year, among other things. The AFM will contact you separately on this matter should there be any questions regarding these checks. You may be requested to re-report, i.e. to correct and resubmit your reporting.

I have completed and sent the reporting. What will happen next?

The AFM will process your data as soon as possible and will perform an additional data-quality check on any complaints still pending from the previous year, among other things. The AFM will contact you in case of any ambiguities about the information provided. You may be requested to re-report, which serves to optimise the data quality.

What will the AFM do with the complaints I filled in?

The AFM collects the complaints submitted by you and merges them with the complaints submitted by other insurers. The database of complaints is used to perform analyses that contribute towards the market-wide understanding of the development of complaints in the field of insurance products and services of insurers. The AFM combines these insights obtained from the collection of complaints with other datasets. By strengthening its data position, the AFM continues to hold a firm eye on the future, and can set up its supervision more effectively and more efficiently. Additionally, the AFM annually publishes an anonymised overview of all complaints reported to also provide the market, and particularly those providers having submitted the data, with a number of insights from the data submitted. Finally, the AFM shares the Dutch (aggregated) data with the European Insurance and Occupational Pensions Authority (EIOPA) for the annual Consumer Trends Report.

Why does the complaint number need to be unique?

A complaint number needs to be able to uniquely identify a complaint. When the same complaint is reported in successive *reporting periods*, the same unique complaint number should be used each time it is reported to identify the complaint in question. A complaint number that remained pending from a previous reporting may never be reused to report a new and different complaint for the following year, for example. Please note: the complaint number has to be anonymous for the AFM. It should not be possible for the AFM to identify the concerned parties in person based on the complaint number.

Where do I find the definitions of the products associated with the table of product codes?

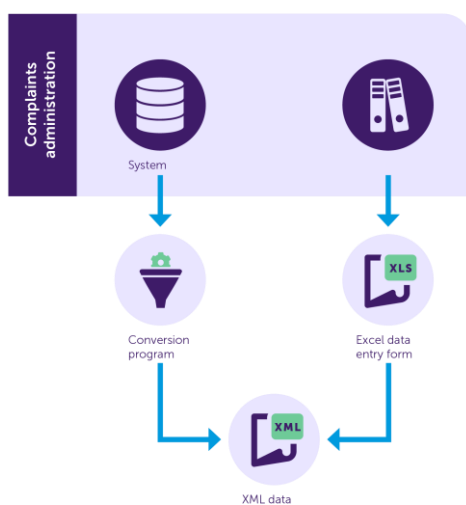
The product codes and corresponding definition of terms are available under the tab 'product' in the '[KUV3 Definitions and range of values](#)' file. You only need to enter the product code in the reporting that corresponds to the product to which the complaint relates. Please note that as of the 2019 complaint reporting, the Motor Vehicle Insurance (M013) product group has been split into private individuals (M014) and business (M015).

How do I register a complaint about a package policy?

A 'category policy or package policy' that may include coverage for more than one type of insurance or object, consider homeowner's insurance with separate awning insurance cover or car insurance with accidental occupant insurance or legal expenses cover, counts as one policy for the category to which the main policy belongs. A package policy consists of various products, meaning that a complaint about one of these products needs to be registered in the category to which the product or specific cover belongs. In the case of group insurance with underlying participants, the group insurance always amounts to one policy, except for fleets: in that case one policy applies to each car.

What is the best way to compile a reporting in advance?

There are two ways of compiling the reporting. You compile the reporting by means of a conversion programme from your systems or you enter each complaint individually in the Excel data entry form. Please read Paragraph 1.3 from the KUV1 [Complaints survey specification](#) and determine which option works best for you.



My company has no complaints that need to be reported for the reporting period. How do I fill in this information?

If you have not received any complaints in the reporting period, your XML file is empty. You still have to log on to the AFM Portal to indicate that there are no complaints that need to be reported. In that case, the AFM asks you to enter a short explanation in the comments field as to why you did not receive any complaints. Also see the question as to the definition of a complaint. Needless to say, you will not need to upload an empty XML file in that case. Please note: the KUV1 Complaints survey specification sets out which complaints you need to report.

Do I need to report those complaints that do not in any way relate to my company?

We assume that a complaint is almost always reported to you in response to a product and/or product-related service. We therefore expect you to report these complaints. In addition, we expect that you also report those complaints that deal with products the customer wishes to take out, for example, complaints about the application process. You select the product category most applicable to the (wanted) product. In the exceptional situation that a customer complains about matters that have nothing to do with the product and/or service provision, say the colour of your building or the font of your correspondence, you do not need to report such a complaint to us.



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The AFM is committed to promoting fair and transparent financial markets.

As an independent market conduct authority, we contribute to a sustainable financial system and prosperity in the Netherlands.

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