



## Consumer Complaint Form

**GUIDANCE NOTES ARE INCLUDED ON PAGE 3 FOR INFORMATION ON HOW TO COMPLETE THIS FORM**

Please use this form to tell us about your complaint regarding an accredited business.

Please refer to the guidance notes for assistance when completing this form.

Before completing the form, tick to confirm:

- Before contacting The Motor Ombudsman, I have contacted the accredited business and they have given a final response or more than 8 weeks has passed since I raised my complaint
- I have provided a copy of the final response, if received, and all other information which is relevant to my complaint

### Personal information and data protection

All information you submit via this form, including any personal and or sensitive information, will be received and processed by The Motor Ombudsman in accordance with our Privacy Notice which can be found online via [www.themotorombudsman.org/privacy-notice](http://www.themotorombudsman.org/privacy-notice)

**My enquiry concerns:** (please tick one or more)

- My new car warranty**       **My extended warranty**       **A service or repair carried out to my car**       **A vehicle purchase**

**TMO reference no** (Please enter if you have been provided with one):

### Section 1 - Your details

Your name	
Address	
Address line 2	
Town	
County	
Postcode	
Phone no.	
Email	
Where did you hear about us?	
Approx. value of claim?	
What remedy are you seeking?	
Who is your dispute with?	
Do you need us to adapt the way we communicate with you?	

### Section 2 – Your vehicle details

Make	
Model	
Registration number	
Purchase date	
Purchased from (name & location)	
Current mileage	

### Section 3 – Accredited business' details

Business' name	
Business' location	
Business' accreditation no. (if known)	
Invoice number if known	
Business contact who dealt with and/or responded to your complaint?	

### Section 4 – Extended warranty details (if applicable)

Warranty provider	
Policy no.	
Product type	

### Section 5 – Primary use of the vehicle (please tick)

Is it used as a personal vehicle?

Is it used as a business vehicle?

### Section 6 – Vehicle faults and issues

Most recent vehicle faults, please also send a copy of any relevant invoice, job cards or expert reports that have been obtained (if applicable)	
Main issues surrounding the vehicle's functionality	

## Section 7 – Brief outline of your complaint (including the resolution you are seeking)

## Section 8 – Declaration

Finally, please read this declaration and tick accordingly:

- (1) I would like The Motor Ombudsman to look into my complaint
- (2) I have read, understood and agree to the adjudication terms of service, a copy of which is attached to this form
- (3) To the best of my knowledge, I confirm all details provided in this form are accurate
- (4) If I am not the registered keeper of the vehicle, I have the registered keeper's permission to act on their behalf and will supply this to The Motor Ombudsman in writing
- (5) I understand that in order to help adjudicate and resolve my complaint, The Motor Ombudsman will need to use and keep personal information about me and that my personal information will be processed and retained in accordance with its Privacy Notice, a copy of which has been made available to me via its website
- (6) I understand that in order to adjudicate my complaint, The Motor Ombudsman will share the details of my complaint, including the personal information I have provided within this form, to the relevant accredited business and any other relevant parties connected with my complaint in accordance with its Privacy Notice
- (7) I acknowledge that the accredited business and other relevant parties connected with my complaint will share personal information with The Motor Ombudsman so you can investigate my complaint
- (8) I am happy for The Motor Ombudsman to contact me for feedback regarding the service provided

Full Name:

Signature (e-signature is accepted)

Date:

**Please now attach/enclose ALL documents relevant to your case – including a copy of your final response from the accredited business – to prevent any delays in considering your complaint**

**Please submit your completed form to:**

You can submit your form by one of the following methods:

Email: [consumer@tmo-uk.org](mailto:consumer@tmo-uk.org) (if you have been provided with an email ID please include this in your email)  
Fax: 020 7344 1678  
Post: The Motor Ombudsman, 71 Great Peter Street, London, SW1P 2BN



## Consumer Complaint Form guidance notes

### Preliminary information

The Motor Ombudsman will not be able to progress your case until the accredited business has either given you a final response or at least 8 weeks have passed since you first made your complaint. Please provide a copy of any correspondence with the accredited business and make sure that you send us all of the information you want to be considered with your complaint.

### Section 1 – personal information

Please ensure you complete all information in these fields. We encourage you to review our Privacy Notice, which explains how and why we will be processing your personal information to adjudicate and resolve your complaint. If you have any special requirements such as a preferred time you can take calls, or you require a reasonable adjustment to our process such as help with completing the form please provide details and we will do our best to assist you. Alternatively, you can contact one of our team on 0345 241 3008.

### Remedies - we can recommend:

- ✓ an apology;
- ✓ an explanation of what went wrong;
- ✓ a practical action to correct the problem;
- ✓ and/or a financial award (subject to a limit, see our terms below)

Please be aware that you will need to be able to provide evidence of any financial losses, such as receipts or invoices, and be able to demonstrate that you have kept your losses to a minimum.

### Section 2 – vehicle details

Please ensure you complete all information in these fields – this will be essential for the accredited business to investigate and respond to your complaint.

### Section 3 – accredited business' details

Please ensure you include details of the accredited business that you are complaining about – if it is a garage or dealership, please remember to include the location to avoid delays in processing your complaint.

### Section 4 - primary use of the vehicle

Please ensure that you tick the relevant box so we can identify the primary use of the vehicle.

### Section 5 – extended warranty details

This only applies if there is a valid extended warranty for your vehicle.

### Section 6 – vehicle faults and issues

Please include in this section the most recent vehicle fault you have complained about to the accredited business, if applicable:

#### **Examples – clutch, brake, head gasket, tyres, windscreen, steering, suspension, paint etc**

Please also include more information about the specific issues in your complaint:

**Examples** - no response to my correspondence from accredited business; reoccurrence of problem that was repaired under warranty; not satisfied with offer; repair work not of a satisfactory standard; exhausted business' complaints procedure; expiration of manufacturer or extended warranty; not satisfied with goodwill offer; claim not covered; product interpretation; delay in authorisation; issues with vehicle quality etc

### Section 7 - brief outline of complaint (1000 character limit)

This section is for you to outline the most recent events that led to you having to complain to the manufacturer/policy provider/garage and the response you have received from them. Feel free to send copies of any additional supporting information.

### Please submit your completed form to:

You can submit your form by one of the following methods:

Email: [consumer@tmo-uk.org](mailto:consumer@tmo-uk.org)  
Fax: 020 7344 1678  
Post: The Motor Ombudsman, 71 Great Peter Street, London, SW1P 2BN



## Adjudication terms of use

1. The rules apply to disputes between two parties: the accredited business and the consumer. The rules may be adapted for disputes involving three or more parties at The Motor Ombudsman's discretion.
2. We require either an email address or postal address with which to correspond with you. If you are unable to provide either, then please contact our team on 0345 241 3008.
3. We will not be able to consider the complaint if:
  - a. It concerns physical injury, illness, distress/nervous shock or their consequences, criminal activity or claims of negligence
  - b. The value of any award would exceed £10,000 and/or, where appropriate, the value of the vehicle
  - c. A legally-binding judgment has already been made, although we may record details of the complaint for monitoring purposes
  - d. It does not fall within the remit of one or more of our Codes of Practice
4. We may be unable to consider the complaint if:
  - a. It has been more than six years since the event occurred *OR* it has been more than 12 months since you either complained to the business or received their final response
  - b. The complaint is being or has been previously considered by another ADR body or a court
  - c. You have accepted an offer in full and final settlement of the complaint you are looking to raise
  - d. There are no demonstrable financial losses
  - e. The vehicle was bought in or is registered in the name of a business, or is primarily used for business purposes
  - f. The complaint is frivolous or vexatious
  - g. Dealing with a such a dispute would seriously impair the effective operation of The Motor Ombudsman
  - h. You have not yet exhausted the accredited business' complaints process or allowed them up to 8 weeks to issue a final response
5. The service is designed for use without the need for legal representation. However, any party may choose to be represented by a third party but do so at their own cost which may not be recovered within the service or any subsequent legal action. If you are representing someone else, you must declare this and have their express permission in writing to act on their behalf and for us to process their data
6. An adjudicator or ombudsman can allow each party to submit further information and change their response
7. An adjudicator or ombudsman can order both parties to provide any information they feel is relevant to the dispute – if this is withheld, any decision made may not be overturned if the information is later disclosed
8. An adjudicator or ombudsman may request either party to appoint an expert to report on specific issues, if it is necessary to support their complaint
9. A consumer may request the return of any original documents but must do so within 14 days of the case's closure, after which date The Motor Ombudsman will destroy them. A soft copy will remain on file as part of the case files for a reasonable time thereafter. This does not affect your statutory rights under data protection legislation
10. A consumer can withdraw from the proceedings at any stage by notifying The Motor Ombudsman, preferably in writing

## Confidentiality

By submitting your request for adjudication you acknowledge that The Motor Ombudsman Ltd will pass your complaint and any supporting evidence to the accredited business against which you have raised a complaint. The Motor Ombudsman Ltd shall not disclose details of the complaint to anyone else unless it is necessary to do so in order to enforce a binding settlement, obtain relevant information or as may be required by law. The Motor Ombudsman Ltd may collate and process data pertaining to the use of the service, compile, analyse and publish statistics and monitor and review the operation of the service provided but will not publish any personal, privileged or confidential information without the consent of the parties. The Motor Ombudsman Ltd will publish a sample of its case outcomes – with any identifying personal details removed.

## Data Protection

The service carried out by The Motor Ombudsman does not affect in any way your statutory data protection rights under UK law. We encourage you to review our Privacy Notice, which explains how and why we will be processing your personal information to adjudicate and resolve your complaint. Should you have any queries regarding data protection please contact your case adjudicator or email [gdpr@tmo-uk.org](mailto:gdpr@tmo-uk.org)

## Early resolution

The Motor Ombudsman will always seek to resolve a dispute as quickly and efficiently as possible. As such, if it looks like a complaint can be resolved without a full investigation, an adjudicator will look to resolve the complaint informally. The adjudicator will assess whether this method is appropriate to resolve the matter and will make contact with both parties. This decision is within the adjudicator's discretion and if they do not think a dispute is suitable for early resolution, for example if it is more complex or evidence needs to be supplied, then they will adopt the formal adjudication procedure.

If an agreement cannot be reached through an early resolution, the adjudicator may look to investigate the complaint further. They will advise you whether they think this is appropriate, depending on the circumstances of the case.

## Adjudication

Adjudication is intended to provide a swift and efficient decision without the need for legal action. An adjudicator looks at information provided by both parties to reach a fair and impartial outcome based on the facts and evidence. Both the consumer and the accredited business will be asked to give written details of the complaint, including any evidence, and the adjudicator will decide whether the complaint is upheld and, if so, what the accredited business should do to put things right.

## Final decision

A final decision is made by the ombudsman when either the consumer or accredited business disagrees with the adjudicator's decision. The ombudsman is not bound by the adjudicator's decision and they will look at the complaint again from start to finish, taking into account all of the information provided by both parties.

A final decision is the last step in The Motor Ombudsman's process – the complaint will not be reviewed further once the ombudsman has reached an outcome. If the consumer accepts the final decision, it will become binding on both parties. However, if the consumer rejects it or does not respond within 28 days of the decision being made, the decision will not be binding on either party and the consumer retains their right to take this to court.

## Timeframes

The Motor Ombudsman is required to make a decision within 90 days of receiving a response from the business. While we try to resolve things much quicker, timeframes can depend on the complexity of the case. We will let you know what timeframes to expect throughout your case.

## Important information

If you are rejecting your vehicle, you are usually required to stop using the vehicle and notify the seller.

If your vehicle is off the road, you can ask the business to provide a courtesy car – if this is possible – or arrange alternative transport, as long as this is a reasonable alternative to your own car.

The Motor Ombudsman is an impartial body and cannot advise you on what course of action to take. If you need advice on what to do, you can get free information about your legal rights from Consumer Advice on 03454 04 05 06.