

ACS Code-on-Code Complaints Procedure

1. Scope

1.1 The following procedure only applies where a Code Sponsor raises a formal complaint about another Code Sponsor's:

- Compliance with Core Criteria
- Monitoring or enforcement practices
- Consumer protection arrangements
- Conduct that may undermine trust in the ACS

Code Sponsors are encouraged, where appropriate, to seek to resolve concerns directly with one another before submitting a formal complaint. However, informal resolution is not required where there is potential consumer detriment, significant reputational risk, or any other circumstance in which it would be unreasonable or inappropriate to expect the matter to be addressed informally.

2. Principles

2.1 All complaints will be handled in line with the following principles:

- Fairness and impartiality
- Transparency
- Evidence-based decision making
- Proportionality
- Confidentiality where appropriate
- Maintaining or improving consumer protection standards

3. Process:

3.1 The procedure will be administered by the ACS Team and will progress as follows:

Stage 1 – Submission of Complaint

The complainant Code Sponsor must submit a formal complaint in writing (email) to the ACSB via the CTSI ACS Team, including:

- Name of the complainant and Code Sponsor complained about
- Clear description of the issue
- Relevant Core Criteria or requirements in question
- Supporting evidence (documents, monitoring findings, correspondence, etc.)
- Desired outcome (if applicable)

Contact Information:

Email: acsfeedback@tsi.org.uk

Postal address: 1 Sylvan Court, Sylvan Way, Southfields Business Park, Basildon, Essex, SS15 6TH

Initial screening by the ACS Team will confirm:

- The issue falls within ACS scope
- The complaint is substantiated and is not frivolous or vexatious

Stage 2 – Acknowledgement and Triage

Complaint will be acknowledged by the ACS Team within 5 working days:

- The ACS Team informs the ACSB via email and requests a Case Lead from members of the ACSB.
- The Case Lead is identified and conducts a preliminary risk assessment within 10 working days, considering:
 - Potential consumer detriment
 - Reputational risk to the ACS
 - Urgency (e.g. ongoing harm) - where necessary, interim measures against a Code Sponsor may be considered.

Stage 3 – Notification to Respondent

The ACS Team will contact the responding Code Sponsor for them to:

- Be formally notified of the complaint
- Receive full details of the allegations and evidence submitted
- Be invited to provide a written response within 15 working days

Stage 4 – Review

The Case Lead will:

- Review submissions from both parties
- Request additional evidence where required
- Assess compliance against Core Criteria and scheme expectations
- Considerations/actions:
 - Whether appropriate monitoring arrangements are in place
 - Whether consumers are adequately protected and informed
 - Whether there is systemic risk or isolated failure
 - Where appropriate independent subject matter experts may be consulted
 - Meetings or clarification discussions may be held with either party
- The timeline for the Case Lead's review will remain flexible, considering their current workload and commitments. The Case Lead will normally aim to review and prepare their findings within a reasonable time frame (e.g. 15 working days), although this may be extended where additional evidence or further advice is required.

Stage 5 – Findings and Determination

The Case Lead will convene a meeting of the ACSB to provide an overview of their findings and decision, to enable ratification by the ACSB within 5 working days.

Once the decision has been ratified by the ACSB, a written decision will then be issued as soon as possible by the Case Lead, to both Code Sponsors, setting out:

- Summary of the complaint
- Evidence considered
- Findings against relevant Core Criteria
- Whether the complaint is upheld, partially upheld, or not upheld

Where issues are identified, actions may include:

- Required corrective actions by a Code Sponsor
- Improvements to monitoring or transparency processes by the Code Sponsor
- Deadlines for compliance by the Code Sponsor
- Formal warnings by the ACSB or escalation within the ACS governance processes as set in Stage 7.

Stage 6 – Remedial Action and Monitoring

The responding Code Sponsor must:

- Submit an action plan within a specified timeframe given by the Case Lead.
- Demonstrate implementation of required changes within a specified timeframe, given by the Case Lead.

The Case Lead, supported by the ACS Team, will:

- Monitor compliance of the Code Sponsor and relevant timescales.
- Request evidence of completed actions of the Code Sponsor
- Escalate using the process set out in Stage 7, if deadlines are not met by the Code Sponsor.

Stage 7 – Escalation

Where serious or unresolved issues arise:

- The matter may be escalated to:
 - The ACSB
 - The CTSI senior leadership team
- Where a Code Sponsor fails to comply with the required corrective actions, or where serious breaches of the Core Criteria are identified, the ACSB may consider sanctions including:
 - Suspension of the Code Sponsor from the Approved Code Scheme
 - Removal of the Code Sponsor from the Approved Code Scheme
- The final decision on sanctions would be made by the full ACSB, who may choose to take advice from CTSI senior leadership team.

Stage 8 – Appeals

Both parties have the right to appeal:

- Appeals must be submitted within 10 working days of receipt of the decision.
- Must clearly state grounds (procedural error, new evidence, disproportionality).

Appeals will be:

- The appeal will be considered by ACSB members who were not involved in the original determination.
- Determined as:
 - Upheld
 - Partially upheld
 - Dismissed

Confidentiality and Reporting

- Information will be handled sensitively and shared only as necessary
- Outcomes may be:
 - Reported in anonymised form, to maintain transparency, on the ACSB website, if required by the ACSB.
 - Communicated to stakeholders where appropriate.

Record Keeping

The ACS Team will maintain:

- Full records of complaints
- Evidence and decisions
- Action plans and follow-up activity

This will be retained in accordance with CTSI's retention and data protection policies.

ACS Code-on-Code Complaints Review Journey

Our process ensures complaints are handled fairly, transparently and proportionately, with a focus on maintaining and improving consumer protection.



Timescales may vary

While some stages have target timeframes, the overall duration of a review will vary depending on the complexity of the complaint, the evidence required, the availability of those involved, and whether additional information is needed. Specific review timescales cannot always be guaranteed. Parties will be kept informed of significant developments and next steps.

