

LESSON 8: ACTIVITY 2

Teacher Resource Sheet: Making a complaint

The steps for making a complaint need to be considered on a case-by-case basis, but below is an example of a strategy that works.

Step 1: Act Quickly

Don't delay in making your complaint. If you do, the shop or service may take this as a sign that you accept the goods or service, and it may weaken your case if you take legal action against the supplier.

There may also be a time limit on making certain types of complaints. For example, complaints about a package holiday must be made within 28 days of returning from the holiday.

Step 2: Know who to contact

Make sure you direct your complaint to the correct person. Start by contacting the person in the company you originally dealt with, or the company's customer care department if it has one.

Ask to speak to a manager. There is no point in complaining to a person who may have no authority to put things right.

Step 3: Making the initial complaint

You may find it more effective to make your complaint face-to-face or over the phone, rather than in a formal letter or email. Always keep notes of what happened, in the sequence that it happened, include dates of phone calls or other conversations, who you spoke to and what was said.

When making your complaint, remember to:

- Be polite but firm.
- Explain your problem, keep to the facts and know your rights.
- Tell them what you want them to do to resolve your problem. For example, make it clear that you are looking for a replacement, a repair, a refund, completion of an unfinished service, or simply an apology. Remember that while these are all options, the law does not specify who chooses the form of redress. Therefore it is up to you to negotiate this with the supplier.

Step 4: Making a more formal complaint

If your problem has gone on for some time and you are still getting nowhere, you should make a more formal complaint in writing, either in a letter or by email. Hold on to all information about your complaint, including copies of letters, emails, photographs, invoices, receipts, cheque stubs, quotations or contracts. Always make sure your letter, or email, is sent to the right person.

When writing your complaint, keep the following in mind:

- If possible, type the letter, or write it clearly and neatly.
- Try to keep the message short, clear and to the point.
- Clearly set out the history of your case: the date of purchase and area of concern, who you spoke to, explain what the problem is etc.
- Give a clear description of the goods/service so it is easily identifiable by the business: give the serial numbers, batch codes and any other descriptions.
- State your rights under the legislation.
- Say what you want the company to do to resolve your complaint.
- Give the company a reasonable timescale to resolve the problem before you will consider other options.
- Attach copies of any relevant documentation.
- Send your letter by registered post, or attach a read receipt to your email so that you will have a record of delivery.

Step 5: If you are still getting nowhere

Most complaints are settled without needing to take legal action. If you are not satisfied after making your complaint, you may want to take your complaint further. If your complaint involves an amount up to €2,000, you may be able to take your case to court yourself through the Small Claims process, which is designed to be simple and relatively quick. For bigger amounts or for personal injury and certain other claims, you may need to contact a solicitor.

Some services are covered by ombudsmen or regulators. Generally, you can't engage an ombudsman until you've first exhausted the complaints procedure for that sector. If you are not sure which regulator, authority or ombudsman is the relevant one, contact your local Citizens Information Centre, which can give you advice on who to contact.