DRO **Dispute Resolution**
Ombudsman

Application Form (Q)
TrustMark

Reference number (office use):

Q

Premier House, First Floor,
1-5 Argyle Way, Stevenage,
Hertfordshire, SG1 2AD

0333 241 3209
www.disputeresolutionombudsman.org
info@disputeresolutionombudsman.org

Before you complete this form we recommend that you read our Consumer Guide, which details how our dispute resolution process works and how your dispute will be assessed.

Please complete all sections in **BLOCK CAPITALS** and return this copy to us.

Name of the TrustMark registered business you are in dispute with

About you

Title

Forename

Surname

Address

Town / City

County

Postcode

Telephone number(s)

Email

If you would like to receive updates about your case by text message and/or email, please tick here

Email ☐ Text ☐

Is anyone else dealing with your dispute on your behalf?
(e.g. Trading Standards, a family member or a solicitor)

Yes ☐ No ☐

If YES, please provide their name, address, telephone number and email address in the boxes below.

Name

Address

Town / City

Postcode

Email

Telephone number(s)

If you would like us to deal directly with this third party rather than yourself to resolve this matter, and they are willing to act on your behalf, please tick here. ☐

Where are the goods or installation at the moment? (if applicable)

Address

Town / City

Postcode

About the TrustMark registered business

Name of business

Business address

How did you first complain? (e.g. email / letter / telephone / visit to store)

Who did you first complain to?

Date you first complained to the business

Who (if anyone) is dealing with your complaint now?

About the registered business' scheme provider

Name of the Scheme Provider

How did you first complain?

What was the outcome of your complaint?

Date you first complained to the Scheme Provider

Name of person you were dealing with

Do you have a final response from the business or Scheme Provider? If yes, please include a copy of this communication

- [ ] Yes
- [ ] No

Has your claim been through the Scheme Provider's ADR (if applicable)?

- [ ] Yes
- [ ] No
- [ ] N/A

Have you received a formal decision from the Scheme Provider's ADR? (if applicable)

- Yes
- No
- N/A

Have you accepted a formal decision from the Scheme Provider's ADR? (if applicable)

- Yes
- No
- N/

About your installation/ service

1.What did you have installed and/ or service did you purchase?

2.When did you purchase the goods and/or services?

3. What was the purchase price?

4.How did you pay for the goods and/or services?

1. Cash/ BACS
2. Debit card
3. Credit card
4. Finance agreement
5. Funded route (Please specify)

5. What did the purchase price include?e.g. delivery, warranty

6.How did you choose your goods and/or service?

Home visit Brochure Online Other (Please specify)

7. Is there a contract in place? Yes No

8. Is there a guarantee for the goods and services? Yes No

9. Is the warranty or guarantee still valid? Yes No

10. Did your purchase include any fitting or installation service? If **NO**, please skip to **Question 20** Yes No

11. When was the installation supposed to start?

12. When did the installation actually start?

13. Is the fitting or installation complete? Yes ☐ No ☐

14. Was the balance paid in full in advance of the installation being completed? Yes ☐ No ☐

15. Is the fitting or installation completed to your satisfaction? Yes ☐ No ☐

16. If **NO**, please provide a list of outstanding issues and what you think needs to be done about them? Please provide copies of photos to show the fault(s)

17. Did your purchase require any fitting or installation that was carried out by someone other than the business? (i.e. Did you arrange for someone else to carry out the fitting or installation under a separate contract?) Yes ☐ No ☐

18. If Yes, is the fitting or installation work carried out by your own contractor complete? Yes ☐ No ☐

19. If Yes, when was the fitting or installation completed by your own contractor?

20. What information were you provided with (either verbally or in writing) about the product, its assembly, care and/or maintenance? If you have copies of any documents that you feel are relevant to this question, please send us a copy if possible

21. Please provide a written summary of your complaint, including why you think it is justified

22. What (if anything) has the business done so far to try to resolve your complaint?

23. Please tell us what you think should be done to resolve your complaint? If you are claiming financial losses that you have incurred you must also set these out individually and provide documentary evidence.

24. How did you find out about the Ombudsman?

- [ ] Business
- [ ] Citizens Advice
- [ ] Trading Standards

Other (Please specify)

General Data Protection Regulation and Data Protection Act 2018

The Ombudsman is registered under the General Data Protection Regulation and Data Protection Act 2018 (registration ZA050882). We will keep records of the information that you give us. This helps us to monitor the progress of your case and produce statistics that we may publish. We will also collect information in connection with your case from the other parties involved.

As part of our process we may share the information that you provide to us with:

- the other parties in the case;
- other organisations who can help in resolving the dispute (including companies who provide us with services such as Welsh and British Sign Language translation services and IT support);
- the Ombudsman Standard Board or any other body who regulates or monitors us;
- any other body with whom we are legally obliged to co-operate, for example law enforcement bodies
- Bodies or individuals who from time to time carry out inspection reports required in the administration of you claim or to fulfil our contractual obligations to you.

In submitting this application and requesting The Ombudsman's involvement in your complaint, you agree to us holding and using your information in this way.

Telephone calls to and from The Ombudsman may be recorded for training and quality purposes.
In the event of a breach of the requirements of the Code of Practice the matter may be referred to the Dispute Resolution Ombudsman Standards Board.

Your Agreement

Where your application relies on the Personal Data of an individual, such as a consumer, by signing below, you confirm that you have the necessary consents to provide their personal data to us and the data subject has agreed to us contacting them to arrange the inspection.

☐ **Please tick this box to confirm acceptance:**

By signing this application form I acknowledge that the information that I have supplied is true and accurate to the best of my knowledge and belief. I have read the Privacy Policy on how my data will be used by the Ombudsman. I agree to my complaint being reviewed by the Ombudsman and I agree to my data being held, used and shared by the Ombudsman in accordance with the Privacy Policy. Where I have supplied any Special Categories of Personal Data (as explained in the Privacy Policy), by ticking this box I consent to the Ombudsman using my data for the proper and reasonable administration of my claim.

Signature:

Print Name

Date

Please include with this form any other information which will help us in our enquiries including copies of invoices, delivery notes, care instructions, correspondence, and any other documents relating to the purchase if these are available.

Return the form and all documents to:

Dispute Resolution Ombudsman
Premier House,
First Floor,
1-5 Argyle Way,
Stevenage,
Hertfordshire,
SG1 2AD

or email info@disputeresolutionombudsman.org

Privacy Policy

Purpose of this Privacy Policy Dispute Resolution Ombudsman, trading as the Furniture & Home Improvement Ombudsman and Dispute Resolution Ombudsman (together "The Ombudsman"), respects your privacy and is committed to protecting your personal data. This Privacy Policy tells you what to expect when we process your personal data, or personal information, when you visit our website, when you call us by telephone, or contact us via another channel and/or when you complete an Application Form to start a complaint. It tells you about your privacy rights, how the law protects you, the purposes for which we may process your personal information and the legal basis for the processing ('processing' includes us just keeping your personal information).

It is important that you read this Privacy Policy so that you are fully aware of how and why we are using your personal data.

All your personal data will be held and used in accordance with the General Data Protection Regulation[1] ('GDPR'). These rules apply regardless of whether data is stored electronically, on paper or on other materials. To comply with the law, personal data must be collected lawfully and used fairly, stored safely and not disclosed unlawfully.

Identity and contact details of Controller

Dispute Resolution Ombudsman, trading as the Furniture & Home Improvement Ombudsman and Dispute Resolution Ombudsman, is the controller of personal data for the purposes of the GDPR and is responsible for the protection of your personal data.
Our contact details for data protection purposes are as follows:
Data Controller,
Dispute Resolution Ombudsman,
Premier House,
5 Argyle Way,
Stevenage,
SG12AD
Tel: 0333 241 3209
Email: info@disputeresolutionombudsman.org

The data we collect about you

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymised data).
We may collect, use, store and transfer different kinds of personal data about you which we have listed as follows:

- title, forename(s), surname;
- address, email address and telephone contact details;
- personal details of a third-party representative;
- reference number;
- complaint details which may contain personal identifiers;
- photographic, video or other evidence provided.

Some personal information that is collected is treated as more sensitive (referred to as 'special categories of personal data'[2], for example, information about health, sexuality, ethnic background and others).

You are able to contact us via Twitter (@ombudsmantweets). However, we do not have any influence on the scope of data that is collected by Twitter or any other social media channels through their sites and if you use them, you should check the policies of the relevant channels to understand how they protect your data. We may collect, use and retain some information that you provide or which is otherwise obtained via social media channels if it is relevant to your complaint.

How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us information about yourself by filling in an Application Form and/or by corresponding with us by post, phone, email, or otherwise including through social media channels.
- **Indirectly from the other parties to the case.** Businesses may share information with us from their own internal databases insofar as it is relevant to your complaint.
- **Website. Our website will store cookies.** Cookies are small pieces of text which are stored on your browser, the page you are viewing or on your device. They allow the website or a third party to recognise you and help you navigate the website more easily. For more information about the cookies we use on our website, please click here.
- **Third parties.** We may collect standard internet log information and details of visitor behaviour patterns from various third parties such as analytics providers (e.g. Google Analytics).

We may collect information about your computer, including where available your IP address, operating system and browser type. This is for system administration, to filter traffic, to look up use domains and to report statistics. This is statistical data about our users' browsing actions and patterns and does not identify any individual.

Legal basis for processing

We will only use your personal data when the law allows us to. This means we have to have a legal reason to use your personal data. The legal basis is that we have a legitimate interest in processing your data in order to administer a claim against a business against whom you have lodged your complaint. When you ask us to consider a complaint against a business, we will only request the personal information that is needed to process your complaint. We require your data to pursue our legitimate interests in a way that we consider you could reasonably expect in the administration of the claim itself.

If you have contacted us for the purposes of commissioning an independent inspection report, we have a contractual basis for processing your data to fufill our obligations in respect of the report.

Special categories of personal data [3]

The legal reason for processing special categories of personal data is more limited. We must identify a lawful basis for this processing and meet a separate condition for the processing. The basis for which we can use these special categories is that we have a legitimate interest in processing your data in order to administer a claim against a business against whom you have lodged your complaint. The separate condition is that you have given your explicit consent to us processing your data for this purpose. Consent must be freely given, specific and informed and you must have a genuine choice about offering your data.

Where you have supplied special categories of personal data which are relevant to your claim, you will be asked to consent to us using your data for the proper and reasonable administration of your claim when you submit or sign your Application Form [link]. Where we rely on your explicit consent to process special categories of personal data, this consent can be withdrawn at any time. To withdraw your consent, please contact us.

Other basis we could use, if applicable:

- with your consent;
- where we need to protect the vital interests (i.e. health & safety) of you or another person;
- where you have already made the information public;
- where we, or another person needs to bring or defend a legal claim;
- substantial public interest grounds

If you are unsure about our use of your data, or require more information, please contact us for details.

What we use your information for

The Ombudsman will only use the information you provide to:

- respond to your enquiry;
- investigate your complaint;
- comply with our reporting obligations.

You will not be subject to automated decisions.

We will not use your data for any marketing or promotional purposes and will not share your personal data with any third party for marketing purposes.

We may contact you to seek your permission to use your data to monitor customer satisfaction levels. We have a legitimate interest in finding ways to improve our service, however there is no obligation on you to participate with any such survey and you can communicate your preference regarding this to us at any time.

Telephone calls to and from The Ombudsman may be recorded for training and quality purposes. Recordings are used to protect the interests of those participating in the call and provide us with useful information or evidence that supports your complaint.

When you submit an Application Form and request The Ombudsman's involvement in your complaint, you acknowledge that we will hold and use your information in the ways described above.

Sharing your personal information

As part of the process to administer a claim against a business against whom you have lodged your complaint, we may share the information that you provide to us with:

- the other parties in the case;
- other organisations who can help in resolving the dispute (including companies who provide us with services such as Welsh and British Sign Language translation services and IT support);
- The Ombudsman Standards Board or any other body who regulates or monitors us;
- any other body with whom we are legally obliged to co-operate, for example law enforcement bodies.
- Bodies or individuals who from time to time carry out inspection reports required in the administration of you claim or to fulfil our contractual obligations to you.

How we manage your personal information
We process your personal information in accordance with the principles of the GDPR. We will treat your personal information fairly and lawfully and we will ensure that information is:

- processed for limited purposes;
- kept up-to-date, accurate, relevant and not excessive;
- not kept longer than is necessary;
- kept secure to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

Access to personal information is restricted to authorised individuals on a strictly need to know basis and subject to a duty of confidentiality.

We are committed to keeping your personal details up-to-date, and we encourage you to inform us about any changes needed to ensure your details are accurate.

Sometimes we will need to share your personal data with third parties and suppliers outside the European Economic Area, such as the USA. If we do this, we have received confirmation to ensure your data receives the same protection as if it were being processed inside the European Economic Area.

Your rights under the GDPR
Under the GDPR, as a data subject you have the legal right to:

- request access to your personal data (commonly known as a 'data subject access request');
- request correction of your personal data;
- request erasure of your personal data;
- object to processing of your personal data;
- request restriction of processing your personal data;
- request transfer of your personal data;
- not be subject to automated decisions;
- withdraw your consent.

Please contact us if you require any further information relating to, or if you wish to exercise any of, these rights.

Periods for which we will store your personal information
We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements.

Telephone recordings are kept for 6 months. If a telephone call recording provides useful information or evidence that supports a complaint, we may keep this as part of the case for 6 years.

We will keep other records of the information that you give us for up to 6 years. This is required for us to monitor the progress of your case and produce statistics that we may publish. We have a legal obligation to publish certain case statistics to our ADR accrediting body. This means that we will retain and may refer to the information you have provided to us after your case with us is closed. Personal information that you provide through social media is kept for a period of up to 12 months.

We also have an ongoing duty to retain personal data so that we can make reasonable adjustments for consumers under the Equality Act 2010. This may affect, for example, a consumer's preferred method of contact if they had a hearing impairment and/ or what would be an appropriate award to make.

In some circumstances you can ask us to delete your data: see 'Your rights under the GDPR' for further information.

Third party links
This website includes links to the websites of the businesses and may include links to other third party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

Further information
For further information on how and why we process your information and on how to exercise your legal rights, contact us.

The Information Commissioner's Office (ICO) is also a source of further information about your data protection rights. The ICO is an independent official body, the UK supervisory authority for data protection issues, and one of their primary functions is to administer the provisions of the GDPR.

You have the right to complain to the ICO if you think we have breached the GDPR.

You can contact the ICO at:
Information Commissioner's Office

Wycliffe House,
Water Lane
Wilmslow,
Cheshire
SK9 5AF
Tel: 0303 123 1113
Website: ww.ico.org.uk

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If you are unsure about our use of your data, or require more information, please contact us for details.

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