



How to complain to a business

**Useful information from the Competition and Consumer
Protection Commission**



Coimisiún um
Iomaíocht agus
Cosaint Tomhaltóirí

**Competition and
Consumer Protection
Commission**



Sometimes you might find you need to make a complaint to a business. It might be about poor service or a faulty product, or you might have complained already and had no response.

Before you make a complaint, know why you are complaining. Common reasons for complaining include:

- The product you bought is faulty.
- A product or service did not fit the description.
- A product is not of the quality you expected.
- A service was not carried out with due care or professionalism.
- You have a complaint about customer service or the way you were treated.

Your rights under consumer law

- Under consumer law, if you buy something in a shop and then change your mind about it, you are not entitled to return the goods for a refund or replacement. For you to have the right to a refund, repair or replacement, the product must be faulty. You are also not entitled to a refund or replacement if:
 - the fault has been caused by you using the item in a way that it wasn't intended.
 - the fault was pointed out to you before you bought the item.
 - the fault is an obvious one, and you should have noticed it before you bought it.

- Your rights do not change just because you bought something in a sale – a faulty product is a faulty product.
- If you accept a repair, this repair must be permanent. If the same fault occurs again, you should be entitled to a replacement or refund.
- The shop that sold you the faulty item is responsible and must deal with your problem. You do not have to deal with the manufacturer.

Make a complaint to a business

We've put together some simple steps to help you make an effective complaint.

Step 1: Act quickly

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

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 right person.

Start by contacting the person you originally dealt with, or the company's customer care department, if it has one. If the person you originally dealt with cannot put things right, ask to speak to a manager.

Step 3: Making the initial complaint

Make your complaint face-to-face or over the phone first, rather than in a formal letter. Give the company the opportunity to put things right. This may help to solve your problem quickly. Always keep notes of what happened, in the order 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. You may feel angry, but you can often make a more effective complaint by being calm and reasonable.
- Explain your problem, keep to the facts and know your rights.
- Tell them what you want them to do for your complaint to be resolved. Focus on the action you want the supplier to take. For example, make it clear if you are looking for a replacement, a repair, a refund, completion of an unfinished service, or an apology.

Many problems can be sorted out quickly and simply at the counter or over the phone, but if you are not satisfied with their response, you may need to make a formal complaint.

Step 4: Making a formal complaint

If your problem has gone on for some time and you are still not getting a result, you should make a formal complaint in writing. You can use our sample complaint letters – see the last page of this document.

Hold on to all information about your complaint, including letters, emails, photographs, invoices, receipts, cheque stubs, quotations or contracts – only send copies to the supplier.

When writing your letter, keep the following in mind:

- Type your letter if possible, or write it clearly and neatly.
- Try to keep the letter short, clear and to the point.
- Clearly set out the history of your case: the date of purchase, who you spoke to and what the problem is.
- 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.
- Say what you want done to resolve your complaint.
- Give the company a reasonable timeframe to resolve the problem.
- Attach copies of any relevant documentation.



- Always make sure your letter is sent to the right person or department, so ask for the name and address of their most senior person you can contact who deals with written complaints.
- If the issue is very serious, send your letter by registered post so that you will have a record of delivery.

Step 5: If you are still not getting a result

Most complaints are settled without needing to take legal action. But if you are not satisfied after making your complaint, you may want to take it 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, relatively quick, and does not cost much. See www.courts.ie for further information.

For amounts over €2,000, you may need to contact a solicitor.

Report a Business to the Commission

If you think a business has breached your consumer rights, you can report the business to us. However, you should consider making a complaint directly to the business first to give the business the opportunity to put things right.

Contact us on Lo Call 1890 432 432



Template Letter of Complaint – Goods

Date (of sending letter- day/month/year)

Name of owner/manager of shop/business

Full address of owner/shop/business

Dear (insert owner/manager's name or Sir/Madam)

On (insert date of purchase) I bought (description of the product, include model or serial number or any other details making it identifiable to the company).

I attach a copy of my receipt for your information. (see 'notes to consumer' document)

I am writing to you because (outline the problem, for example)

- The product is faulty and no longer works and/or
- The product does not do what it is supposed to do and/or
- The product is not as described

On (insert date) I rang and spoke to (insert name of person you spoke to) but (insert outcome here, for example 'I have heard nothing further since').

According to the Competition and Consumer Protection Commission's website www.ccpc.ie, goods purchased from a shop or retailer should be:

- Of acceptable quality
- As described
- Fit for its purpose
- Corresponding to sample

Under consumer law¹, my contract is with the seller of the goods and as such I am writing to you to seek (state what you want the supplier to do e.g. offer a repair, replacement or a refund).

I would appreciate your response within 10 working days. If you wish to discuss this further, I am contactable by telephone/email at (insert daytime number/email address –optional).

Yours sincerely,

_____ (signature)

¹ Sale of Goods Acts 1893-1980



Template Letter of Complaint - Services

Date (of sending the letter day/month/year)

Name of owner/manager of business/shop

Full address of owner/shop/business

Dear (insert owner/manager's name or Sir/Madam)

On (insert date of purchase) I bought (description of the service, include any details which will make the service identifiable to the company). I attach a copy of my receipt for your information. (see 'notes to consumer' document)

I am writing to you because (outline the problem, for example:)

- The service was not carried out with the necessary skill
- The service was not carried out with proper care and attention
- The materials used were not of acceptable quality

On (insert date) I rang and spoke to (insert name of person you spoke to) but (insert outcome here, for example 'I have heard nothing further since' or 'I am not satisfied with the response I received').

According to the Competition and Consumer Protection Commission's website www.ccpc.ie, if a consumer has a contract with a service supplier the consumer can expect that:

- The service is provided with proper care and attention
- The supplier has the appropriate skills to do the job
- Any materials used in the work are sound and fit for their purpose
- Any goods supplied as part of the service should be of acceptable quality

Under consumer law² my contract is with (name business) as the supplier of the service and as such I am writing to you to seek (state what you want the supplier to do e.g. offer a repair, replacement or a refund).

I would appreciate your response within 10 working days. If you wish to discuss this further, I am contactable by telephone/email at (insert daytime number/email address –optional).

Yours sincerely,

_____ (signature)

(Print your name here)

² Sale of Goods Acts 1893-1980