

ROUNDTABLE WITH FIN-NET MEMBERS

ADR CONFERENCE IN ROME

“THE ITALIAN EXPERIENCE IN THE EUROPEAN CONTEXT”

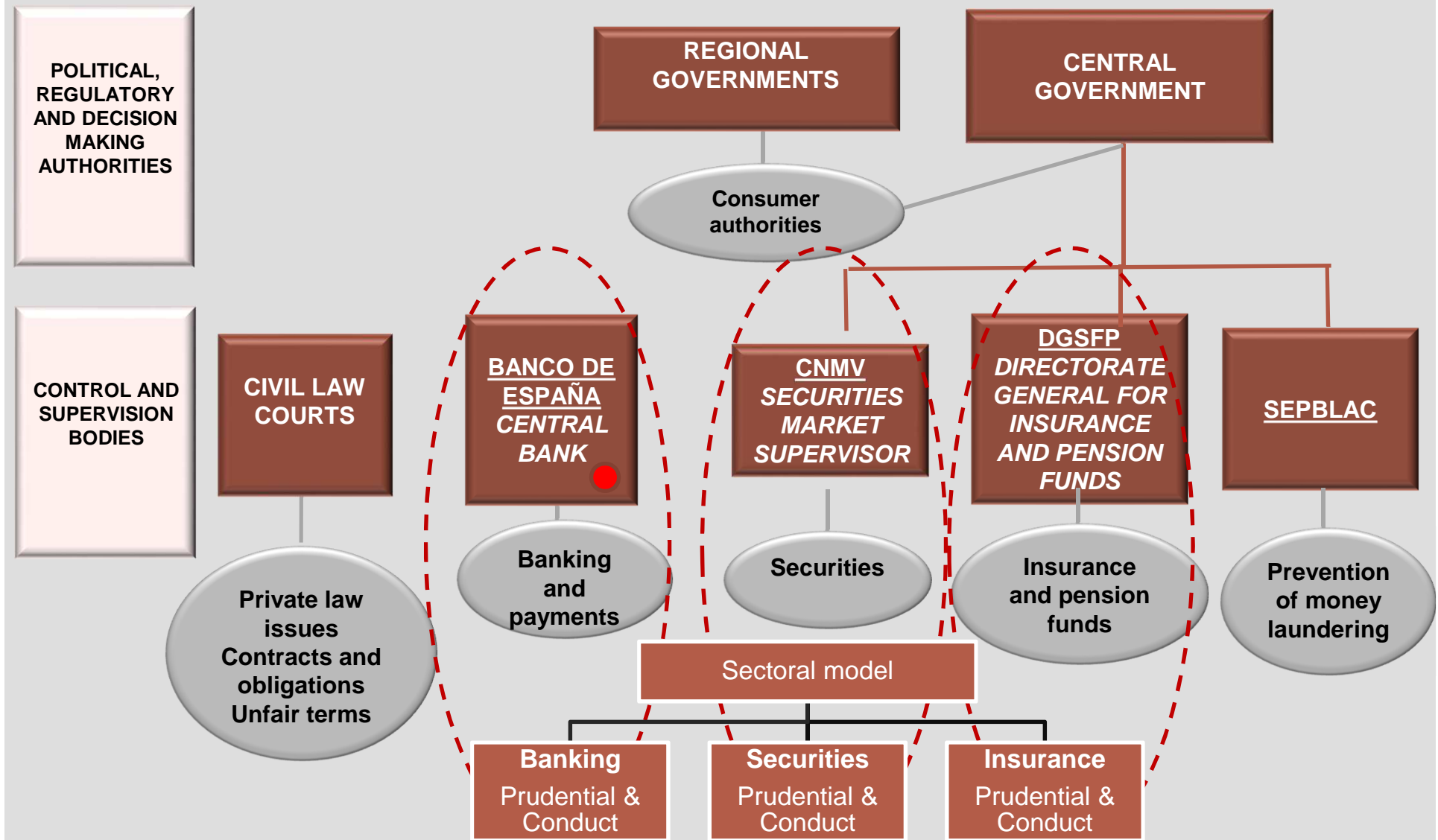
Nieves Prieto Lavín
Head of Unit of Best Practice Criteria

15th September, 2017

MARKET CONDUCT AND CLAIMS DEPARTMENT

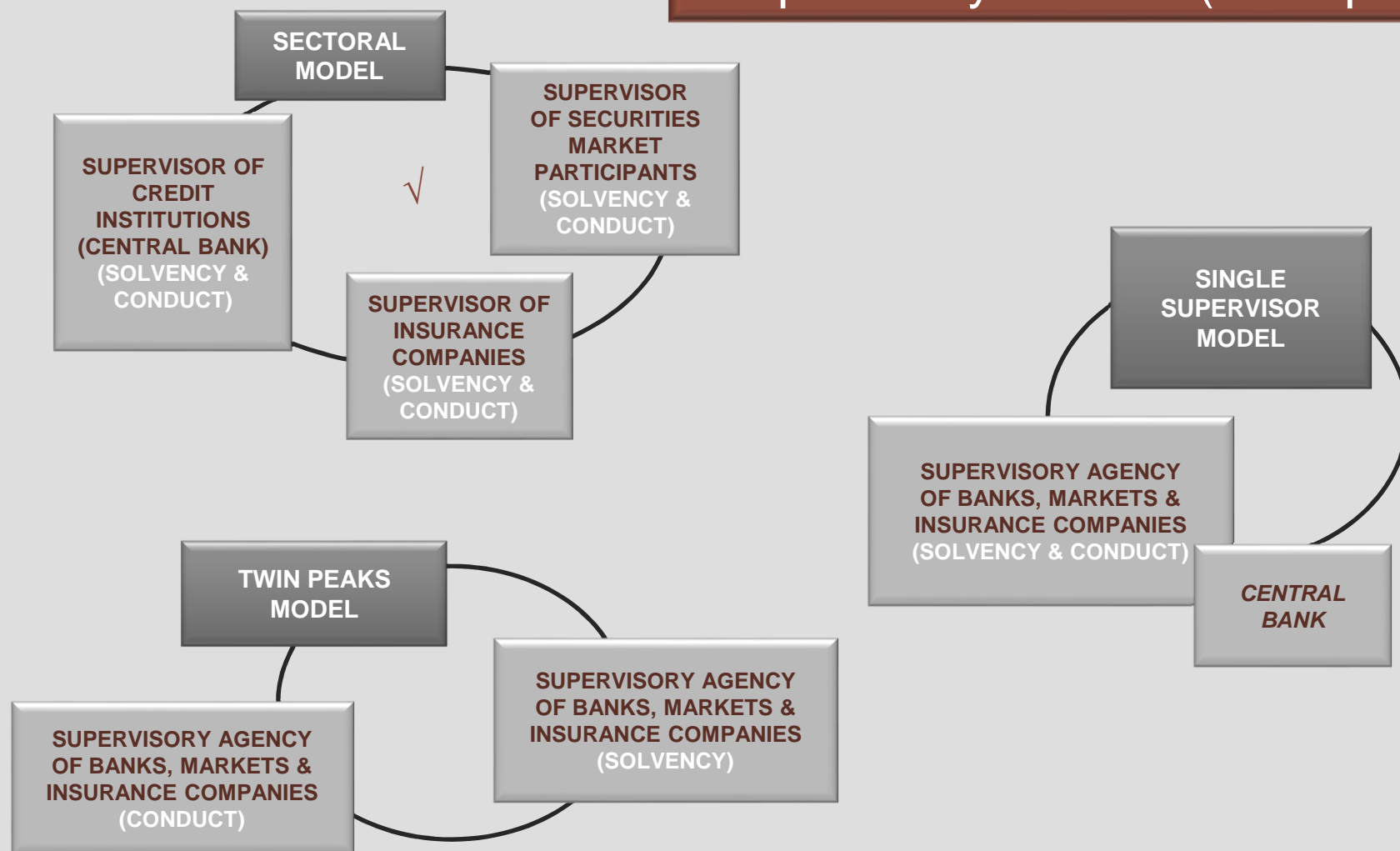


1. INSTITUTIONAL APPROACH TO FINANCIAL CONSUMER PROTECTION IN SPAIN: WHERE WE ARE?



1. INSTITUTIONAL APPROACH TO FINANCIAL CONSUMER PROTECTION IN SPAIN

Supervisory models (examples)



1. INSTITUTIONAL APPROACH TO FINANCIAL CONSUMER PROTECTION IN SPAIN



SECTORAL MODEL

PROS

- Access to information
- Synergies
- Tradition & expertise
- Specificities of the Spanish financial system
- Easy approach from the consumers POV

CONS

- Eventually, conflict of interest
- Lack of global view (concentration in one sector)
- Not clear definition of competences may cause gaps or overlaps
- More legal dispersion

2. IMPACT OF ADR DECISIONS ON CONDUCT/BUSINESS APPROACHES



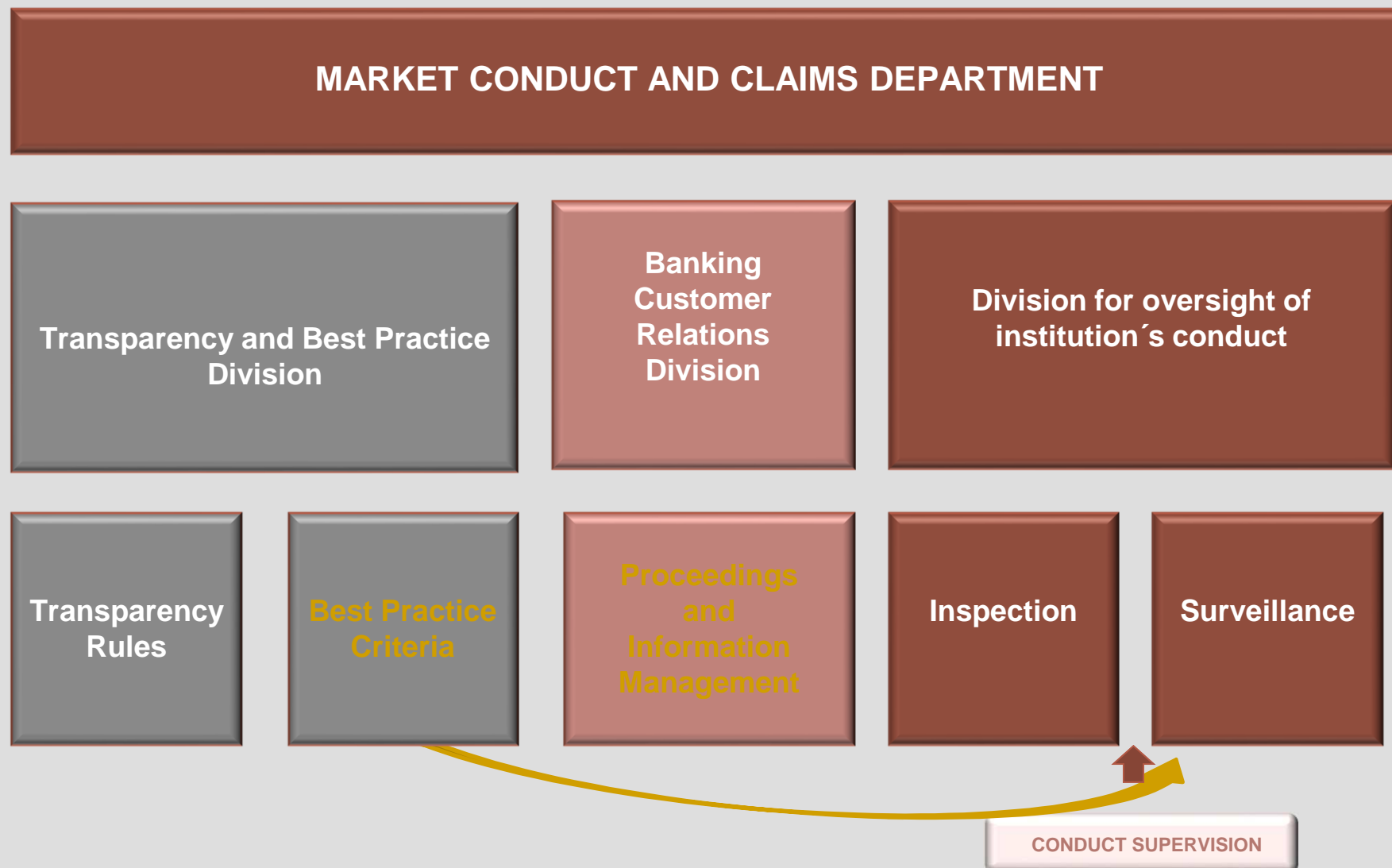
NON BINDING REPORTS ☹️

BUT...

- Useful sometimes to issue legal proceedings 😊
- Redress of the conduct on a voluntary basis (36,8 % in 2016) 😊
- Annual report on claims → published on line from 1999 to 2017 in www.bde.es 😊
 - Reputational impact
 - Press interest
 - Tool for the clients

AND... From 2014→ main INPUT of the supervision of conduct Division 😊

3. RELATIONSHIP BETWEEN THE “ADR” AND THE SUPERVISORY TEAM



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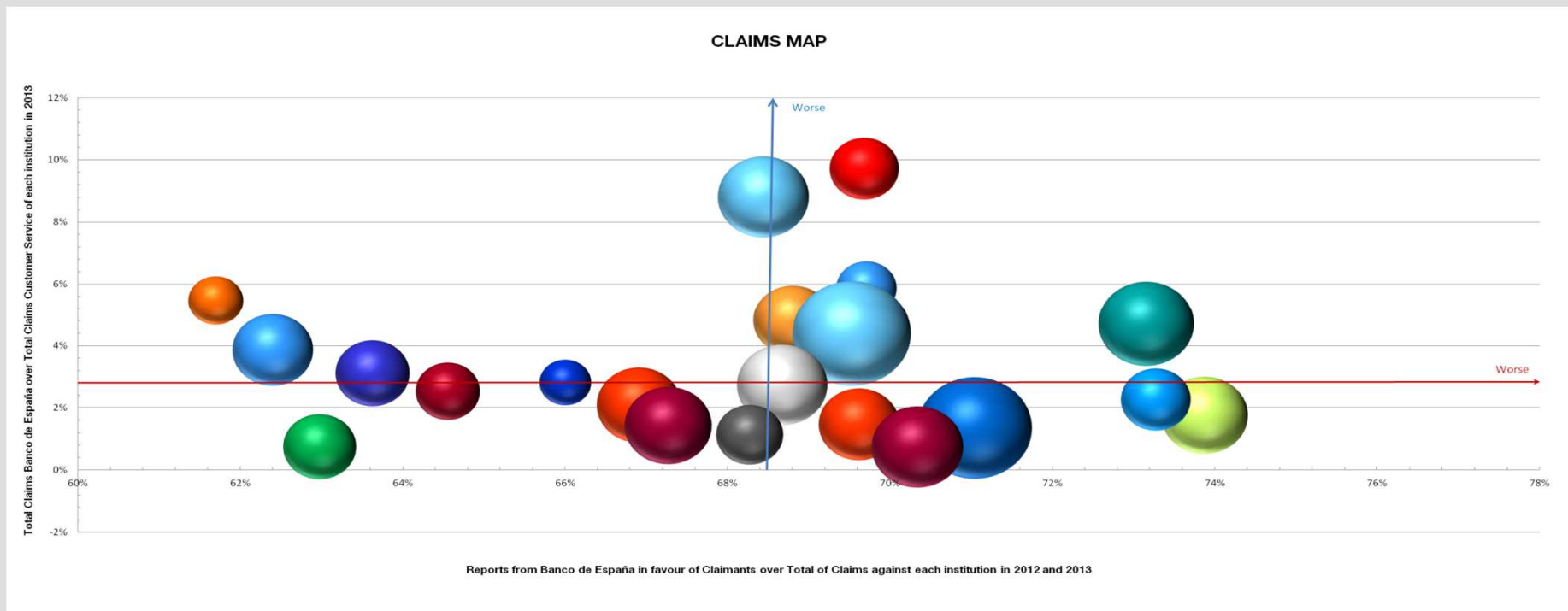


- Claims data are used as crucial input to establish **the conduct profile and the priorities for the supervisory plans (quarterly reports)**
- Legal obligation of sending the supervisory services those files in which evidence of serious or repeated failure or breach of norms of transparency and protection of the clientele is detected.
- Full access of the supervision of conduct staff to the claims database
- Weekly meetings
- Joint preparation of external stakeholders meetings
- Sanctioning proceedings based on serious offences with singular clients found in claims (2 in 2016)
- Co-operation in proposals for sanctioning files
- And... Both teams are physically close... What helps communication and efficiency!!

3. RELATIONSHIP BETWEEN THE “ADR” AND THE SUPERVISORY TEAM

INPUT TO CREATE A
CONDUCT
PROFILE

- Assignment of conduct profile to each institution depending on different parameters according to its conduct category
- Parameters based on data regularly reported by the institution to BdE and other internal information (e.g. claim statistics)

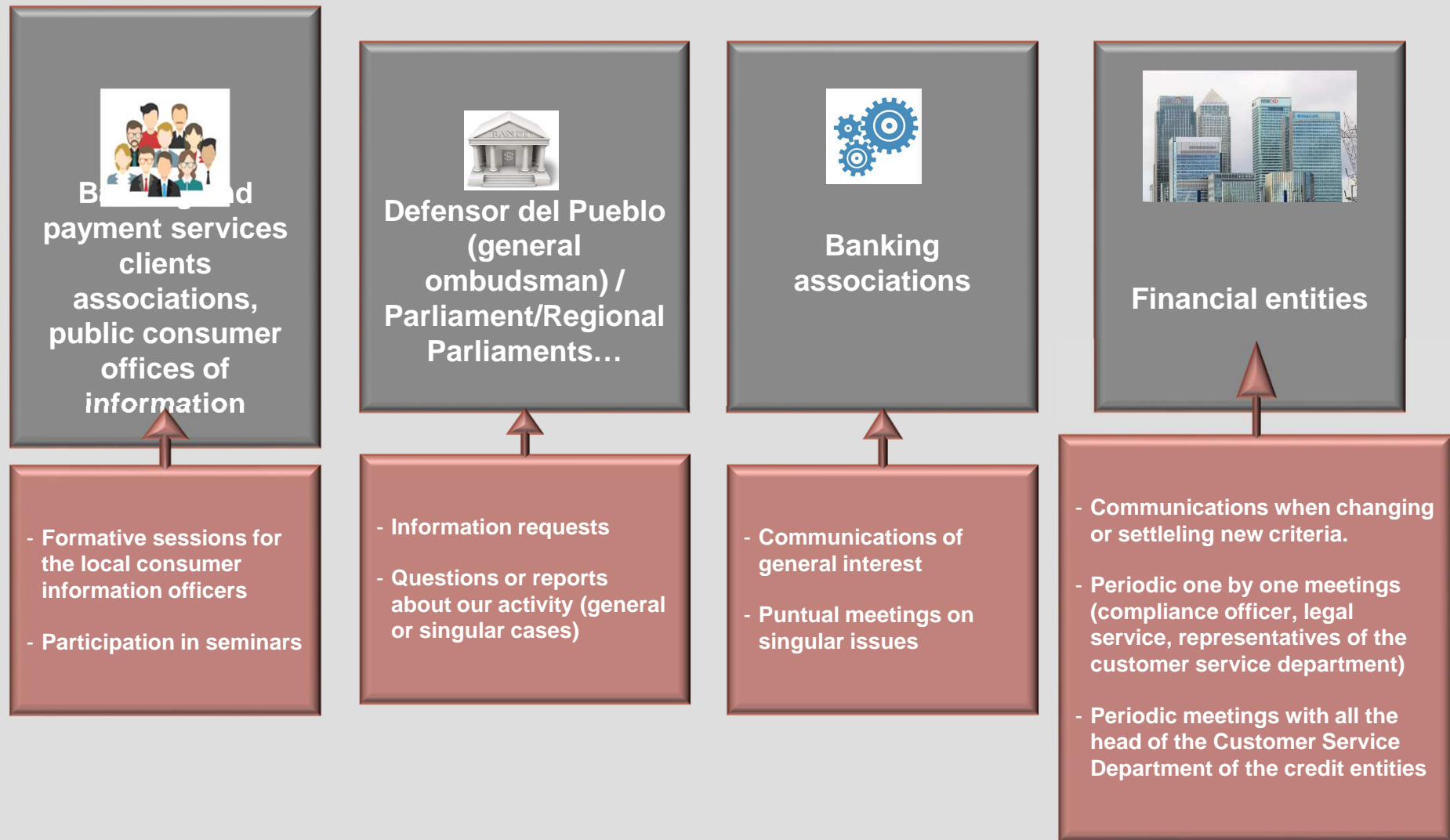


3. QUALITY CONTROL PROCESSES. CONSISTENCY.



- **The public criteria of the Annual Report as the main lines to follow for each ombudsperson**
- **At least one review to double check the criteria applied (both in the phase of preparing the file and in the phase of resolution)**
- **In the mortgage loans claims: double check review**
- **New conflicts analysed in specific meetings / Intensive communication in the team**
- **Superior and peer review of the Annual Report (criteria on good practices chapter)**

4. RELATIONSHIP WITH EXTERNAL STAKEHOLDERS





Thank you for your attention

BANCODE **ESPAÑA**
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MARKET CONDUCT AND CLAIMS DEPARTMENT