



**Complaints Handling Policy**

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# Introduction

## Objective and purpose of the Complaints Handling Policy

For the purpose of the present Complaints Handling Policy (hereinafter referred to as the “**Policy**”), **Deloitte Luxembourg** or the **Firm** refers to DELOITTE TOUCHE TOHMATSU, *société à responsabilité limitée* (DTT), together with its subsidiaries (with the exception of Deloitte Solutions, *société à responsabilité limitée*, which has its own complaints handling policy).

Deloitte Luxembourg seeks to maintain its reputation as a Firm delivering high quality professional services. Deloitte Luxembourg is also committed to maintaining its responsiveness to the needs and concerns of its clients. This Policy is designed to provide guidance on the manner in which Deloitte Luxembourg receives and handles complaints made against the Firm, its Partners and its employees. The objective of this Policy is to assist the Firm, its Partners and employees in resolving complaints in an efficient, effective and professional manner.

## Background

In preparing this Policy, Deloitte Luxembourg has endeavoured to align with the relevant legal requirements and current best practice.

## What is a Complaint?

The Policy is intended to address complaints made to Deloitte Luxembourg (hereinafter referred to as a “**Complaint**”).

A complaint is an expression of dissatisfaction made to an organization, related to its services or products, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.

Moreover, complaints in relation to a statutory audit<sup>1</sup> performed by the approved audit firm of Deloitte Luxembourg, the company Deloitte Audit, *société à responsabilité*, may be subject to specific handling and reporting requirements set out in CSSF Circular 17/662, CSSF Circular 17/671 and RCSSF 16\_07. (please see under page 5 of this Policy for the applicable relevant specificities). In accordance with CSSF Regulation N°16-07, a complaint shall mean a complaint filed with a professional to recognise a right or to redress a harm.

Any person or organization who, for any reason, is dissatisfied with a service provided by the Firm (hereinafter referred to as the “**Complainant**”) may contact Deloitte Luxembourg to complain.

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<sup>1</sup>Statutory audit as defined in article 1 point (6) of the Law of 23 July 2016 concerning the audit profession as amended.  
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# Guiding principles of effective Complaints handling

Deloitte Luxembourg shall consider the following guiding principles of effective Complaints handling:

Principle	Deloitte Luxembourg's response
Visibility	This Complaints Handling Policy is openly available for each stakeholder.
Accessibility	<p>The Complaints Handling Policy of Deloitte Luxembourg is readily accessible to all Partners, employees and clients and other third parties via its website, and where appropriate, in brochures, leaflets and contractual documents.</p> <p>The Policy is easy to understand and includes details on making and resolving Complaints. It also includes information on the CSSF acting as an out-of-court complaint resolution body where relevant.</p>
Responsiveness	Receipt of each Complaint is acknowledged to the Complainant timely. Complaints will be handled in an efficient and effective manner. Complainants will be treated courteously and kept informed of the progress of their Complaint throughout the Complaint-handling process.
Objectivity	Each Complaint is addressed in an equitable, objective and unbiased manner through the Complaints-handling process.
Charges	There will be no charge to the Complainant for making a Complaint.
Confidentiality	Personally identifiable information concerning the Complainant is actively protected from disclosure unless the Complainant expressly consents to its disclosure.
Customer-focused approach	All Partners and employees of Deloitte Luxembourg, including the members of the boards of Deloitte Luxembourg and the executive teams, are committed to efficient and fair resolution of Complaints. The Firm actively solicits feedback from its clients on a regular basis and acknowledges a client's right to complain.
Accountability	All Partners and employees of Deloitte Luxembourg accept responsibility for effective Complaints handling. The Complaints Officer will ensure that, where appropriate, issues raised in the Complaints handling process are reflected in employee performance evaluation.
Continual improvement	The Complaints handling process of Deloitte Luxembourg will be reviewed periodically, and at least annually, to aim to enhance its efficient delivery of effective outcomes.

# Handling a Complaint

## How a Complaint may be made

Where a Complaint is about a particular engagement, service, Partner or employee and that you are familiar with the engagement team working on your matter, you may wish to address your Complaint to an appropriate member of that engagement team by letter or email. Complaints should be made in writing so that the details of the Complaint are clear and complete. If you are not sure to whom to refer your Complaint, or feel it is inappropriate to address your Complaint to a member of the engagement team, please write to:

The Complaints Officer:

Jérôme Lecoq

**Complaints Officer**

Tel: +352 451 452 623

Email: [jlecoq@deloitte.lu](mailto:jlecoq@deloitte.lu)

Deloitte General Services

20, Boulevard de Kockelscheuer

L-1821 Luxembourg

Grand Duchy of Luxembourg

## What information is required when making a Complaint?

When making a Complaint, please provide the following information:

- Your name, position and contact details;
- Your relationship with Deloitte Luxembourg (i.e. the nature of your engagement, and the Deloitte Luxembourg entity delivering the service, if you are a client);
- Your contact person within Deloitte Luxembourg;
- The nature of the Complaint (including when the conduct giving rise to the Complaint occurred);
- Details of the Deloitte Luxembourg employee involved (if applicable);
- Copies of any documentation supporting the Complaint.

## Assistance with making a Complaint

If you need assistance in formulating or lodging a Complaint, please contact a member of the engagement team working on your matter. If this is not appropriate, please contact the Complaints Officer (contact details as provided above).

## Acknowledgement of Complaints

We endeavour to acknowledge all Complaints timely upon receipt and in any case, we will provide you with a written acknowledgement of receipt within a period of 10 days after receipt of the Complaint. Once a Complaint has been received, we will undertake an initial review of the Complaint.

## Your rights during the Complaint process

You have the right to enquire as to the status of your Complaint by contacting the Partner or employee who has been identified to you as handling your Complaint.

## Resolution and response to a Complaint

Once we have reviewed your Complaint, we will provide you with a written response. We endeavour to resolve Complaints within four weeks of receiving the Complaint, but this will not be possible on all occasions. Where our review exceeds four weeks, we will contact you to inform you of the reasons for the delay, and indicate to you when we expect to be in a position to complete our review of the Complaint.

If you are dissatisfied with our response, you have the right to ask for reconsideration of the response by the Complaints Officer. Such a request should be made in writing and forwarded by post or email to the address provided above.

Deloitte Luxembourg is responsible for:

- Gathering and investigating all relevant evidence and information on each Complaint;
- Communicating in a plain and easily comprehensible language.

## Complaints in relation to a statutory audit performed by Deloitte Audit, *société à responsabilité limitée*. Out-of-court resolution of complaints submitted to the CSSF in accordance with the CSSF Regulation N°16/07

If, despite our best efforts, you remain unsatisfied with our response or have not received an answer to your Complaint in relation to a statutory audit<sup>2</sup> performed by Deloitte Audit, *société à responsabilité limitée*, within one month from the date at which your Complaint was sent to us, you may refer to the Luxembourg financial regulator (*Commission de Surveillance du Secteur Financier*, (CSSF)) in accordance with the provisions of the CSSF Regulation N°16/07 relating to the out-of-court complaint resolution which aims to facilitating the resolution of complaints against professionals (like Deloitte Audit, *société à responsabilité limitée*) without judicial proceedings.

As previously mentioned, according to the CSSF Regulation N°16/07, a complaint is defined as a complaint filed with a professional to recognise a right or to redress a harm.

According to the CSSF Regulation N°16/07, in order to be entitled to submit a request for an out-of-court complaint resolution to the CSSF in relation to a statutory audit performed by Deloitte Audit, *société à responsabilité limitée*:

- You must have previously sent your Complaint in writing to the Complaints Officer of Deloitte Luxembourg, and
- You must have not received an answer or a satisfactory answer from the Complaints Officer of Deloitte Luxembourg within one month from the date at which your Complaint was sent to us.

You may file a request with the CSSF within one year after the Complaint has been filed with the Complaints Officer of Deloitte Luxembourg in accordance with CSSF requirements established on the CSSF website and the applicable form.

According to the CSSF Regulation N°16/07, a request for an out-of-court complaint resolution to the CSSF shall not be admissible in the following cases:

- The complaint has been previously or is currently being examined by another alternative dispute resolution body, arbitrator, arbitration tribunal or a court, in Luxembourg or abroad;
- The complaint concerns the business policy of the professional (Deloitte Audit, *société à responsabilité limitée*);
- The complaint concerns a non-financial product or service;
- The request is unreasonable, frivolous or vexatious;
- The complaint has not been previously submitted in writing to the professional (Deloitte Audit, *société à responsabilité limitée*) or the Complainant has received a satisfactory answer from the professional (Deloitte Audit, *société à responsabilité limitée*) within one month from the date at which the complaint was sent;
- The Complainant has not filed a request with the CSSF within one year after s/he filed a request with the professional (Deloitte Audit, *société à responsabilité limitée*);
- The request handling would seriously impair the efficient functioning of the CSSF.

Once the CSSF receives a request that meets all the conditions, it transmits a copy thereof to the professional (Deloitte Audit, *société à responsabilité limitée*) and will ask the Complaints Officer to take position within a period up to one month from the date at which the file was sent. The CSSF will inform the Complainant of this transmission.

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<sup>2</sup> Complaints in relation to statutory audits are subject to specific handling and reporting requirements set out in CSSF Circular 17/662, CSSF Circular 17/671 and RCSSF 16\_07. statutory audit as defined in article 1 point (6) of the Law of 23 July 2016 concerning the audit profession as amended.

Within three weeks after receipt of the complete request<sup>3</sup>, the CSSF informs the Complainant and the professional (Deloitte Audit, *société à responsabilité limitée*):

- If it accepts to treat the request; or
- If it is unable to deal with the request (providing detailed explanation of the reason thereof to the involved parties).

Once the request analysis is completed, the CSSF addresses a conclusion letter to the involved parties with the reasons for the position taken. Namely either:

- That the request is partly or totally justified and asking the Complainant and the professional (Deloitte Audit, *société à responsabilité limitée*) to contact each other to settle their dispute in view of the reasoned conclusion and to inform the CSSF of the follow up; or
- That the positions of the Complainant and of the professional (Deloitte Audit, *société à responsabilité limitée*) are irreconcilable or unverifiable.

In any case, the conclusions reached by the CSSF after the analysis of the request may be different from the order of a court applying legal provisions. Therefore, the Complainant as well as the professional (Deloitte Audit, *société à responsabilité limitée*) are free to accept or refuse to follow the the conclusions reached by the CSSF as they are not binding. The Complainant as well as the professional (Deloitte Audit, *société à responsabilité limitée*) may also seek remedies through legal proceedings, in particular, if they jointly fail to reach an agreement after the CSSF issued its reasoned conclusions.

The Complainant and the professional (Deloitte Audit, *société à responsabilité limitée*) will have to inform the CSSF whether each of them decides to accept, to refuse or to follow the solution proposed by the CSSF within the timeframe set by the CSSF in its reasoned conclusion letter.

#### Closing of procedure by the CSSF

The CSSF will close the procedure if one of the following occurs:

- The sending of a reasoned conclusion letter by the CSSF (cfr. Above-mentioned situation);
- CSSF is informed that an amicable settlement has been reached between the Complainant and the professional during the procedure;
- When a written withdrawal of one of the involved parties is notified in writing to the CSSF and to the other party at any time during the procedure;
- When the right on which the complaint is based is prescribed and where the professional claims that the time period for exercising that right has expired;
- When the complaint has been submitted to a Luxembourg or foreign court or arbitrator;
- When the complaint has been submitted to an out-of-court complaint resolution body other than the CSSF in Luxembourg or abroad;
- When the Complainant does not provide the additional documents, information, explanations or positions requested by the CSSF within the period set by the CSSF that cannot exceed three weeks<sup>4</sup>.

#### How to submit a Complaint to the CSSF

Please see under [www.cssf.lu](http://www.cssf.lu) (Customer Complaints) for any further information regarding the out-of-court complaint resolution process of the CSSF, including the different possible ways to submit a Complaint related to statutory audits to the CSSF.

#### Commission de Surveillance du Secteur Financier (CSSF)

283, Route d'Arlon  
L-1150 Luxembourg

Phone number: (+352) 26 25 1 - 2904

Email address: [reclamation@cssf.lu](mailto:reclamation@cssf.lu)

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<sup>3</sup> This deadline remains the responsibility of the CSSF and is indicated here only for information purposes.

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## Our quality controls

Complaints shall be analysed periodically by the Complaints Officer for the identification of systemic or recurring problems. If such problems are identified, the Firm shall consider what actions it may need to take to address these problems.

The Complaints handling process will be reviewed at least annually to aim to enhance its delivery of efficient and effective outcomes. This review will be performed by the Complaints Officer or an appropriate appointee. If the case be, the Firm shall consider what actions it may need to take to address any deficiencies identified during the review.

Where appropriate, issues that arise as a result of the Complaints handling process may be considered in the process for monitoring and evaluating Deloitte Luxembourg's Partner and employee performance.

Please contact the Complaints Officer if you have any comments or suggestions in respect of the contents of this Policy.





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