



Insurance OmbudServices Cooperation and Oversight Framework

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1. Introduction

The Insurance Ombudservices Cooperation and Oversight Framework¹ (“Framework”) describes the importance of an effective Consumer dispute resolution system within the Canadian insurance marketplace. It also describes a framework for ongoing cooperation among the insurance sector OmbudServices—the OmbudService for Life & Health Insurance (OLHI) and the General Insurance OmbudService (GIO)—and the Canadian Council of Insurance Regulators (CCIR), to ensure there is effective Consumer dispute resolution in the Canadian Insurance Market and to retain the confidence of CCIR in each OmbudService.

This Framework is organized to first identify the public interest of an effective Consumer dispute resolution system, followed by the Framework’s oversight structure, and then the principles and objectives that are important to CCIR. The final section describes how accountability and information sharing are carried out in practice.

This Framework works in conjunction with other applicable documents relating to each OmbudService and CCIR, including:

- Each OmbudService’s Terms of Reference and by-laws, and
- CCIR’s Conduct of Insurance Business and Fair Treatment of Customers Guidance.

¹ This document is the successor document to the Joint Forum of Financial Market Regulators Financial Services OmbudsNetwork – A Framework for Collaboration dated August 10, 2007 and approved by CCIR June 2015.

2. Complaint Resolution in the Canadian Insurance Market

This section explains the importance of effective Consumer dispute resolution to the Canadian Insurance Market and the role of Canada’s independent OmbudServices in providing this service. It also outlines the structure of the ongoing relationship between CCIR and each OmbudService as well as the premises that underlie that structure.

This section also emphasizes the importance of strong governance structures and regular engagement between OmbudServices and regulators to ensure that Consumers are treated fairly and consistently across the insurance industry.

2.1 Premises

- 2.1.1 An accessible, effective, and independent Consumer dispute resolution process is vital to the integrity of the Canadian Insurance Market and is an important public interest objective of both provincial and federal governments.
- 2.1.2 If Consumers have Complaints, they should have ready recourse to an accessible and effective Consumer dispute resolution process:
 - a. Within each regulated insurance company; and
 - b. In the case of unresolved Complaints at a regulated insurance company, within an independent Consumer dispute resolution process that meets the principles and associated implementation guidelines set out in this Framework.
- 2.1.3 CCIR considers Consumer dispute resolution through independent dispute resolution processes to be an important component of a well-functioning Consumer protection policy framework, as independent dispute resolution offers Consumers a free alternative to the legal system in a confidential and informal setting.
- 2.1.4 In carrying out their overall mandate of acting in the best interest of the public, it is the goal of CCIR and each OmbudService to fulfill the Public Interest Objective of independent Consumer dispute resolution and to assess from time to time whether the public interest is being achieved by the independent Consumer dispute resolution services for the Canadian Insurance Market.
- 2.1.5 Regulators have concluded that the OmbudServices, independent of industry and at arm’s length from government, offer an appropriate foundation to achieve effective independent Consumer dispute resolution. This Framework is designed to ensure the OmbudServices continue to maintain the confidence of regulators and Consumers.
- 2.1.6 Effective governance of an OmbudService depends upon it having a strong and committed board of directors. It is the responsibility of the Board of Directors to provide oversight through the adoption of transparent governance and other policies and

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procedures reflecting dispute resolution best practices and sound stewardship of the operations and resources of the OmbudService to fulfill the OmbudServices' Public Interest Objective.

- 2.1.7 Regular and candid engagement between each OmbudService, its Board of Directors, and CCIR is essential. Details on the frequency and scope of these engagements are set out in section 5 of this Framework.
- 2.1.8 It is important to ensure the independent Consumer dispute resolution services for the Canadian Insurance Market:
 - a. Are accessible by all Consumers;
 - b. Treat Consumers of similar insurance products equally; and
 - c. Are equivalent in quality and meet the principles and associated implementation guidelines set out in this Framework. The OmbudServices need not be identical.

3. Framework Oversight Structure

This Framework describes the ongoing cooperation between the OmbudServices and CCIR to ensure there is effective Consumer dispute resolution in the Canadian Insurance Market and to retain the confidence of CCIR in each OmbudService.

This section outlines the role of the CCIR's OmbudService Oversight Standing Committee (OOSC), which works closely with each OmbudService to understand the work of the OmbudServices and the periodic independent evaluations, which contribute to strong oversight of this Framework and help uphold the public interest.

3.1 Responsibilities of OOSC

The CCIR has established the OOSC with the responsibilities described below.

- 3.1.1 The OOSC, in consultation with each OmbudService, will define the principles and associated implementation guidelines that OOSC believes the independent Consumer dispute resolution services should meet to achieve the OmbudServices' Public Interest Objective and to retain the confidence of regulators and Consumers.
- 3.1.2 Section 5 describes how the OOSC will engage in discussions with the Board of Directors and executive management of each OmbudService to ensure that the independent Consumer dispute resolution process as described in this Framework achieves its Public Interest Objective and retains the confidence of CCIR and Consumers.
- 3.1.3 The OOSC or its representatives will meet with each OmbudService on the frequency and for the purposes set out in section 5.
- 3.1.4 Principle No. 7 sets out a process for conducting periodic independent evaluations of an OmbudService to determine whether it achieves the principles and associated implementation guidelines set out in this Framework.

4. PRINCIPLES FOR EFFECTIVE CONSUMER DISPUTE RESOLUTION

This section contains principles endorsed by CCIR in consultation with each OmbudService. The principles and their associated implementation guidelines identify the objectives and expectations for organizational structure and operating practices which are of importance to CCIR. They are designed to ensure independent dispute resolution services offered by each OmbudService fulfill the OmbudServices' Public Interest Objective.

The CCIR and the OmbudServices have identified seven principles from global standards relevant to dispute resolution. They are:

Principle No. 1 – Independence

Principle No. 2 – Accessibility

Principle No. 3 – Scope of Services

Principle No. 4 – Fairness

Principle No. 5 – Methods and Remedies

Principle No. 6 – Accountability and Transparency

Principle No. 7 – Independent Evaluation

These principles are not intended to be exhaustive or prescriptive and may be reviewed by CCIR and each OmbudService and revised if considered necessary.

Each OmbudService will be subject to an independent evaluation from time to time, as described in Principle No. 7, to assess its achievement of the principles and associated implementation guidelines set out in this Framework. The independent evaluation will include the OmbudService's own governance, performance measurement, Complaint handling, and other operating Standards where appropriate for measuring their achievement of the principles and the associated implementation guidelines.

PRINCIPLE NO. 1 – Independence

A. Objective of the Principle

To assure Consumers in the Canadian Insurance Market who refer Complaints to an OmbudService that the OmbudService is independent.

B. Implementation Guidelines

To achieve this principle:

1. The governance structure of each OmbudService must be robust. To that end:
 - a. Each OmbudService should have an effective board of directors comprised of a majority of independent directors.
 - b. The Board of Directors of each OmbudService should adopt governance best practices that support Independence, adapted to the mandate of the OmbudService.
 - c. The articles of incorporation/continuance and the by-laws of each OmbudService should enshrine appropriate criteria to ensure it is independent.
 - d. The role of board chair is of special importance in fostering Independence. The Board Chair should be an independent director elected or appointed by the Board of Directors following the recommendation of a nominating committee of the Board consisting solely of independent directors.
2. To ensure Independence, each OmbudService should also be appropriately funded to achieve its objectives. Budgets and mandatory assessments for its Participating Companies should be approved by the Board of Directors of the OmbudService on the recommendation of a committee of the Board consisting solely of independent directors.

PRINCIPLE NO. 2 – Accessibility

A. Objective of the Principle

To articulate a framework in which an OmbudService will:

1. Take active steps to promote, using plain language where reasonably possible, awareness and understanding of its services by Consumers;
2. Ensure access by Consumers to its services is convenient, well identified, and in compliance with all applicable Canadian legislation; and
3. Provide its services at no cost to Consumers.

B. Implementation Guidelines

To achieve this principle:

1. Each OmbudService should ensure Consumers are aware of its existence as a dispute resolution service within the scope of its Terms of Reference. To achieve this goal, each OmbudService should provide its Participating Companies with illustrative, informative material for use by those companies to inform Consumers of their right to have Complaints considered by the OmbudService when they are unresolved at the Participating Company level.
2. Each OmbudService should provide clear information for Consumers on the services provided through illustrative, informative material and a website that complies with applicable accessibility legislation and that is in plain language, where reasonably possible. Each OmbudService should require its Participating Companies to provide Consumers with a clear description of the services available to Consumers through the OmbudService and the means of accessing those services.
3. Each OmbudService should provide equal access to its services to Consumers of insurance products and services across Canada.
4. Each OmbudService should provide Consumers who have Complaints against its Participating Companies with ready means of access to the services of the OmbudService, which may include but are not limited to:
 - a. Toll-free telephone,
 - b. Regular mail,
 - c. Fax lines, and
 - d. A website or other digital platforms.

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5. The intake process at each OmbudService should provide Consumers who have Complaints against its Participating Companies with timely contact with a competent staff member via whatever means of access may have been used by the Consumer in the first instance.
6. All services offered by each OmbudService should be made available in both English and French and use plain language, where reasonably possible.
7. Each OmbudService should be fully funded by its Participating Companies to ensure all services are provided to Consumers at no cost.

PRINCIPLE NO. 3 – Scope of Services

A. Objective of the Principle

To ensure an OmbudService’s Terms of Reference provide both its Participating Companies and Consumers with a clear understanding of the range of activities and nature of Complaints which will be taken up by the OmbudService.

B. Implementation Guidelines

To achieve this principle:

1. The Terms of Reference for each OmbudService should include processes for:
 - a. Access to its services by Consumers of all its Participating Companies which provide insurance products of a similar nature, regardless of the jurisdiction of incorporation and regulation of the company and regardless of its membership in a particular industry association;
 - b. Complaints within the applicable Insurance Market, except where there is a compelling legal, policy, or practical reason to exclude the Complaints from the services offered or the Complaint exceeds a published dollar threshold set by its Board of Directors; and
 - c. Identifying and handling Systemic Issues, including how the OmbudService will request investigation by the appropriate parties/entities.
2. Each OmbudService should ensure the Chair of OOSC receives timely notification when a Systemic Issue is identified.
3. As an operating principle, each OmbudService should interpret its Terms of Reference so if doubt exists as to jurisdiction in a particular case, the doubt would be resolved in favour of dealing with the Complaint rather than rejecting it.
4. Where an OmbudService does not accept a Complaint because it concludes it is beyond its Terms of Reference, it should communicate, using plain language where reasonably possible, that fact to the Consumer with a full explanation for its decision, where requested.
5. Substantive changes to the Terms of Reference of an OmbudService should be approved by its Board of Directors after consultation with appropriate stakeholders including CCIR.
6. Each OmbudService should provide assistance to Consumers to help them register and, where necessary, articulate their Complaint or to guide them to the services or agencies which could help them if their issue is beyond the mandate of the OmbudService.

PRINCIPLE NO. 4 – Fairness

A. Objective of the Principle

To ensure an OmbudService:

1. Approaches its work in respect of a Complaint and makes its recommendations by reference to its published Fairness Standard to both the Participating Company and the Consumer in the circumstances; and
2. Uses dispute resolution processes that are demonstrably fair to both parties.

B. Implementation Guidelines

To achieve this principle:

1. Each OmbudService should, as it assesses Complaints, guard against adopting an unduly legalistic approach to Complaint resolution. The objective of dispute resolution through an OmbudService is not to provide a parallel court system but to establish a dispute resolution process which will encourage fair business dealings for Consumers.
2. Each OmbudService should publish a clear Fairness Standard it will use to assess Complaints. The Fairness Standard should be approved by the OmbudService’s Board of Directors and should be harmonized across participating OmbudServices in Canada, where practical.
3. The procedures employed by each OmbudService in resolving Complaints should provide a fair and balanced opportunity for both the Participating Company and the Consumer to present documents and other information to an OmbudService in support of their respective positions in a non-legalistic manner. Neither the Participating Company nor the Consumer should have special access to the staff of an OmbudService.
4. Each OmbudService should, as it assesses Complaints, consider the general principles of good financial services and business practices and applicable professional standards and codes of practice or conduct. CCIR’s vision relating to the conduct of business is set out in CCIR’s Conduct of Insurance Business and Fair Treatment of Customers Guidance.

PRINCIPLE NO. 5 – Methods and Remedies

A. Objective of the Principle

To ensure an OmbudService’s dispute resolution process includes:

1. The nature of dispute resolution methods to be employed by the OmbudService;
2. The result a Consumer can expect from the dispute resolution service of the OmbudService, including the remedies which should be available to a Consumer whose Complaint is assessed by the OmbudService; and
3. The consequences which should follow from non-compliance by a Participating Company with the remedy recommended or non-cooperation by a Participating Company with the Inquiries of the OmbudService.

B. Implementation Guidelines

To achieve this principle:

1. Each OmbudService should adopt clearly stated Inquiry and dispute resolution processes which are well suited to the nature of the Complaints it receives, including conciliation, mediation, investigation, or non-binding adjudication. Each OmbudService may employ a variety of methods in attempting to resolve the same dispute including, for example, a facilitative method (such as conciliation or mediation) followed by an assessment method (including investigation and non-binding adjudication).
2. Each OmbudService should establish service Standards describing reasonable and practical time frames for the completion of relevant milestones in its dispute resolution process and should communicate these to both its Participating Company and the Consumer. Time frames should be sufficiently flexible to consider the differences in the complexity of disputes.
3. Each OmbudService provides an alternative to recourse available through other means such as the legal process. As such:
 - a. A Participating Company of an OmbudService and the Consumer should confirm in writing the OmbudService’s files and work product will be confidential and not admissible in any legal proceedings and that staff of the OmbudService will not be required to testify in any legal proceedings; and
 - b. To promote recourse to independent dispute resolution, where a statutory limitations period issue may arise, a Participating Company of an OmbudService and the Consumer should agree in writing they will suspend, where the law permits, the application of the limitations period to provide the OmbudService with the opportunity to attempt to resolve the dispute.

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4. The staff of an OmbudService and any consultants engaged by it to deal with Consumers, Inquiries, and Complaints should be competent and well trained with expertise suitable to the nature of the dispute in question. The OmbudService should have policies and procedures regarding training of its staff and any consultants engaged to deal with Consumers, Inquiries, and Complaints.
5. The dispute resolution process employed by an OmbudService should lead either to (a) a result acceptable to both parties or (b) a written recommendation by the OmbudService for the resolution of the dispute or (c) a confirmation of the insurer's position.
6. If the dispute resolution process of an OmbudService leads to a settlement, the OmbudService should take reasonable steps to ensure the Consumer understands it and has accepted it free from any reasonable impression of coercion.
7. A written recommendation of an OmbudService should specify a proposed remedy or remedies suitable to the nature of the dispute, which may include (a) a non-binding recommendation for financial restitution for direct loss, and/or (b) a non-binding recommendation that the Participating Company take a particular course of action to resolve the matter, which may include compensation for non-financial loss.
8. If a Participating Company of an OmbudService does not follow a formal recommendation made by the OmbudService within a reasonable time or does not cooperate with the OmbudService in an Inquiry or Investigation within a reasonable time, the OmbudService should publicly disclose the Participating Company has failed to comply or cooperate. This disclosure should preserve the confidentiality of the Consumer.

PRINCIPLE NO. 6 – Accountability and Transparency

A. Objective of the Principle

To provide an appropriate framework for accountability of an OmbudService in achieving its mission, including:

1. Accountability to Consumers in respect of the OmbudServices’ Public Interest Objective;
2. Accountability to regulators including CCIR in meeting their reasonable information requests as described in section 5 of this Framework; and
3. Transparency in the provision of non-confidential information regarding its operations and structures.

B. Implementation Guidelines

To achieve this principle, each OmbudService should:

1. Publish and widely disseminate an annual report that includes:
 - a. Qualitative and quantitative commentary in respect of its activities, including its Consumer dispute resolution process, and
 - b. Where reasonably possible and helpful to resolving Complaints and consistent with privacy legislation and internal policies of the OmbudServices, information and discussion about Systemic Issues and Trends in the Canadian Insurance Market that the OmbudService is observing that would be of common interest to its Participating Companies, Consumers, and the CCIR.
2. Make periodic efforts to consult with the applicable stakeholders, including Participating Companies and Consumer organizations, to discuss its success in fulfilling its mission and to identify opportunities for improvement.
3. Publish and make available appropriate documents regarding its operating structure, including its Terms of Reference, governance practices and Standards, if in accordance with its internal policies and privacy legislation.
4. Engage with CCIR in accordance with and for the purposes set out in section 5.
5. Provide CCIR with information in accordance with section 5.

PRINCIPLE NO. 7 – Independent Evaluation

A. Objective of the Principle

To provide a framework in which the structure and operations of an OmbudService will be the subject of knowledgeable independent evaluations on a regular basis to validate that the OmbudService is achieving its mandate and the principles and associated implementation guidelines set out in this Framework and to identify opportunities for improvement.

B. Implementation Guidelines

To achieve this principle:

1. At least every five years, the Board of Directors of each OmbudService should appoint an independent evaluator to conduct an evaluation of its operations since the last evaluation.
2. Each OmbudService should keep CCIR informed of its process when selecting and engaging the independent evaluator.
3. CCIR should be interviewed by the independent evaluator as part of the evaluation and may suggest areas of focus that are important to CCIR.
4. Each OmbudService’s governance practices and Standards should facilitate clear and meaningful assessments of its operations as required to determine the principles and associated implementation guidelines set out in this Framework are being met.
5. The independent evaluator should have access to all relevant materials and personnel of an OmbudService, including the Board of Directors and its minutes.
6. The independent evaluator should assess the extent to which each OmbudService’s operations and governance fulfill the OmbudServices’ Public Interest Objective.
7. The independent evaluator should make recommendations where they conclude shortfalls exist or there are opportunities for improvement.
8. The Board of Directors of an OmbudService and CCIR should, at their next meeting following the delivery of the independent evaluator’s report, discuss the report and any response to it by the OmbudService.
9. An OmbudService should publish the independent evaluator’s report and any response by the OmbudService as soon as practicable.

5. Schedule 1: Public Accountability, Engagement and Information Sharing

As part of the Consumer protection mandate of the regulators that comprise CCIR, CCIR aims to clearly articulate the Public Interest Objective of the Complaint resolution system, define the criteria for assessing their achievement, and periodically evaluate whether that objective continues to be met.

This Schedule sets out the details of how CCIR will ensure the OmbudServices' Public Interest Objective is consistently achieved.

CCIR recognizes:

- The role of the OmbudServices' Boards of Directors in overseeing governance and operations; and
- The role of the independent evaluation in understanding adherence to the principles and associated implementation guidelines.

5.1 Accountability and Public Interest Objective

CCIR shall ensure accountability to the public interest by publicly reporting on:

- a. Engagements with OmbudServices' executive management and Boards of Directors;
- b. Cooperation between CCIR and the OmbudServices in identifying and responding to Complaint Trends and Systemic Issues;
- c. CCIR's discussions with the OmbudServices about the independent evaluation; and
- d. CCIR's understanding of the OmbudServices' work, including the extent to which CCIR believes the OmbudServices are adhering to the principles and associated implementation guidelines set out in the Framework, and are committed to the continuous improvement of Canada's Insurance Market Complaint resolution system.

5.2 Review and Amendment of this Schedule

This Schedule shall be reviewed at least once every five (5) years.

CCIR may update this Schedule as necessary, in agreement with each OmbudService.

5.3 Annual Report of Major Activities

The OOSC shall publish an annual report highlighting its major activities. The report shall serve as the public record of CCIR's understanding of the work of the OmbudServices, including the extent to which CCIR believes the OmbudServices are adhering to the principles and associated implementation guidelines in the Framework and are committed to the continuous improvement of Canada's Insurance Market Complaint resolution system.

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CCIR shall share a draft of the annual report for discussion at its annual meetings with each OmbudService's Board of Directors.

5.4 Engagements with Executive Management

CCIR shall meet with the executive management of each OmbudService a minimum of two (2) times per year. At such meetings, the parties shall:

- a. Provide updates as needed;
- b. Engage in a dialogue on the information and data shared pursuant to section 5.6; and
- c. Discuss any operating issues that may affect this Framework.

At least one of these yearly meetings will include a dialogue concerning one (1), but not more than (2), principles. These dialogues will support CCIR's understanding of the OmbudServices' work and enable CCIR to assess the extent to which it believes that the OmbudServices are adhering to the principles and associated implementation guidelines and are committed to continuous improvement of the Complaint resolution system.

Either CCIR or the relevant OmbudService may table additional agenda items for discussion.

CCIR's annual report shall summarize such engagements and may identify areas for improvement arising from the annual dialogues.

5.5 Engagements with the Board of Directors

CCIR shall meet with the Board of Directors of each OmbudService at least once (1) per year. Discussions shall include:

- a. The independent evaluation;
- b. CCIR's annual report; and
- c. Governance of the OmbudService to ensure a common understanding of the OmbudServices' Public Interest Objective and the extent to which it is being met.

Either the Board of Directors or CCIR may table additional agenda items for discussion.

5.6 Information Sharing

It is important to CCIR that there is cooperation between CCIR and the OmbudServices in sharing information and identifying and responding to Complaint Trends and Systemic Issues, as outlined below, as this supports effective Consumer protection.

5.6.1 Substantive changes to an OmbudService's Terms of Reference shall be approved by its Board of Directors following consultation with applicable stakeholders, including CCIR.

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- 5.6.2 Each OmbudService shall provide timely notice to CCIR of any actual or anticipated changes at the OmbudService that have materially impacted, or may materially impact, its ability to fulfill the principles and associated implementation guidelines in the Framework, including changes in available resources.
- 5.6.3 CCIR shall provide timely notice to each OmbudService of any actual or anticipated changes that have impacted, or may impact, this Framework.
- 5.6.4 Each OmbudService shall inform CCIR on a timely basis when it identifies a Systemic Issue.
- 5.6.5 Each OmbudService shall provide CCIR a report on Complaint volumes and the nature of Complaints received on a quarterly basis.
- 5.6.6 Each OmbudService shall engage in open and productive dialogue with CCIR twice (2) per year regarding identified Trends, emerging Trends under monitoring, and any reported Systemic Issues.
- 5.6.7 CCIR and the OmbudServices have agreed that the OmbudServices will remain open to specific requests for additional information that fall outside the scope of this Framework, provided such disclosures comply with applicable privacy legislation and the privacy requirements of the OmbudServices' internal policies. In making these requests, CCIR will remain mindful of resource implications and existing work schedules.

5.7 Summary of Meetings and Reports

Meeting / report and frequency	Details of meetings / report
Executive Management Meetings (2 annually)	<p>At both meetings:</p> <ul style="list-style-type: none"> • Provide updates as described in section 5.6.1 to 5.6.3; • Engage in a dialogue on: <ol style="list-style-type: none"> a. Complaint volumes and the nature of Complaints based on the quarterly reports; b. Identified Trends or emerging Trends that are being monitored, and Systemic Issues reported; and • Discuss any operating issues of the OmbudService that may impact this Framework <p>At one of these meetings discuss one (1) but not more than two (2) principles</p>
Board of Directors Meeting (1 annually)	<p>Discuss:</p> <ul style="list-style-type: none"> • The independent evaluation; • CCIR’s annual report; and • The governance of the OmbudService to ensure that the Board of Directors and CCIR have a common understanding of the OmbudServices’ Public Interest Objective and how well that objective is being met
Quarterly reports	Complaint volumes and the nature of Complaints received

Annex A - Definitions Related to the Framework

In this document:

“**CCIR**” means the Canadian Council of Insurance Regulators or a successor entity.

“**Complaint**” in relation to an OmbudService, has the meaning set out in the OmbudService’s Terms of Reference.

“**Consumer**” means an individual who has [applied for] a service or product from a Participating Company of an OmbudService or a representative of that individual.

“**Fairness Standard**” has the meaning set out by each OmbudService.

“**Framework**” means this document including the annexes and schedules referred to within this document.

“**GIO**” means the General Insurance OmbudService or a successor entity.

“**Independence**” means absent of unwarranted influence from the affected insurance sector, or Participating Companies within it, which would cause a reasonable person to question whether any person engaged by an OmbudService to deal with Consumer Complaints can fairly and effectively resolve Complaints or, in the case of a member of the Board of Directors of an OmbudService, provide objective oversight of the OmbudService.

“**Inquiry**” means a request for information.

“**Insurance Market**” means the buying and selling of insurance and includes the entities involved in the process as well as Consumers.

“**OLHI**” means the OmbudService for Life & Health Insurance or a successor entity.

“**OmbudService**” means each of GIO and OLHI, including their Board of Directors and executive management.

“**OmbudServices’ Public Interest Objective**” means providing an independent dispute resolution system for Consumers consistent with the principles outlined in the Framework, which serves as a collective benefit to Consumers and the public.

“**OOSC**” means the CCIR OmbudServices Oversight Standing Committee or a successor entity.

“**Participating Company**” means a regulated insurance company, sometimes referred to as a Subscriber or a Member Company, required by law to become a member of an OmbudService offering independent dispute resolution services.

“**Standards**” in relation to an OmbudService, has the meaning set out in each OmbudService’s Terms of Reference.

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“**Systemic Issue**” in relation to an OmbudService, has the meaning set out in each OmbudServices’ Terms of Reference.

“**Terms of Reference**” in relation to an OmbudService, means the most recent document approved by the OmbudService’s Board of Directors which describes the principal powers and duties and the mandate of the OmbudService and the process used by the OmbudService for receiving, considering, investigating, and seeking a resolution of a Complaint.

“**Trend**” refers to a pattern of increasing or decreasing frequency or severity of specific types of Complaints.