Independence of the General Insurance OmbudService

The General Insurance OmbudService is a federal not-for-profit corporation funded by its members – property and casualty insurers and reinsurers. Although funded by its members, great care has been taken to ensure the independence of the General Insurance OmbudService.

The Board
The seven-member Board of Directors includes a majority of five independent members. The other two directors represent the insurance industry.

The independent members of the Board meet stringent conflict of interest guidelines to ensure the public that they operate independently from the P&C insurance industry. They are chosen to reflect a diversity of experience, interests, backgrounds, and geographic representation. They are individuals known and respected on a national and regional basis.

GIO has established two Committees of the Board, the Standards Committee and Budget & Audit Committee. Each Committee is comprised of at least three members, the majority of whom are Independent Directors of the Board. The Committees assist the Board on matters related to standards and best practices, development and compliance, and supervision in the management of the financial and business affairs of the Corporation.

Independent Directors:
Lea Algar, BA, CIP ***
Chair of the Board
Independent Director, Ontario Region
Retired Ontario Insurance Ombudsman
Thornhill, Ontario

Susan Yurkovich**
Chair, Standards Committee
Independent Director, British Columbia & Yukon
Management Consultant
Vancouver, British Columbia

Roger Palmer, Ph.D.*
Chair, Budget & Audit Committee
Independent Director, Prairies, Northwest Territories and Nunavut
School of Business, University of Alberta
Edmonton, Alberta

Pierre Meyland*
Independent Director, Québec Region
Financial Affairs Consultant
St.-Antoine sur le Richelieu, Quebec

Doane Hallett, LL.B., D.Ed. (Hon.), D.C.L. (Hon.)**
Independent Director, Atlantic Region
Retired Justice of the Nova Scotia Court of Appeal
Halifax, Nova Scotia

Industry Directors:
Stanley Griffin, MA, CIP**
President and CEO
Insurance Bureau of Canada
Toronto, Ontario

Diane Brickner, CIP*
President & CEO
Peace Hills General Insurance Company
Edmonton, Alberta

Executive Director:
Glenn Williamson, BA, FCIP
Executive Director
General Insurance OmbudService

General Counsel:
Jacques J.M. Shore LL.L., LL.B.
Partner, Gowling Lafleur Henderson LLP

Endnotes
* Member of Budget & Audit Committee
** Member of Standards Committee
*** Ms. Algar is Chair of the Nominating Committee.
Ms. Algar is an ex-officio member of the Standards and Budget & Audit Committees.

GIO can be accessed right across Canada. For help with problems with your insurance company, call General Insurance OmbudService on its national toll free number at 1.877.225.0446 or visit www.gio-scad.org

Head Office
10 Milner Business Court, Suite 701 • Toronto, Ontario M1B 3C6 • Tel. 416.299.6931 • Fax 416.299.4261

www.gio-scad.org GIO 2005 - 2006 Annual Report 1
It gives me great pleasure to present the fourth Annual Report of the General Insurance OmbudService. The past year was one of significant change and progress for our organization. Among the year’s highlights were the appointment of our new Executive Director, moving our Head Office to new premises and making our electronic systems more robust. The enhancement of these systems was undertaken to help us better serve consumers now that the three OmbudServices have assumed the responsibilities. It has indeed been an eventful year.

During the year, GIO welcomed our new Executive Director, Glenn Williamson. Glenn brings a wealth of experience to this integral role. His previous experience as an insurance executive and his expertise in the ombudsman role will continue to be invaluable attributes going forward. Already, he has exhibited his strong commitment to helping consumers resolve their complaints in a fair and timely fashion.

When the OmbudsNetwork was created in 2001, the framework consisted of four separate organizations: The Centre for Financial Services OmbudsNetwork (CFSON), The Ombudsman for Banking Services and Investments (OBSI), The Canadian Life and Health Insurance OmbudService (CLHIO), and The General Insurance OmbudService (GIO). The CFSON worked with the OmbudServices to establish standards and refer callers to the appropriate service for assistance in resolving disputes. The ‘call referral’ was an important aspect in the early stages of the Network. At the Senate hearings in 2005, however, we heard time and again that the current dispute resolution system was too complex and that consumers could easily lose their way. At the same time, calls to the Centre were declining, as more consumers began to contact the individual OmbudServices directly.

The Boards of the three services (OBSI, CLHIO and GIO), each of which have a majority of independent directors who have no connection with the financial services industry, determined it was time to simplify the process. To replace CFSON, the OmbudServices established The Joint Committee of the Financial Services OmbudsNetwork (FSON), comprised of the Chairs of each of the organizations and their heads of service. The establishment of the FSON was endorsed as the next step in advancing the evolution of the system by the Financial Services Committee, comprised of: the Canadian Bankers Association, Investment Funds Institute of Canada, Investment Dealers Association of Canada, Canadian Life and Health Insurance Association and Insurance Bureau of Canada.

In September, we were pleased to participate in the fifth International Conference of Financial Services Ombudsmen hosted in Toronto by the Ombudsman for Banking Services and Investments. The conference gave us an opportunity to learn from ombudsman services in other countries how their systems operate, what has worked well and what has not. Ombudsman systems around the world have unique perspectives and approaches. Their experiences will help us as we work to further improve our operations. One thing was clearly evident – that we all share the same goal – a commitment to providing consumers with an effective, efficient and fair dispute resolution process.

Public awareness of our service continues to be an important goal and we continue to work on initiatives to improve that communication. GIO membership rules require that member companies inform their customers who have not been able to resolve their complaint with the company about GIO’s services. Many member companies are doing more than that and I would like to thank and recognize our members who are sending the industry Code of Consumer Rights and Responsibilities. This document provides information about GIO’s services to consumers. We encourage all companies to do the same.

The independence of OmbudServices is core to their success. We at GIO are proud of our independence. Our Board of Directors consists of five independent directors with no connection to the financial services industry and two industry members – a clear majority of independent directors. As our By-laws require, I, as Chair, am an Independent Director. The Board of Directors are the only voting members. All our member companies are non-voting members.

I am deeply grateful to my fellow Directors for their important contributions to the vision and strategic direction of our organization. And, I wish to take this opportunity to express my special thanks to Dr. Roger Palmer, Chair of the Budget and Audit Committee, and Ms. Susan Yurkovich, Chair of the Standards Committee.

On behalf of the Board, I would also like to give special recognition to the valuable contributions of one of our original directors, the late Terence Donahoe, Independent Director, Atlantic Region, and a member of the Standards Committee. Mr. Donahoe brought to us a lifetime of experience as a professional who had a long and distinguished career in public office in the Nova Scotia government. GIO was saddened by his passing.

My thanks also go to our dedicated staff, who work so diligently to provide the best service to consumers and member companies. We look forward to working closely with our members as we continue our commitment to a strong, responsive service for consumers. We also look forward to working with our Network partners, OBSI and CLHIO, to further improving public policies concerning consumer needs through our collective efforts in working with the Federal government and the provinces.

Lea Algar
Chair
General Insurance OmbudService
I am pleased to provide this report on the fiscal year 2006, which was an eventful year for the General Insurance OmbudService.

April 30, 2006 marked GIO’s fourth year of operations. Over the past year, we continued to build upon the strong momentum of 2005, providing professional guidance and assistance to hundreds of home, automobile and business insurance consumers who had complaints with their insurance providers. We continued to make significant progress in our mission, to work towards fair solutions between consumers and their insurance companies.

Throughout fiscal 2006, we also undertook a number of strategic initiatives aimed at increasing the effectiveness and efficiency of our operations:

- As part of our continuing efforts to make our services as simple as possible for consumers to access, we eliminated several regional telephone numbers and launched a single toll-free number for all Canadians.

- We amalgamated several of our call centre locations around the country. Today, calls to our national toll-free number from Western Canada are automatically received in our Edmonton office, while calls from Ontario and the Atlantic provinces are received in our Toronto office. We continue to field calls from Quebec in our Montreal office. Centralizing our call centre operations not only made GIO more cost-effective – it also made it easier for consumers to utilize our services.

- In the fourth quarter of the fiscal year 2006, we launched the final phase of our Case Management System. This secure and encrypted, comprehensive system tracks the details of each case and contributes to significant time savings, meaning issues can be resolved more quickly. Going forward, the system will also allow us to produce detailed statistics.

- During fiscal 2006, we also relocated GIO’s head office from downtown Toronto to a more cost-effective location in the city’s east end.

Recently, the FSON has simplified the way consumers can reach the appropriate service directly. Consumers can now call one toll-free number from anywhere in Canada and connect directly with the appropriate service in the official language of their choice. For English service, the number is 1.866.538.3766 and for French the number is 1.866.668.7273. In addition, each OmbudService maintains its own toll-free number and should a consumer require one of the other services, each will transfer callers directly to the service of the industry involved. The consumer needs to make only one call to receive assistance.

In addition to these operational activities, we continued to make significant progress in our ongoing efforts to increase GIO’s profile across Canada. Staying true to our mission, we remain committed to letting home, automobile and business insurance policyholders know they can use of our services – free of charge – when they have a dispute with their insurance providers. In addition to other activities we have undertaken in the marketplace, we also continue to meet regularly with key stakeholders, including our member companies, and provincial and federal regulators across the country.

On a personal note, the end of fiscal 2006 marked my first complete year serving as GIO’s Executive Director. I would like to extend my sincere thanks to the Chair, Lea Algar, and the rest of GIO’s Board of Directors for their direction and support. I would also like to recognize my staff for their tireless work efforts and our member companies for their support of the ideals of GIO. It is their commitment to the principles of fairness and integrity that helps GIO make a difference in the lives of so many consumers across Canada.

Glenn Williamson
Executive Director
General Insurance OmbudService
GIO responded to inquiries from across Canada, through our call centres and on-line complaint form.

Statistics represent data from the 4th quarter of fiscal year 2005 - 2006 (February to April 2006).
GIO promotes its services through a wide range of channels. Our objective is to let every home, automobile and business insurance consumer in Canada know about the services offered by GIO and that we are available to help in the event they have a problem.
Who We Are

The General Insurance OmbudService (GIO) is an independent organization, created in 2002, with the sole purpose of helping Canadian consumers resolve disputes or concerns with their home, auto or business insurers.

Our employees are impartial professionals with experience in the insurance industry and related sectors, but with no direct ties to specific insurance companies or their boards of directors. Our goal is to use our extensive experience and industry-related insight to work toward a fair solution between individuals and their insurance providers.

Our Commitment to Consumers

The General Insurance OmbudService treats all consumers with fairness, impartiality and integrity. We cultivate an environment characterized by the highest ethical standards and consistently adhere to the following principles:

**Accessibility**
Providing convenient ease of contact for consumers to express and pursue their concerns. Consumers wishing to access our services may contact GIO in a variety of ways, including our national toll-free telephone number 1.877.225.0446, mail, electronic mail, facsimile and through our web site, www.gio-scad.org. Our Consumer Service Officers will assist consumers in either English or French.

**Timeliness**
Responding promptly to consumer inquiries and complaints. In the case of fax or e-mail messages, we strive to get back to the complainant within one business day. In most cases, our telephones are answered directly. When that is not possible, we will respond to messages within one business day. For all situations, GIO will strive to keep the consumer informed at all times of the status of their concern.

**Courtesy**
Always treating consumers with respect, civility and politeness.

**Clarity**
Using simple, easy-to-understand language in all our communications, delivered in the consumer's choice of English or French.

**Accuracy**
Always providing consumers with information that is accurate and correct. If we don't fully understand any aspect of the issue, we will ask the appropriate party for clarification.

**Fairness & Impartiality**
Approaching every interaction with integrity and objectivity, dealing with each case on the basis of due diligence and factual information.

**Consistency**
Treating similar cases in a similar fashion. We learn from each experience and use that knowledge to refine and enhance the perspective we can bring to recurring issues.

**Knowledge**
Demonstrating an understanding of the product and providing accurate information and guidance on the complaint resolution protocol.

**Privacy/Confidentiality**
Ensuring that personal/proprietary information is kept absolutely private and confidential. Our employees are bound by rigorous confidentiality standards and agreements as defined in our privacy policy.

**Independence & Objectivity**
Ensuring that GIO is independent and separate from government and industry, with its own Board of Directors, whose members represent a range of professional backgrounds, the majority coming from outside the insurance industry.
A home owner’s workshop is destroyed by fire. Four months later, the man is frustrated by what he describes as unreasonable delays and lack of communication by his insurance company.

Case

In December of 2005, Mr. Denham’s workshop was destroyed by fire. Despite his persistent attempts to communicate with his insurance company, he still had no progress to show for his efforts four months after the blaze. He was extremely upset with what he perceived to be the continued unresponsiveness of his insurance provider. To further complicate matters, Mr. Denham required a payment from his insurance company within days, or he would lose a $20,000 downpayment to have his workshop rebuilt. But still, his calls to the insurance company regarding replacement cost coverage went unanswered. At that point, he turned to GIO for guidance.

Resolution

A GIO Consumer Service Officer took the call from Mr. Denham and discussed the history and details of his insurance claim. Based on the information provided, GIO recommended that the consumer obtain a ‘Final Position Letter’ from his insurance company regarding his claim. When the insurance provider failed to respond to this request, GIO intervened on Mr. Denham’s behalf. GIO contacted the insurance company and was able to negotiate the immediate issuance of a cheque for $22,000 – a partial payment which allowed the rebuilding of the workshop to proceed. GIO continued communicating with the insurance company over the next several weeks. A relieved Mr. Denham informed GIO that his insurance company had agreed to pay replacement cost of $39,000.

Disclaimer: Names, places and facts have been modified in the above example in order to protect the privacy of the individuals involved.
Case
Ms. Spidell had lived contentedly in her Victorian home in the southern part of Halifax for nearly two decades. A Maritimer all her life, Ms. Spidell was no stranger to the occasional bout of inclement weather. A sudden and intense rainstorm in August of 2005, however, led to a sewer backup in Ms. Spidell’s basement, causing extensive damage to the walls, furnishings and a number of personal belongings. She contacted her insurance company to explain her situation. Despite numerous calls and discussions with her insurance provider, they would not agree to proceed with the necessary repairs, which would likely exceed $40,000. Ms. Spidell was frustrated not only by her damaged basement, but also by what she described as the feeling of being ignored by her insurance company. More than nine months after that August rainfall, Ms. Spidell’s basement remained in a state of disrepair. She was extremely frustrated by what she characterized as a ‘lack of assistance’ from the insurance company and felt that she had reached an impasse with them. Distraught, she called GIO for assistance.

Resolution
Ms. Spidell’s frustration over the sewer backup had increased significantly over a nine-month period of inaction by the insurance company. The Consumer Service Officer who took her initial call noted that Ms. Spidell was in tears when she telephoned GIO. The Consumer Service Officer advised Ms. Spidell about the details of her insurance coverage and provided her with a detailed overview of the complaint process and how it works. After another unsuccessful attempt at resolving the situation with her insurance company, GIO advised Ms. Spidell to contact the company to obtain a ‘Final Position Letter’. Two days later, Ms. Spidell informed GIO that her insurance company had finally agreed to proceed with the $33,000 repairs to her basement.

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case study

An automobile insurance customer is involved in an accident with a cyclist. He is charged as a result of the incident and is also found to be at fault by his insurance company. Because of the at-fault accident now on his record, his premium increases significantly. Later, the charge is overturned by the courts and his at-fault insurance record is cleared. A dispute arises with the insurance company over the amount of the refund owing to the consumer.

Case
In the spring of 2003, Mr. Benjamin was driving in his hometown of Belleville, Ontario, when he was involved in a minor accident with a cyclist. He was charged with reckless driving at the time of the incident. He was also determined to be 100% at fault for the collision by his insurance provider and his automobile insurance rates increased significantly. Believing himself innocent of the charge and undeserving of the at-fault record, Mr. Benjamin took the case to court in 2006. The court found he was not, in fact, responsible for the accident and the charges were overturned. Mr. Benjamin’s insurance company modified his insurance rating for the 2003 accident in order to reflect the court’s findings and they provided him with a refund of $1,149. This refund represented additional premiums that Mr. Benjamin had paid based on the original at-fault determination. However, Mr. Benjamin was frustrated and dissatisfied with the amount of the refund. In March of 2006, he called GIO for help.

Resolution
The GIO Consumer Service Officer reviewed the details of the case with Mr. Benjamin and discussed the amount of the refund he believed he was entitled to. GIO contacted his insurance provider on Mr. Benjamin’s behalf and discussed his case with the company’s underwriting manager, who provided a detailed breakdown of the rationale and formulas supporting the refund calculation. In the end, GIO determined that the insurance company had arrived at the correct refund figure and had followed the proper procedures in calculating the amount. Mr. Benjamin was satisfied after being advised by GIO that his refund amount was indeed fair and appropriate.

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The Members

Membership in GIO is available to all federally regulated property and casualty (P&C) insurers, including re-insurers and companies in run-off, to comply with the obligations of the Insurance Companies Act. Several provincially regulated insurance companies have joined GIO on a voluntary basis to offer consumers the same level of service as their federal counterparts.

GIO has two categories of members – voting and non-voting. Board members, made up of independent and industry directors, are voting members.

Non-voting members include: insurers; re-insurers; companies discontinuing business, licensed in Canada to carry on the business of general insurance; and Lloyd’s which has been admitted pursuant to the by-laws of GIO. This structure was created to guarantee an appropriate degree of separation and independence from non-voting members who are in the insurance industry. As of printing, GIO had 171 member companies, as follows:

ACE INA Insurance
Affiliated FM Insurance Company
Alberta Motor Association Insurance Company *
Asea Europe Ltd.
Allianz Global Risks US Insurance Company
Allianz Insurance Company of Canada
Allstate Insurance Company
Allstate Insurance Company of Canada
American Agricultural Insurance Company
American Bankers Insurance Company of Florida *
American Home Assurance Company
American Re-Insurance Company
American Road Insurance Company
Anglo Canada General Insurance Company
Arch Insurance Company
Ascentus Insurance Ltd.
Aspen Insurance UK Limited
Aviation and General Insurance Company Ltd.
Aviva Insurance Company of Canada
AXA Assurance Inc.
AXA Corporate Solutions Assurance
AXA Insurance (Canada)
AXA Pacific Insurance Company
AXA RE
Boiler Inspection and Insurance Company of Canada
British Aviation Insurance Company Limited
Caisse Centrale de Réassurance
Canadian Direct Insurance Incorporated
Canadian Northern Shield Insurance *
Cassel Insurance Company Limited
Centennial Insurance Company
Certs Direct Insurance Company
Chubb Insurance Company of Canada
Citifidel General Assurance Company (The)
Co-operators General Insurance Company
Commerce & Industry Insurance Company of Canada
Commonwealth Insurance Company
Compagnie Francaise d'assurance pour le Commerce Extérieur, Canada Branch (COFACE)
Continental Casualty Company
COSCO Insurance Company
CUMIS General Insurance *
Daimler Chrysler Insurance Company
Dominion of Canada General Insurance Company
Eagle Star Insurance Company Limited
Ecclesiastical Insurance Office plc
Echelon General Insurance Company
Economical Mutual Insurance Company
Electric Insurance Company
Elite Insurance Company
Employers Insurance Company of Wausau
Employers Reinsurance Corporation
Endurance Reinsurance Corporation of America - Canadian Branch
Equitable General Insurance Company
Euler American Credit Indemnity
Factory Mutual Insurance Company
FCT Insurance Company Ltd.
Federal Insurance Company
Federated Insurance Company of Canada
Federation Insurance Company of Canada
Fenchurch General Insurance Company
First American Title Insurance Company
First North American Insurance Company
Folksamérica Reinsurance Company
Fortress Insurance Company
General Re Life Corporation
General Reinsurance Corporation
Gold Circle Insurance Company
Gore Mutual Insurance Company *
Great American Insurance and Guarantee Company
Great American Insurance Company
Great American Reinsurance Company of New York
Guarantee Company of North America
Hannover Rückversicherungs AG
Hartford Fire Insurance Company
ING Insurance Company of Canada
Innovative Insurance Corporation
Jecco Insurance Company
Jewelers Mutual Bankers Insurance Company
Kingsway General Insurance Company
Lawyers Title Insurance Corporation
Legacy General Insurance Company
Liberty Mutual Reinsurance Company
Liberty Mutual Fire Insurance
Lloyd’s
London and Midland General Insurance Company
Lumbermen’s Underwriting Alliance
MAPFRE Reinsurance Corporation
Markel Insurance Company of Canada
Metro General Insurance Corporation Ltd.
Millennium Insurance Corporation
Mississauga Insurance Company
Mitsui Sumitomo Insurance Company Limited
Motors Insurance Corporation
Munich Reinsurance Company of Canada
National Liability & Fire Insurance Company
NCMIC Insurance Company
Nicolle Insurance Group NV
Nipponkoa Insurance Company, Limited
Nordic Insurance Company of Canada (The)
North American Specialty Insurance Company - Canadian Branch
North Waterloo Farmers Mutual Insurance Company *
Novus Insurance Company of Canada
NRG Victory Reinsurance Limited
Odyssey America Reinsurance Corporation (Canadian Branch)
Old Republic Insurance Company of Canada
Omega General Insurance Company
PacifiRe Insurance Company
Optimum West Insurance Company *
Pofco Insurance Company
PartnerRe SA
Peace Hills General Insurance Company
Pembroke Insurance Company
Personal Insurance Company of Canada
Perth Insurance Company
Pilot Insurance Company
Portage la Prairie Mutual Insurance Company *
Primummum Insurance Company
Progressive Casualty Insurance Company
Protective Insurance Company
Providence Washington Insurance Company
Quebec Assurance Company
RBC General Insurance Company
ReliaStar Life Insurance Company
Royal & SunAlliance Insurance Company of Canada
S&Y Insurance Company
Saskatchewan Mutual Insurance Company *
SCOR Canada Reinsurance Company
Scotia General Insurance Company
Scottish & York Insurance Co. Limited
SecurCan General Insurance
Security Insurance Company of Hartford
Security National Insurance Company
Sentry Insurance A Mutual Company
SGI Canada Insurance Services Ltd. *
Sompo Japan Insurance Inc.
Sovran General Insurance Company
Sovereign General Insurance Company
Specialty National Insurance Company
St. Paul Fire and Marine Insurance Company Inc.
St. Paul Guarantee Insurance Company
State Farm Fire & Casualty Company
State Farm Mutual Automobile Insurance Company
Stewart Title Guaranty Company
Swiss Re - Canadian General Branch
Swiss Reinsurance Company of Canada
T.H.E. Insurance Company
TD Direct Insurance Co.
TD General Insurance Company
TD Home and Auto Insurance Company
Temple Insurance Company
TIG Insurance Company
TOA Reinsurance Company of America
Tokio Marine & Nichido Fire Insurance Company Ltd.
Traders General Insurance Company
Trafalgar Insurance Company of Canada
Transatlantic Reinsurance Company
Travelers Indemnity Company
Trisura General Insurance Company
UAP NewRotterdam Insurance Company N.V.
Unifund Assurance Company
Unique Compagnie D’Assurances Générales (L)
Ulta Mutual Insurance Company
Virginia Surety Company, Inc.
Waterloo Insurance Company
Wawanesa Mutual Insurance Company
Western Assurance Company
XL Insurance Company Limited
XL Re Europe Management Company Limited
York Fire & Casualty Insurance Company
Zenith Insurance Company
Zurich Insurance Company

* Province of Alberta Only