

How does the Customer Services Act 10/2025 of 26 December affect insurers?

Act 10/2025 introduces a number of changes to customer services that reflect the regulator's different approach to these and the rights of citizens in their relationship with the entities that provide them.

GLORIA GARCÍA CABALLERO

Junior Associate

Banking, Capital Markets and Insurance Practice

Gómez-Acebo & Pombo

PABLO MUELAS GARCÍA

Partner, Banking, Capital Markets and Insurance Practice

Gómez-Acebo & Pombo

Insurance Group Coordinator

- **Introduction**

The Customer Services Act 10/2025, of 26 December, came into force on 28 December 2025 and sets out a twelve-month adaptation period (until 28 December 2026). The main changes for the insurance sector derive from the second final provision of Act 10/2025, which amends the Financial

System (Reform Measures) Act 44/2002 of 22 November.

It should be noted that the regulations for customer services (SAC) and the section of the programme of activities relating to customer care and complaints resolution mechanisms must be updated to bring them into line with the new provisions

Regulations for customer services must be updated

introduced by Act 10/2025. Furthermore, the obligations and requirements laid down by this law make it necessary to reorganise the internal processes of insurance companies.

- **Main changes**

1. ***Accessibility and personalised assistance obligations***

Customer services (SAC) must be designed using means and devices that respect the principles of *universal accessibility, equal treatment and non-discrimination*, guaranteeing a *free, effective and assessable service*. Likewise, the principle of *personalised assistance* is incorporated, which requires the provision of the service to be adapted to each user's characteristics (such as age, disability, foreign status, administrative situation, the peculiarities of the geographical area of residence and the level of digital skills).

Entities that make a *telephone service* available to customers must ensure that it is accessible and that the service provided is personalised and effective, and must be offered through an operator or agent who ensures smooth interaction. In this regard, the use of answering machines or similar means as the sole means of customer ser-

vice is prohibited. Furthermore, it is prohibited to transfer calls from a toll-free number to numbers that incur a charge. Finally, communications initiated by customers via telephone calls must be handled effectively¹ and as quickly as possible, ensuring that 95% of calls are answered, on average, within three minutes.

2. ***Obligation to separate customer services from other commercial or operational services***

This obligation is kept and it is expressly prohibited to use complaints as an opportunity to offer goods, services or commercial offers (unless they are directly and clearly related to their resolution and involve an improvement in the service provision conditions or price).

3. ***Training of customer service staff***

Customer service staff and customer service channel managers and designers must have specialised training and coaching tailored to the sector or activity, including specific prior training in co-official languages in Spain, universal accessibility, and assistance to vulnerable persons, persons with disabilities, and elderly persons.

¹ A call shall be considered to have been effectively answered when the person concerned is able to state the reason for their call and request personalised assistance from an operator.

4. Customer information

The obligation to provide information is kept, with the following changes: a) the information must be made available on websites in a specific, easily identifiable section; b) the reference to the Customer Ombudsman is removed; and c) the duty to inform of the channels available for communication with customer service, the mechanisms for ensuring the registration and recording of the complaint and its content, the mechanisms to facilitate the tracking of complaints, the means chosen to communicate the resolution of the complaint, and the customer service hours.

5. Channels and methods for submitting complaints

Complaints may be submitted in person or by email, or “through any online application or service whose purpose is to provide customer services”. Furthermore, it is expressly prohibited to submit complaints by telephone.

6. Languages for submitting complaints

Complaints may be submitted in Spanish and in any of the co-official languages when the customer service is located in the devolved regions that have them.

7. Acknowledgement of receipt of complaints

It is specified that written acknowledgement of receipt must be provided on paper or any other durable medium,

recording the content, time and date of submission. In addition, the customer must be provided with proof of receipt by the same means used to submit the complaint or by the means selected by the customer. Likewise, an identification code shall be assigned to each complaint, which must be communicated to the customer to enable them to track the complaint.

8. Non-acceptance of complaints

The following are added as grounds for non-acceptance: the expiry of the limitation period for actions or rights that may be brought or exercised by the person filing the complaint and, in any case, the expiry of five years from the occurrence of the events without any complaint having been filed.

9. Maximum time limit for the resolution of complaints by customer service departments or customer services

The deadline of one month from the submission of the complaint to customer services or the Customer Ombudsman is kept. If it is not possible to resolve the matter within this period, the person concerned will be informed, within the same period, of the measures taken to seek a resolution.

The decision must be notified in writing or in any other durable medium, through the channel expressly indicated in the initial communication or that used to file the complaint. In addition, the resolution must be notified in the

same language in which the complaint was filed (i.e., in Spanish or in the relevant co-official language).

10. Requirements for contacting the Complaints Service of the Directorate-General for Insurance and Pension Funds

Acceptance and processing require a prior written complaint to customer services or the Customer Ombudsman and the rejection, dismissal or lapse of one month without a response.

In addition, it is specified that, in cases where the complainant provides incomplete information when making the complaint and must complete it,

the time limit for correction shall be *ten calendar days*.

Finally, as a new feature, it is established that the maximum time limit for resolving a case is *ninety calendar days* from the date of submission of the complaint or from the date on which the complainant provides complete and sufficient information.

- **Other important matters**

From the perspective of individual brokers, the obligation to deal with complaints remains, but they are now expressly subject (to the extent applicable to them) to the time limits, requirements and obligations under Act 44/2002.