

## Complaints Procedure - Client copy

### Complaints Manager contact details

Name: John Mitchell  
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### Our Procedures

#### Our Procedures

Any complaint verbal or written will be referred to our complaints manager at the earliest opportunity or to a member of the senior management if the complaints manager is unavailable. We will also:

- Acknowledge the complaint in writing promptly
- Give details in our acknowledgement letter of the Financial Ombudsman Service
- Make contact to seek clarification on any points where necessary
- Fully investigate the complaint
- Keep you informed of our progress
- Discuss with you our findings and proposed response

You will receive contact from us advising on progress if we cannot respond immediately. We will let you have our final response as soon as possible and not later than eight weeks. We will be the first contact if you have any complaints.

However, you can also refer your complaints to the Financial Ombudsman Service if:

- You have already received our final response. The complaint must be referred to the Financial Ombudsman Service no later than 6 months after the date on which we sent you the final response; or
- Eight weeks have lapsed since we received your complaint. However, the complaint will not be considered by the Financial Ombudsman Service if it is referred more than 6 years after the event complained of or more than 3 years from the date on which you should have reasonably become aware that you had cause for complaint

### Advisers

Clients often express dissatisfaction to their adviser about the product provider. We will need to establish whether or not your complaint relates to the advice given, the adviser service or the service or performance of the product provider. If unclear, this must not delay investigation and we will proceed with our own investigation. The complaints manager will review this matter and take the complaint to the provider if appropriate in consultation with you.

### Investigation

The complaints manager will establish the nature and scope of your complaint having due regards to the Financial Conduct Authority's direction:

- Deal with complaints promptly and fairly
- Give complainants clear replies and, where appropriate, fair redress

### Eligible Complainants

It is the firm's policy to treat all complainants the same, however, *eligible complainants* are legally defined and have additional rights in law that we must acknowledge and adhere to.

*Eligible complainants* are those who have a potential claim against a firm based whereby it believes he/she has suffered a financial loss due to poor advice or service that are:

- Private Individuals
- Companies within the EU definition of a microenterprise
- Charities with an income of under £1,000,000
- Trustees of a trust with assets of under £1,000,000
- Professional clients and eligible counterparties where the person is an individual acting for purposes outside his trade, business, craft or profession

The Financial Conduct Authority complaints rules apply to complaints:

- Made by, or on behalf of an *eligible complainant*;
- Relating to regulated activity;
- Involving an allegation that the complainant has suffered, or may suffer, financial loss, material distress or material inconvenience;
- Not resolved within 3 business days following receipt;
- Referred directly to the Ombudsman Service which the complainant and the firm have both consented to the FOS investigating

### **Final response**

This will set out clearly the firm's decision and the reasons for it. If any compensation is offered a clear method of calculation will be shown.

We must include details of the Financial Ombudsman Service in the final response if dealing with an *eligible complainant* and a regulated activity, we will:

- Explain that the complainant must refer the matter to the ombudsman within six months of the date of this letter or the right to use this service is lost
- Indicate whether or not we consent to waive the relevant time limits.

### **Complaints Settled within 3 business days**

Complaints that can be settled to your satisfaction within 3 business days can be recorded and communicated differently.

Where we consider a complaint to be resolved to your satisfaction under this section, we will promptly send you a **'Summary Resolution Communication'**, being a written communication from us which:

- (1) refers to the fact that you have made a complaint and informs you that we now consider the complaint to have been resolved to your satisfaction;
- (2) We will tell you that if you subsequently decide that you are dissatisfied with the resolution of the complaint you may be able to refer the complaint back to us for further consideration or alternatively refer the complaint to the Financial Ombudsman Service;
- (3) Indicates whether or not we consent to waive the relevant time limits, (where we have discretion in such matters)
- (4) Provide the website address of the Financial Ombudsman Service; and
- (5) Refer to the availability of further information on the website of the Financial Ombudsman Service.

In addition to sending you a **Summary Resolution Communication**, we may also use other methods to communicate the information where:

- (1) We consider that doing so may better meet your needs; or
- (2) We have already been using another method to communicate about the complaint.

### **Closing a complaint**

We will consider a complaint closed when we have made our final response to you. This does not prevent you from exercising any rights you may have to refer the matter to the Financial Ombudsman Service.

### **Financial Ombudsman Service**

The firm must co-operate fully with the Ombudsman in resolving any complaints made against it and agrees to be bound by any awards made by the Ombudsman.

The firm undertakes to pay promptly the fees levied by the Ombudsman.

**Contact:**

- **Address:** The Financial Ombudsman Service, Exchange Tower, London, E14 9SR
- **Tel:** 0800 023 4 567 (free on mobile phones and landlines) or 0300 123 9 123 (calls to this number cost no more than calls to 01 and 02 numbers)
- **Text- 07860 027 586**
- **Email:** [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk)
- **Website:** [www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)