

Complaint Handling Procedures

It is inevitable even within the best run organisations that there will be occasions when individual customers are not happy with the service provided. In such circumstances, customers complain.

You need to be clear as to what constitutes a complaint;

- Any situation where an individual has expressed dissatisfaction, whether justified or not, either orally or in writing, about the firm's provision of, or failure to provide, a financial service or a determination of redress.

You should be vigilant to any complaint or, indeed potential complaint, involving the firm, which alleges;

- a breach of FCA Rules or guidance, or
- a failure to comply with any obligation arising under or by virtue of the Financial Services and Markets Act 2000, or
- negligence, a breach of a term of any customer agreement or any enactment or other rule of law which may be applicable to the business of the firm, or
- misrepresentation, bad faith or other malpractice, or
- financial loss, material distress or material inconvenience.

Should you receive a complaint or suspect that a situation may give rise to a complaint, you must notify the Compliance Officer immediately, who will deal with the complaint in accordance with the firm's Complaint Handling Procedure.

You should not initiate contact with the customer until the Compliance Officer has informed you, in writing, that it is permissible to do so.

All staff should be provided with a copy of the Complaint Handling Procedure and should acknowledge, in writing, that the content of the Procedure has been read and understood.

All complaints received must be immediately notified to the Compliance Officer.

Receiving Complaints

Complaints may be received by in any reasonable means. For example; letter, telephone, e-mail, fax or in person verbally.

All complaints should be investigated competently, diligently and impartially.

Once the Compliance Officer is in receipt of the Complaint it will be recorded within a Complaints Register, which will include the following headings:-

- Date Received
- Customer Name
- Category
- Product type
- Adviser
- Date Resolved
- Outcome

These procedures need to be followed in all cases, and all complaints categorised and recorded.

A written acknowledgement will be issued to the complainant within a reasonable timescale from receipt of a complaint. This will normally be within 5 business days.

A copy of the firm's Complaint Handling Procedures should be included with the acknowledgement letter, or 'summary resolution communication' if the issue is resolved to the complainants satisfaction by close of three business days following receipt.

Notification to PI Insurers

On receipt of a complaint we will notify our PI Insurers immediately. This applies to all complaints.

Appropriate Investigation of Complaints

We will ensure that all Complaints are investigated by an individual with sufficient competence and experience who, where appropriate, was not directly involved in the matter giving rise to the complaint.

We will aim to resolve any complaints as quickly as possible.

The person responsible for the investigation of the complaint (usually the Compliance Officer) will examine, in detail, all documentation in relation to the complaint and will interview, where appropriate, any staff with an involvement in the content of the complaint. Communication with any connected parties will be fully recorded on the complaint file as will copies of all correspondence.

Additional information will be requested as necessary to investigate the complaint fully.

Where a complaint is resolved over the phone or in person, within three business days of receipt, it is expected that staff will confirm orally that a written acknowledgement will be sent including information about the ombudsman service, in the form of a summary resolution communication.

The client will be kept informed thereafter about the progress of the complaint together with the right to refer the complaint to the Financial Services Ombudsman (FOS) made clear in all correspondence.

If the firm is unable to complete their enquiry within four weeks of receipt of the complaint, we will advise the complainant;

1. The reason for the delay
2. When we anticipate being able to make further contact. This must be within eight weeks of receipt of the complaint

We will endeavour to resolve complaints at the earliest possible opportunity, at all times minimising the number of unresolved complaints which need to be referred to the Financial Ombudsman Service.

By the end of eight weeks after receipt of a complaint, we will issue a final response, if however the Compliance Officer is not in a position to issue a final response, a letter will be sent explaining to the complainant;

1. the reason for the continued delay
2. when the firm anticipates being able to provide a final response
3. the right of the complainant to refer the matter to the Financial Ombudsman Service and enclosing a copy of the Financial Ombudsman Service's leaflet

Responding to the Complaint

Once all enquiries are complete, the Compliance Officer will draft a response for issue to the Complainant.

The response is sent 'recorded delivery' to the complainant, within five business days of the completion of the investigation. The response will include details of the outcome of the investigation and the nature and terms of any settlement.

Where redress is appropriate, we will provide the complainant with fair compensation for any acts or omissions for which it was responsible. The Compliance Officer has the necessary authority to offer redress.

The firm will comply with redress offers accepted by the complainant. Redress need not be financial and could include, for example; an apology. The final response letter will explain the complainant's right to refer the matter to the Financial Ombudsman Service and enclose a copy of the Financial Ombudsman Service's leaflet.

The response will also indicate that the complainant has a six month timescale to refer the matter to the Ombudsman, which commences on the date that the final response is issued by the firm.

The result of the investigation will be entered into the Complaints Register.

A complaint will be deemed closed;

- Once the firm's investigation has been completed and a Final Decision Letter has been issued to the complainant; or
- Where the firm has received confirmation that the complainant is satisfied with the outcome of the investigation and a summary

- resolution communication has been issued (resolved within three business days from receipt); or
- Where the complainant has indicated in writing acceptance of the firm's earlier response, where appropriate

Co-operation with the Ombudsman

The firm will co-operate at all times with the requirements of the Financial Ombudsman Service.

If the case is referred to the Ombudsman, the Compliance Officer will submit a report along with any supporting documentation.

Record Keeping

The firm will keep a record of each complaint received and the measures taken for its resolution, and retain that record for:

1. At least 5 years where the complaint relates to MiFID business; and
2. Three years for all other complaints.

We would recommend that complaint files should be retained indefinitely.

Disciplinary action

In instances where the conduct of a particular adviser may require more direct action and disciplinary action may be required. The following procedure will be followed by the firm:

1. Training/Development need identified.
2. Appropriate coaching undertaken and documented.

In the event of a continued shortfall in performance;

3. Formal letter issued by the Compliance Officer stating the nature and extent of the firm's concerns and requiring the remedial action to resolve the situation is taken within fourteen days.

If matters have not improved;

4. Final letter issued by the Compliance Officer stating the matter must be resolved within a further seven days.

If the matter remains outstanding;

Adviser should no longer be permitted to advise customers in connection with their Finance requirements.

Complaints about other firms

Where a complaint is received in respect of advice provided by another firm, it is important that the customer is treated fairly. In such circumstances, the complaint should be acknowledged promptly. The firm should be satisfied that the other firm may be responsible, the customer should be provided with the contact details of the firm concerned in the form of a final response letter.

Additionally, a copy of the complaint should be forwarded to the firm concerned requesting that they make contact with the complainant.

Where there may be a joint liability in relation to a complaint, the procedure discussed above should be followed as well as the firm responding to part of the complaint that is relevant to it in accordance with the complaints procedures.

Such complaints should be recorded within the firm's complaint register.

Where the firm receives a referred complaint, it should deal with the complaint in accordance with the firm's standard complaints procedure with time limits applying from the date on which the firm receives the complaint referral.