



COMPLAINTS PROCEDURE

COMPLAINTS

The definition of a complaint relating to non MiFID business is:

'Any oral or written expression of dissatisfaction, whether justified or not, from, or on behalf of, a person about the provision of, or failure to provide, a financial service, which:

- a) *alleges that the complainant has suffered (or may suffer) financial loss, material distress or material inconvenience; and*
- b) *relates to an activity of our firm, or of any other firm with whom we have some connection in marketing or providing financial services or products, which comes under the jurisdiction of the Financial Ombudsman Service'.*

A complaint can be made via any reasonable means, including letter, telephone, email, and in person.

Consumer Awareness

A summary of our internal process for dealing with complaints promptly and fairly must be given to eligible complainants on request and when acknowledging a complaint.

Eligible complainants are:

- a private individual; or
- a business with a group annual turnover of less than £1million; or
- a charity with annual income of less than £6.5 million; or
- a trustee of a trust with a net asset value of less than £5 million.

PROCEDURES

It is the firm's policy to treat all complaints, whether regulated or not, according to the Complaints Procedures.

Receiving a complaint

All complaints, whether oral or written and made by or on behalf of a customer, must be referred immediately to the Compliance Director as the person responsible for handling complaints, even if the complaint has already been resolved by an apology.

Any oral or written statement made by a client, which might be considered as a complaint, must be referred to the Compliance Director so that it can be determined as to whether is a complaint or not.

Once it has been established if the matter is a complaint, the Compliance Director will notify the Professional Indemnity Insurers in accordance with the terms and conditions of our PII policy.

The remaining sections apply only to complaints, which meet the following definition:

- the complaint is made by or on behalf of an eligible complainant;
- the complaint relates to a regulated activity of the firm;
- the complaint involves an allegation that the complainant has suffered (or may suffer) financial loss, material distress or material inconvenience;
- the complaint has not been resolved by close of the 3rd business day following its receipt.

Any complaint resolved by the firm by close of the 3rd business the day of its receipt, will still be investigated competently, diligently and impartially; be assessed fairly, consistently and promptly and; all relevant factors will be taken into account.

Acknowledging a complaint

The Compliance Director will acknowledge the complaint in writing. The written acknowledgement will be issued promptly.

In relation to oral complaints, the written acknowledgement will set out his understanding of the complaint and will invite the complainant to contact him if their understanding is incorrect.

The acknowledgment letter will outline the result of the investigation if this has been completed.

If the investigation has not been completed, the acknowledgement letter will confirm that the firm will:-

- a) provide the complainant with regular updates on our progress.
- b) advise them that if our investigation has not been completed within 8 weeks of our receipt of the complaint, we will write to the complainant informing them why we are not yet in a position to resolve their complaint and provide details of their rights to refer the matter to the Financial Ombudsman Service.
- c) advise them that on completion of our review, we shall write to the complainant informing them of the outcome.

Our internal process for dealing with complaints promptly and fairly will be forwarded with the acknowledgment letter.

Investigating a complaint

Any investigation conducted will be fair, consistent, and will be dealt with promptly.

The Compliance Director will investigate all complaints and may, where appropriate, consult the adviser / member of staff whose actions or omissions gave rise to the complaint issue(s) raised.

The investigation will include:

- a review of the relevant client file
- take into account any information and/or documents submitted by the complainant (including any standard questionnaires i.e. the mortgage endowment questionnaire).
- contact with the relevant provider(s), if relevant

If remedial action and/or redress is to be offered, the type of remedial action and the level of redress must be fair and appropriate.

Resolving a complaint

Following the completion of the investigation, the Compliance Director will issue a written Final Response letter to the complainant.

The Final Response letter will be fair, clear and not misleading and will provide the complainant with:

- details of the investigation;
- the outcome of the investigation;
- if relevant, any offer of remedial action(s) or the appropriate level of redress (or both), and the basis of calculation;
- details of their right to refer the matter onto the Financial Ombudsman Service (FOS) and advise that this must be done within 6 months from the date of this letter, or they may lose that right; and
- contact details of the FOS

A copy of the FOS's standard explanatory leaflet must be issued with the Final Response letter, unless provided earlier.

If the firm receives confirmation from the complainant that they are satisfied with the findings and outcome of the investigation and/or the redress being offered, the complaint will be considered to be closed by the Compliance Director.

Where no confirmation has been received from the complainant within 8 weeks of the firm's Final Response, the complaint will also be considered closed. However, under the concept of TCF², should the complainant contact the firm after 8 weeks, we will review any further correspondence accordingly.

Keeping a complainant informed

We will ensure that a complainant is regularly kept informed of our progress with regards to the investigation into their complaint.

Any progress updates will include:

- the reasons for any delay
- what further information / documents we require to resolve their complaint
- when they may expect to receive a further update / our Final Response letter

We will work towards completing our investigation into a complaint within eight weeks of its receipt.

In the event that we have been unable to conclude our investigation within the eight week period, we will write to the complainant, informing them of the reasons for the delay and that if they are not satisfied with our progress, they may refer the matter to the FOS. A copy of the FOS's standard explanatory leaflet must be issued with the week 8 response letter.

Financial Ombudsman Service

If a complaint is referred to the FOS, the firm will fully co-operate with them and comply promptly with any settlement and awards made by it.

The firm agrees to be bound by any awards made by the Ombudsman.

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

Referring a complaint to another firm

If a complaint is received whereby the firm has reasonable grounds to be satisfied that another firm is solely or jointly responsible for the issue(s) raised, the case will be referred promptly, in a durable medium, to that firm.

The firm will also inform the complainant promptly of the referral and provide them with the other firms contact details.

If the firm is responsible on a joint basis, we will investigate those issue(s) in line with our normal procedures.

Record Keeping

An entry of each complaint received will be made within the firms Complaints Register, which will be maintained at all times.

The firm will retain a record of each complaint received for at least 3 years from the date the complaint is received.