

Internal Complaint Handling Procedures for Staff

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. This is defined as:

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, whether verbally or in writing, or suspect that a situation may give rise to a complaint, you must notify the Compliance Officer immediately, who will deal with the complaint.

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

Once the Compliance Officer is in receipt of the complaint it will be immediately recorded within the complaints register.

Following this, an initial assessment will be carried out to determine if an immediate resolution can be made. Where this is possible, the complainant will receive a written summary of our findings and conclusion (summary resolution). Where this is accepted within 3 business days (by the close of the third full day) the case will be closed.

Where this is not possible, a written acknowledgement will be issued to the complainant within 5 business days and will set out the basis, or understanding, of the complaint.

A copy of our 'dealing with your complaint' leaflet will be included within either of these communications.

Notification to PI Insurers

On receipt of a complaint, our PI Insurer will be notified 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.

We will endeavour to resolve complaints at the earliest possible opportunity and within 8 weeks of its receipt. This will minimise the number of unresolved complaints which need to be referred to the Financial Ombudsman Service, the contact details for the FOS are as follows:

0800 023 4567

complaint.info@financial-ombudsman.org.uk

Exchange Tower

Harbour Exchange Square

London

E14 9SR

United Kingdom

We will then issue a final response. If however we are not in a position to issue this within

the above time period, a letter will be sent to the complainant explaining:

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

The Final Response

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

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.

We 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 investigation has been completed and a final decision letter has been issued to the complainant; or
- Where we receive 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

We will always co-operate 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

We will keep a record of each complaint received and the measures taken for its resolution, and retain that record for a minimum period of:

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

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.

Conduct Rules, the Certification Regime and Regulatory References

The firm will need to consider:

- whether the matter may need to be reported under the Conduct Rule breach notification requirements
- whether the outcome will affect an adviser's certification under the Certification Regime (where appropriate)
- retain records relating to competence and capability for the purpose of the regulatory reference regime.

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. Once we are satisfied that the other firm is 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 contact 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 complaint's procedures.

Such complaints should be recorded within the complaints register. Where we receive a referred complaint, it should deal with the complaint in accordance with our standard complaints procedure with time limits applying from the date on which we receive the complaint referral.