

What is a complaint?

From a financial services perspective, a complaint is defined by the FCA as:

“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 or a redress determination, 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 that respondent, or of any other respondent with whom that respondent has some connection in marketing or providing financial services or products, which comes under the jurisdiction of the Financial Ombudsman Service.”

From a data protection perspective, a data protection complaint is described by the Information Commissioner’s Office as one which arises when someone considers that we have infringed data protection legislation because of the way we have handled (‘processed’) their personal information (or the personal information of someone they’re acting on behalf of).

Our commitment to you

We treat **all** complaints fairly and consistently to promptly determine the subject matter of the complaint and what action we need to take.

All complaints will be investigated by a suitably competent member of our team. Wherever possible, this responsibility will be allocated to a person who was not directly involved in the matter that is the subject of your complaint. The member of staff will either have the authority to settle your complaint or will have ready access to someone who has the authority.

We decide what remedial action or redress (or both) may be appropriate, considering all relevant factors.

You may contact us during our investigation. If the member of staff handling your complaint is not available, another member of our team will be able to help you.

How and when we aim to respond

We will aim to resolve your complaint within three business days after the date we receive it.

For data protection complaints, we will confirm the results of our investigation and explain that you may wish to refer the complaint to the Information Commissioner’s Office if you are not satisfied with the outcome.

For other (financial services) complaints, where your complaint has been resolved to your satisfaction and you have accepted our response to your complaint within three business days of receipt, we will send you a summary resolution communication in which we:

- refer to the fact that you have made a complaint and inform you that we consider the complaint to have been resolved
- 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 to FOS
- indicate whether or not we consent to waive the usual six-month time limit for referral to FOS
- provide the FOS website address and refer to the availability of further information on the FOS website.

If we are unable to resolve your complaint within three business days, we will send you a written acknowledgement of your complaint within five business days of receipt of your complaint, giving you the name or job title of the individual handling the complaint (together with a copy of these complaint handling procedures).

We will take appropriate steps to keep you informed of the progress of the measures we are taking to resolve the complaint.

By the end of eight weeks after receipt of your complaint, we will send you:

EITHER

- A response which:
 - Responds to a data protection complaint, and explains that you may wish to refer the complaint to the Information Commissioner's Office if you are not satisfied with the outcome.

OR

- A 'final response' which:
 - Accepts your complaint and, where appropriate, offers redress or remedial action; or
 - Offers redress or remedial action without accepting the complaint; or
 - Rejects the complaint and gives reasons for doing so
 - Where relevant, provide the FOS website address and contact information, informing you that if you remain dissatisfied with our response, you may now refer your complaint to FOS and indicate whether or not we consent to waive the usual six-month time limit for referral to FOS. The provision of this information is determined by the nature of the complaint and whether it falls within the scope of the FOS. Alternatively, we will provide a path for Alternative Dispute Resolution.

OR

- A response which:
 - Explains that we are still not in a position to make a final response, giving reasons for the delay and indicating when we expect to be able to provide a final response
 - Informs you that you may refer your complaint to FOS if you are dissatisfied with the delay, contact details for the FOS and indicates whether or not we consent to waive the usual time limits for referral to FOS. The provision of this information is determined by the nature of the complaint and whether it falls within the scope of the FOS. Alternatively, we will provide a path for Alternative Dispute Resolution.

Ending the complaint

You may accept our response and/or withdraw your complaint at any time during this process, even if we have not yet issued a final response. We ask that you confirm this in writing.

If your complaint is about another party

If the complaint is about another party, so if the matter to which your complaint relates is the responsibility of another firm such as an insurer with whom we have placed business, we will refer details of the complaint to the third party and confirm this course of action to you in writing.

If we cannot resolve your complaint

Our final response letter will inform you that, if you remain dissatisfied with our response, you may refer your complaint to the Information Commissioner's Office (for data protection complaints) or where relevant to the FOS. Whether your complaint can be referred to the FOS is dependent on the nature and scope of the complaint and you will be advised of this within the final response letter.

The usual time limit for referrals to FOS is six months from the date we issue our final response. Further information is available regarding FOS at <http://www.financial-ombudsman.org.uk>.

If we know that a complainant is not eligible to refer to FOS, we will explain how their complaint could be progressed if they remain dissatisfied with the resolution which we offer.