

Complaints procedure

■ DEFINITION OF A COMPLAINT

For the purposes of the Company's Complaints Procedure, a complaint includes any oral or written expression of dissatisfaction, whether justified or not.

■ RESPONDING TO COMPLAINTS

The Complaints Officer is responsible for ensuring that an adequate and prompt reply is made to the complainant in respect of each complaint referred.

■ ACKNOWLEDGING COMPLAINTS

When a complaint has been received, the Complaints Officer will carry out the following procedures:

- Acknowledge the complaint in writing within five business days of it being received, giving the name of the relevant contact within the firm, together with details of its complaint procedures
- Enter the complaint in the Complaints Register
- Acknowledgement of a complaint received by e-mail may be sent by e-mail and letter
- Where a complaint was made orally, ensure that the letter of acknowledgement clearly states our understanding of the nature of the complaint and invites the complainant to confirm, in writing, the accuracy of this understanding
- Where another firm has forwarded the complaint, ensure that a copy of this acknowledgement letter is forwarded to them for their records

This letter of acknowledgement must include statements to the effect that we will:

- Investigate the complaint; and
- If the investigation has not been completed within four weeks of receipt of the complaint, write informing the complainant that the investigation is not complete and explaining what action he may take; and
- On completion of the investigation, write informing the complainant of the outcome of the investigation

■ INVESTIGATIONS

The Complaints Officer or an alternative designated individual of sufficient competence and who was not directly involved in the matter, will investigate the complaint with all involved parties.

The investigation of any complaint, which relates to a breach or possible breach of the Codes of

Practice or these rules, may be dealt with in accordance with the investigation provision of the disciplinary procedures. The Complaints Officer with the Department Manager should review such matters. If a complaint is received about the Complaints Officer this would be referred to another Company director for investigation.

■ INVESTIGATION FINDINGS

The Complaints Officer will produce a report of his findings within four weeks of receipt of the complaint and send it in writing to the complainant. This report must explain:

- The outcome of the investigation
- The nature and terms of any offer of settlement that the firm may consider to be appropriate, alternatively the firm's reasons for declining to offer a settlement; and
- A copy of this report to be retained in the Complaints Register as a record

■ HOLDING LETTER – INCOMPLETE INVESTIGATIONS

If the investigation has not been completed within four weeks of receipt of the complaint, a letter must be written immediately to the complainant stating that the investigation is not yet complete and explaining what action he may take. This letter must:

- State that the firm is continuing to conduct an investigation into this complaint
- Give an indication as to when the firm is likely to next make contact
- Include the full name, address and telephone number of FOS

The Financial Ombudsman Service
South Quay Plaza
183 Marsh Wall
London E14 9SR

020 7964 1000 (switchboard)
+44 (0)20 7964 1000 (for calls from outside the UK)
020 7964 1001 (main fax)

■ FINAL RESPONSE – COMPLETION OF INVESTIGATION

On completion of the investigation (within eight weeks of receipt of the complaint), the complainant must be sent a final response that must clearly state:

- The outcome of the investigation
- The nature and terms of any offer of settlement which the firm is prepared to make in satisfaction of the complaint
- That if they are not satisfied they should contact The Financial Ombudsman Service

- Remind the complainant that if he wishes to refer the complaint to The Financial Ombudsman Service this must be done in writing within six months of the date of this letter or he may lose the right to have the matter considered. Please enclose a copy of the FOS leaflet

If at the end of eight weeks the firm is not able to send a final response to the complainant, a letter must be sent:

- Giving the reasons for the further delay
- Giving an indication of when a final response is likely to be sent
- Referring them to The Financial Ombudsman Service as above

■ **REFERRING COMPLAINTS TO OTHER FIRMS**

Where Alec Finch & Company Ltd has reasonable grounds to be satisfied that another firm is solely responsible for the fault alleged in a complaint from an eligible complainant, the complaint may be forwarded to that firm for their attention. The Complaints Officer will carry out the following procedures:

- Refer the complaint promptly – within five business days of the date on which Alec Finch & Co Ltd became satisfied that the other firm was responsible
- Make the referral on paper or on another durable medium; and
- Inform the complainant of the referral by way of a final response and include the other firm's contact details

Where Alec Finch & Co Ltd has reasonable grounds to be satisfied that another firm may be jointly responsible for a fault alleged in a complaint, it may refer the complaint to that firm for their attention. The Complaints Officer will carry out the procedures as listed above and additionally will;

- Comply with the obligations detailed in these procedures and thoroughly investigate those elements of the complaint that do apply to our firm
- The complainant will be informed of the outcome by a final response

■ **RECORD KEEPING REQUIREMENTS**

Alec Finch & Company Ltd will retain a Complaints Register, which will contain a full record of complaints handled, and documentation. This will be retained and maintained for a minimum of five years and will include:

- The name of the complainant
- The date, nature and substance of the complaint

- The date and nature of the reply
- The name of the person who dealt with the complaint
- The name of the individual/representative the complaint was recorded against (if more than one complaint is received against an individual/ representative this must be highlighted)
- The date complaint was resolved
- The date the complaint was referred to The Financial Ombudsman Service if applicable; and
- Remedial action, dates

A copy of the following documents are also to be retained on the Complaints Register:

- A copy of each written complaint (or note, if not in writing)
- Copies of all correspondence between the firm and the complainant
- A copy of the investigator's report. This should include details of all other information referred to during the course of the investigation; and
- A copy of the final letter to the complainant

In the event that the complaint is redirected or referred to another firm to whom it more rightfully applies the following documents should be retained on the register.

- Details of the date the complaint was referred to another firm, if applicable
- A copy of the letter to the firm referring the complaint
- A copy of the final response sent to the complainant explaining the referral to another firm and providing full contact details for that firm

These records shall be additional to the records required under the disciplinary procedures, if required.

Complaints should also be recorded with each adviser's records on their personnel file.

■ **ANALYSIS OF COMPLAINTS**

The Complaints Officer will ensure that the Complaints Register is regularly reviewed to identify any recurring or systematic issues which can be remedied by training or change of procedure.

The Complaints Officer will ensure that the individual's Line Manager is notified of the outcome of the complaint.

■ **WHEN A COMPLAINT IS REFERRED TO THE OMBUDSMAN**

We must co-operate fully with the Ombudsman to resolve any complaint against the Company and agree to be bound by any award made by them.

We will undertake to pay any fees levied by the Ombudsman promptly.

■ **CORRESPONDENCE**

All correspondence relating to complaints should be addressed to the Complaints Officer.

By post: Fifth Floor
Steam Packet House
70-76 Cross Street
Manchester
M2 4JG

By email: lisa.middleton@alecfinch.com

By telephone: +44 (0)161 242 4330

By fax: +44 (0)161 242 4360