

Complaints Manager details

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Initial assessment

In the first instance the member of staff receiving the complaint should make an initial assessment to ascertain if it should be treated as an 'eligible' complaint.

Definition of a complaint

Any expression of dissatisfaction from or on behalf of a customer whether oral, electronic or written and whether **justified or not** WHICH includes an actual or potential financial loss, material distress or material inconvenience.

Note that if there is any potential for financial loss or material distress or inconvenience then however vexatious the complaint may appear, it must still be treated as an 'eligible' complaint and dealt with in line with the regulatory rules that apply if the complaint is about any form of regulated business.

There are of course complaints that are made which relate to minor inconveniences; inconsequential distress and no financial loss and these can be called 'soft' complaints as opposed to eligible or 'hard' complaints.

If you are unable to establish the nature of the complaint or if you have insufficient authority to make this decision then the matter must immediately be referred to our line manager or the complaints manager without delay.

The procedure

Any complaint verbal or written must be referred to our complaints manager at the earliest opportunity or to a member of the senior management if the complaints manager is unavailable. It is essential that whoever is dealing with the complaint sends our initial response letter to the complainant promptly using our set template and adding the details known about the complaint. Following this, the matter must be passed to our complaints manager for investigation.

Complaints about product providers/advisers/sales staff

Clients may express dissatisfaction to us about a product provider, sales staff or an adviser and although the issue may not be our fault we need to be clear about whether the client wishes us to help complain to a third party or whether the client wishes to complain about us; if in doubt we must proceed as if the complaint is about us initially. We then need to establish whether or not the complaint does relate to us or our services or the service or performance of the third party. If this is unclear, this must not delay investigation and we will proceed with our own investigation. The Complaints Manager will review this matter and take the complaint to the provider if appropriate and inform the client accordingly.

Reviewed 05/03/2023

The Complaints Manager needs to establish the nature and scope of a complaint having due regards to the Financial Conduct Authority's direction:

Deal with complaints promptly and fairly

Give complainants clear replies and, where appropriate, fair redress

It is important that our Complaints Manager receives full cooperation from all staff in this investigation. The complaints manager may also contact the complainant to gain further clarification of information. This can be done via telephone, email or any other appropriate means of communication and the process can begin before the complainant receives the initial response letter. At this point the complaint must be entered into the **complaints log** and a **complaint record** must be created.

Eligible complainants

It is the firm's policy to treat all complainants the same, however, *eligible complainants* are legally defined and have additional rights in law that we must acknowledge and adhere to. We have elected to treat all complaints in the same way for simplicity. Sometimes we may not know if a complainant is 'eligible' in which case we must treat them as such and if it becomes necessary, the Financial Ombudsman Service will establish the status of the complainant, not us.

Eligible complainants refers to people or entities with potential entitlements to claim against a firm in circumstances where they have suffered a financial loss due to poor advice or services. In order to be treated as 'Eligible Complainants' the Complainants must be:

Private Individuals or

Companies within the EU definition of a microenterprise or

Charities with an income of under £1,000,000 or

Trustees of a trust with assets of under £1,000,000 AND

Their complaint must fall under the jurisdiction of the FOS and must therefore arise out of one of several listed relationships in DISP 2.7.6

The Financial Conduct Authority complaints rules apply to complaints:

made by, or on behalf of an *eligible complainant*;

relating to regulated activity;

involving an allegation that the complainant has suffered, or may suffer, financial loss, material distress or material inconvenience;

not resolved by close of business on the day following receipt.

Reviewed 05/03/2023

Timescales

The Rules give firms a maximum of 8 weeks to issue a final response to the complainant and we require that this practice is followed for all complaints. It is also important and courteous to keep complainants informed of progress and we will do this by writing to them after four weeks if we have not reached a decision using the holding letter template. More holding letters may be given at the discretion of the Complaints

Initial response letter

Holding letter

Final response

Timing

Promptly: by the next working day unless there are exceptional circumstances.

Optional until the eighth week

By end of the eighth week after the receipt of the complaint in all cases, but sooner whenever possible. If, exceptionally, a full response is not possible by this time your firm must send out a holding letter explaining why it has not been able to issue a decision within the above time frame and when it expects to be able to provide a decision. You should however note *that it is a requirement that final responses are issued by the end of eight weeks after receipt of*

