

## Qualco UK Complaints Policy & Procedure

### Introduction

This Policy sets out how Qualco UK (the “Company”) deals with customer complaints. This document comprises two parts. Part 1 is our policy and procedures for dealing with complaints and fulfilling our other obligations in relation to complaints; and Part 2 is our process for recording, ongoing monitoring and reporting procedures for dealing with complaints.

#### 1. Regulation

The Company will be authorised and regulated by the Financial Conduct Authority (the FCA.)

The Company must comply with the principles, rules and guidance set out in the FCA Handbook, including the principles for businesses and the Dispute Resolution: Complaints part of the Handbook (DISP) which contains specific rules and guidance on handling complaints.

Not handling complaints appropriately can result in poor customer outcomes, which could also lead to investigation and regulatory action by the FCA. Consumers and certain business users that are provided with the Company’s regulated products and services will also have a right to refer their complaint to the Financial Ombudsman Service (the “FOS”) where they are unsatisfied with the Company’s final response to their complaint. In each calendar year, the first three complaints referred to FOS are “free”, but thereafter, the company incurs a case fee (currently £750), whether or not the FOS ultimately find in our favour.

All staff and Company representatives must comply with this Complaints Policy.

#### 2. Senior Management responsibility

The Complaints Manager is Helen Mortimer for the Company, who has ultimate responsibility for monitoring and ensuring compliance with this Policy.

Any member of staff who is unsure whether a query or remark constitutes a complaint, or is uncertain how to deal with it, should contact the Complaints Manager immediately – she can be contacted at: Helen Mortimer, Qualco by telephone on 01932 213343, or by email at [complaints@qualco.co.uk](mailto:complaints@qualco.co.uk)

#### 3. Review and development

This policy is periodically reviewed and updated to ensure it remains compliant with DISP and any other applicable regulatory requirements. Each review is recorded in the version control section of this document. The policy may be reviewed more regularly in response to specific issues or regulatory developments.

The Company may seek external legal and compliance advice to assist it with reviews and developments of this policy.

#### 4. Training

The Company provides staff training to ensure all staff know how to identify and deal with complaints in accordance with this policy.

### 1. **What is a complaint**

In accordance with DISP, we define a complaint 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.”*

For our purposes, this means that where a customer contacts us and lets us know that they are in any way dissatisfied with the product or service we have provided, or otherwise with our conduct, we must treat this as a complaint and handle it in accordance with this policy. Such a customer is known as a “Complainant”.

### 2. **How can customers complain?**

Customers can complain over the telephone, in writing or by email. We provide customers with a basic rate telephone number that they can use to contact us. If a member of staff is in doubt as to whether a communication is a complaint or not, they should contact the Complaints Manager (whose details are set out above).

### 3. **When we receive a complaint**

When we receive a complaint all relevant information should be filled out in the Complaints Record Form (at appendix 2) and ensure that at a minimum, the date of the complaint, a summary of the matters complained about and the complainant’s details are recorded. A copy of the form should be passed to the Complaints Manager.

### 4. **Informal procedure (the “three business days rule”)**

Often complaints can be resolved informally, in particular where the matters complained of can be investigated addressed in a straightforward manner. For example, a straightforward complaint may be where a customer complains that we have not adhered to a request from them to update their contact details and as a result they have not received information requested, such as a statement. It may be possible to resolve this simply by updating the customer’s contact details and apologising to the customer.

We have three business days after the day on which the complaint is received to informally resolve the complaint.

Where we resolve the complaint informally, within three business days after the date that the complaint is received, we must take the following steps:

- update the Complaints Record Form with full details of the outcome of our investigations and what we have done to resolve the complaint; and
- send the customer a Summary Resolution Communication (see Appendix 3) which, among other things, briefly summarises the customer’s complaint and how it has been resolved.

It should be noted that once a Summary Resolution Communication has been received by a customer and they disagree with the outcome, the customer then has the right to request that we invoke our formal procedure. In this case we would re-open the customer’s complaint and treat it in accordance with our formal procedure.

## 5. Formal procedure

Where a complaint has not been resolved by the close of the third business day or where the Complainant has requested Qualco follow its formal procedure, the individual responsible for handling the complaint must inform the Complaints Manager as such and make a note of this in the relevant Complaints Record Form.

The individual handling the complaint must, unless the complaint has been resolved, then contact the Complainant promptly in writing and confirm (i) the action they plan to take; and (ii) the anticipated timescales for investigating and responded.

We normally aim to have fully investigated and responded to all complaints within four weeks of receipt. In either case, the customer should be contacted in writing after four weeks to provide them with an update if we have not resolved the complaint by that time.

Within eight weeks of receiving the complaint we must provide the customer with a Final Response Letter. This should set out a summary of the complaint, and the results of our investigation, together with the rationale for our decision any redress offered. The final response must:

- make clear whether we accept the complaint, reject the complaint or reserve our position and details of any redress or remediation offered together with our reasons for this view;
- provide the website address of the FOS, enclose a copy of the FOS's standard explanatory leaflet and inform the Complainant that if they remain dissatisfied with the Company's response, they may now refer their complaint to the FOS; and
- indicate whether or not the Company consents to waive the time limits relating to making complaints and referring the complaint to FOS (see Appendix 5).

Any Final Response Letter which makes an offer of redress must be given prior approval by the Complaints Manager. Redress may include an apology, a financial offer or correcting records/information. A copy of the Final Response Letter must be sent to the Complaints Manager and the Complaints Record Form must be updated.

If the complaint is not resolved within eight weeks of us receiving the complaint, the person handling the complaint must send the Complainant a written response which:

- explains why the Company is not in a position to issue a Final Response Letter and indicates when it expects to be able to provide one;
- informs the Complainant that they may now refer the complaint to the FOS;
- indicates whether or not the Company consents to waive the time limits relating to making complaints and referring the complaint to FOS (see Appendix 5); and
- encloses a copy of the FOS's standard explanatory leaflet and provides the website address of the FOS.

## 6. FOS Process

The Company will always fully cooperate with FOS investigations and enquiries. The Complaints Manager will act as the initial point of contact with the FOS. However, the Complaints Manager may request that the individual who originally handled the complaint also provides information, if required to do so.

The final decision of the FOS is binding only if the Complainant accepts the decision. If the Complainant does not accept the decision, it is not binding on either party.

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The maximum money award the FOS may make is £375,000. In addition, the FOS can require the Company to amend its processes as they see fit. An award by FOS can be enforced against the Company in court by either the Complainant or the FOS.

## 7. Court process

If the Complainant feels they have not reached a reasonable solution, they can choose to use the courts system to resolve their dispute. It is open to Complainants to issue proceedings within the court system without referring the matter to FOS. However, the Complainant should be advised that court procedures can be lengthy and expensive, and the outcome may be uncertain. As a result, we always prefer, where possible, to resolve disputes without recourse to courts.

## **Part 2 - Records, ongoing monitoring and reporting**

### 1. Records

Records must be kept for at least three years from the date of the complaint. A Complaint Form (Appendix 2) must be completed in respect of all complaints and they must also be recorded in the Complaints Log (Appendix 4).

The records should include (i) the Complaint Record Form; (ii) any correspondence between the Company and Complainant (for example, the Summary Resolution Communication, Final Response Letter, review requests, etc.); (iii) any supporting evidence used to investigate the complaint; and (iv) details of redress offered (if any).

### 2. Monitoring

In addition to analysing FOS decisions relating to complaints against the Company, the Company also reviews guidance issued by the FOS, FCA and other regulators on complaints handling. This information will then be relayed to the relevant individuals who deal with complaints on behalf of the Company via training sessions and direct communication (for example, updates via email). This ensures FOS determinations on similar issues are taken into account in our complaints handling process.

Taking into account the nature of the Company's business, the following processes are in place to ensure that we identify and remedy any recurring or systemic problems:

- the collection and storage of management information relating to the causes of complaints and the products and services they relate to, including information about complaints that were resolved within three business days;
- senior management involvement and review to (a) identify the root causes of complaints; (b) prioritise dealing with the root cause of complaints; and (c) consider whether the root causes identified may affect other processes, services or products; and
- regular reporting to the Company's board (the Board) where information on recurring or systemic problems may be needed for them to identify, measure, manage and control regulatory risk.

Investigating complaints received to establish their root causes can provide useful insights into the suitability and appropriateness of our policies and procedures. This helps us to develop and improve our services.

### 3. FCA Reporting

The Company must provide the FCA with complaints reporting information as required under DISP

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**This policy has been approved & authorised by:**

**Name:** Christian Jacob  
**Position:** Managing Director  
**Date:** April 2022

### Complaints Policy (Customer Facing)

- 1 *If you are not satisfied with any aspect of our service, we would like you to tell us your concerns to enable us to address them.*
- 2 *You can contact us using the contact details set out below.*
- 3 *We will do our best to resolve your complaint by the end of the third business day after your complaint. If we can resolve your complaint within this timescale, we will send you a Summary Resolution Communication. If we cannot resolve your complaint, we will tell you who is dealing with your complaint and provide you with anticipated timescales for our investigation.*
- 4 *We will fully investigate your complaint and try to resolve it with you promptly. We will agree how we will communicate with you during the course of our investigations – usually this will be in writing, but we may also agree to call you. We will keep you updated on the progress of our investigations and what action we plan to take, and give you an estimate of the date by which we expect our investigation to be complete.*
- 5 *We will always work to resolve your complaint as quickly as possible and will either provide you with our final response letter within eight weeks of receiving your complaint (if not before) or, after eight weeks, provide you with a full explanation as to why we are not yet able to provide a final response and explain when we expect to provide one.*
- 6 *If you have not received a final response within eight weeks or are dissatisfied with our final response, you have the right to ask the Financial Ombudsman Service to review your complaint.*
- 7 *If you are a not a business debtor you can ask the Financial Ombudsman Service to review your complaint; if you are a business debtor the Ombudsman may still be able to consider your complaint. You should contact the Financial Ombudsman Service within 6 months of receiving our final response letter. Your right to complain to the Financial Ombudsman Service is in addition to, not instead of, your right to ask us to review your complaint.*

### Contact Details

| Complaints Manager  | Financial Ombudsman Service  |
|---|--|
| Helen Mortimer  | Financial Ombudsman Service  |
| Hersham Place Technology Park<br>Molesey Road<br>Walton on Thames<br>KT12 4RZ | Exchange Tower<br>London<br>E14 9SR  |
| Website: <a href="http://www.qualco.co.uk">www.qualco.co.uk</a>               | Website: <a href="http://www.financial-ombudsman.org.uk">www.financial-ombudsman.org.uk</a>              |
| 01932 213343  | +44 0800 023 4567 or 0300 123 9 123  |
| <a href="mailto:complaints@qualco.co.uk">complaints@qualco.co.uk</a>          | <a href="mailto:Complaint.info@financial-ombudsmen.org.uk">Complaint.info@financial-ombudsmen.org.uk</a> |

## Appendix 2 – Complaints Record Form

| Complaints Record Form   |  |   |                                 |
|--|--|---|---------------------------------|
| <b>SECTION 1</b>   |  |   |                                 |
| Name of employee who received complaint:   |  | Date complaint received:                        |                                 |
| Passed to:   |  | Handled by (if different):                      |                                 |
| Customer name:   |  | Description of complaint:                       |                                 |
| Customer address:  |  |   |                                 |
| Customer contact details:<br>Phone:<br>e-mail:                                       |  |   |                                 |
| Account number:  |  |   |                                 |
|  |  |   |                                 |
| <b>SECTION 2</b>   |  |   |                                 |
| Action taken:  |  |   |                                 |
| <b>SECTION 3</b>   |  |   |                                 |
|  |  | Date  | Staff signature                 |
| Resolved by close of third business day?<br>If "No", proceed to Section 4.           |  | Yes<br><input type="checkbox"/>                 | No<br><input type="checkbox"/>  |
| Summary Response Communication sent and copy filed:                                  |  |   |                                 |
| <b>SECTION 4</b>   |  |   |                                 |
| Reason why customer not satisfied with action taken or for continuing investigation: |  |   |                                 |
|  |  | Date  | Staff signature                 |
| Initial Complaint Acknowledgement sent:  |  |   |                                 |
| Details of further steps/correspondence:   |  |   |                                 |
| Final Response Letter sent:  |  |   |                                 |
| <b>SECTION 5</b>   |  |   |                                 |
| Review of complaint handling requested?  |  | Yes<br><input type="checkbox"/>                 | No<br><input type="checkbox"/>  |
| Actions taken as a result of the review:   |  |   |                                 |
| <b>SECTION 6</b>   |  |   |                                 |
|  |  | Signature of employee responsible for complaint | Signature of Complaints Manager |
| No further action required:  |  | .....<br>Date:                                  | .....<br>Date:                  |

## Appendix 3 – Summary Resolution Communication

### Background

Where the complaint is resolved by close of business on the third business day, written communication in the form of a Summary Resolution Communication must be sent to the Complainant. The Summary Resolution Communication must:

- refer to the fact that the Complainant has made a complaint and inform the Complainant that the Company now considers the complaint to have been resolved;
- inform the Complainant that if he subsequently decides that he is dissatisfied with the resolution of the complaint he may be able to refer the complaint to the FOS;
- indicate whether or not the Company consents to waive the relevant time limits in relation to when complaints can be made to the Company and when complaints can be referred to the FOS (the Company's approach is not to waive the time limits); and
- provide the website address of the FOS refer to the availability of further information on the website of the FOS.

### Template Summary Resolution Communication Form

#### SUMMARY RESOLUTION OF COMPLAINT

|  |  |  |  |
|--|--|--|--|
| <b>Customer Name:</b>  |  | <b>Account Number:</b>                                 |  |
| <b>Date of Complaint:</b>  |  | <b>Date Resolved (this is the date of this notice)</b> |  |
| <b>Nature of complaint</b>   |  |  |  |
| <b>Resolved by:</b>  |  |  |  |
| <p style="text-align: center;"><b>We now consider your complaint to be resolved.</b></p> <p>If you subsequently decide that you are dissatisfied with the resolution of the complaint you may refer the complaint to the Financial Ombudsman Service. However, we also encourage you to get back in touch with us if you are unhappy so that we can look into matters further.</p>   |  |  |  |
| <p style="text-align: center;"><b>You have the right to refer your complaint to the Financial Ombudsman Service, free of charge – but you must do so within six months of the date of this letter.</b></p> <p>If you do not refer your complaint in time, the Ombudsman will not have our permission to consider your complaint (as we do not consent to waive the time limits in the rules) and so will only be able to do so in very limited circumstances. For example, if the Ombudsman believes that the delay was as a result of exceptional circumstances</p> |  |  |  |
| <p>For more information on your complaints rights, you can contact us for details of our complaints policy. You can also visit the website of the Financial Ombudsman Service at <a href="http://www.financial-ombudsman.org.uk">www.financial-ombudsman.org.uk</a> where additional information is available.</p>   |  |  |  |



**Appendix 4 – Complaints Log**

| <b>Customer details</b> | <b>Date</b> | <b>Summary</b> | <b>Actions taken</b> | <b>Summary Resolution/Final response sent?</b> | <b>Referred to FOS? (incl. date)</b> | <b>Status</b> | <b>Outcome</b> |
|-------------------------|-------------|----------------|----------------------|--|--------------------------------------|---------------|----------------|
|                         |             |                |                      |  |                                      |               |                |
|                         |             |                |                      |  |                                      |               |                |
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