



# Complaint policy

<b>v.</b>	1.1
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## 1. Introduction

The Financial Conduct Authority defines a complaint as "any expression of dissatisfaction, whether oral or written, and whether justified or not"; a very wide and all-encompassing description.

However, a complaint is also an opportunity to turn an unhappy customer into a satisfied long-term client. A dissatisfied customer who finds their issues dealt with swiftly and professionally will frequently have more respect for the firm than where their experience is smooth and untroubled.

Customers need to have confidence that if something goes wrong during the service process, xpate will treat their complaint seriously and take appropriate action. If we do not deal with the complaint to the satisfaction of the customer, who is the arbiter in the matter, the customer has the right to refer the complaint to the Financial Ombudsman Service (FOS). The FOS will levy a charge for investigating the complaint, consequently, all complaints referred to the FOS will cost us. Finally, any decision made by the ombudsman is binding on us.

The FCA reinforces this message by means of strict guidelines, which xpate must follow for complaints regarding regulated sales. In particular, the FCA expects complaints to be thoroughly investigated and comprehensively documented.

Following the procedures in this manual will reduce the number of complaints referred to the FOS and save costs. However, following these procedures is also an essential element of xpate compliance management as the recording and analysis of complaints will help us identify problems with individuals, processes, and systems.

## 2. Background

The PSR's require firms to provide users of its services with details of the firm's complaints procedures and the availability of the FOS. For single-payment transactions, this information must be available before the client is bound by the single-payment service contract. For framework contracts, this information must be provided in good time before the client is bound by the framework contract. In both cases, where the contract is concluded using distance means, the information can be provided immediately after the conclusion of the contract if the method used to conclude the contract does not enable earlier provision.

## 3. Who will handle complaints

All complaints can be directed to:

**Att:** Complaint

**By email:** [wecare@xpate.com](mailto:wecare@xpate.com)

**In writing:** Level 18, 40 Bank Street, Canary Wharf, London, England, E14 5NR

## 4. What information is required

- Full details of the complaint and any relevant or supporting documentation
- Customer name and contact telephone number
- xpate Account number (generated by our system)

## 5. Timescales and processes

### 5.1. The 5 Day rule

Where and if possible, xpate will resolve the complaint matter by the end of five business days following receipt of the complaint (date to be logged on the system). Usually, most complaints can and should be addressed within these 5 days.

We will confirm our resolution in writing to the customer.

## **5.2. What happens if xpate is unable to resolve the complaint by the end of five business days**

Within 5 business days of receiving the original complaint, we will write and provide the complainant with details of our Complaint Handling procedures and confirm the name and contact details of the Complaints Department investigating the complaint.

If investigations into the complaint are concluded at this stage xpate will provide the complainant with a final written response.

## **5.3. What happens if we have not resolved the complaint within 15 business days**

If we are unable to resolve the matter on the 15th business day (of receipt of the original complaint) we will write and inform the complainant to this effect and should advise when we anticipate we will be able to respond.

## **5.4. What happens if we have not resolved the complaint within 35 business days**

If 35 business days have passed (from receipt of the original complaint) and our investigations are ongoing, and we are not yet able to resolve the matter, xpate will write and inform the complainant to this effect and will advise when we anticipate we will be able to respond.

At this stage, we will also advise the complainant that they may refer their complaint to the Financial Ombudsman Service if they wish to.

The Financial Ombudsman service details are:

The Financial Ombudsman Service  
Exchange Tower  
London E14 9SR  
Telephone: 0800 023 4567 or 0300 123 9 123 and (+44) 20 7964 0500 (from abroad)  
Email: [Complaint.info@financial-ombudsman.org.uk](mailto:Complaint.info@financial-ombudsman.org.uk)  
Website: [financial-ombudsman.org.uk](http://financial-ombudsman.org.uk)

## **5.5. What happens when xpate completes our investigation**

Upon conclusion of our investigation, we will provide the complainant with our final response in writing. Our report will present details of our investigation and confirmation of whether the complaint has been upheld or declined.

We must ensure to offer the complainant an appropriate redress or resolution for their complaint.

We must also provide the complainant with information relating to the Financial Ombudsman Service and their explanatory leaflet (if applicable).

## **5.6. If the customer is still not happy with our final response, what else can xpate do**

If the complainant is not satisfied with our final response, they are entitled to refer the matter to the Financial Ombudsman Service (FOS).

The FOS can be contacted on:

The Financial Ombudsman Service  
Exchange Tower  
London E14 9SR  
Telephone: 0800 023 4567 or 0300 123 9 123 and (+44) 20 7964 0500 (from abroad)  
Email: [Complaint.info@financial-ombudsman.org.uk](mailto:Complaint.info@financial-ombudsman.org.uk)  
Website: [financial-ombudsman.org.uk](http://financial-ombudsman.org.uk)

## **5.7. How will the Financial Ombudsman Service help the complainant**

If the FOS deem the complaint to be eligible for further investigation, the FOS will impartially assess what the complainant is complaining about, and the facts surrounding the complaint.

The FOS will consider if the complainant has been treated fairly by xpate. If the FOS believes the complainant was not treated fairly, they will offer the resolution and make things right for the complainant.

## **5.8. Are all complaints eligible for investigation by the Financial Ombudsman Service**

Whilst the majority of complaints are eligible for further investigation by the FOS, it is important that you are aware this does not apply in every instance. If you are in any doubt about whether your complaint is

eligible for further investigation you should contact the FOS direct for clarification. Details of the types of complaints the FOS will not consider are given on their website: [financial-ombudsman.org.uk](http://financial-ombudsman.org.uk)

## **6. Complaint recording**

xpate will keep records of each complaint we receive and the measures we have taken to resolve the matter. The records will be kept for 3 years,

## **7. Eligible complainants**

The FOS service is available to:

- Micro- enterprises
- Small businesses
- Charities (with less than £6.5 million annual income at the time of complaint)
- Small Trusts (with a net asset less than £1 million)