



**A Company Registered in England & Wales**

**Registration No. 14467886**

**Registered office address:**

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## **COMPLAINTS POLICY**

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## **Introduction**

On Point Data Ltd aims to provide its clients with the highest service level possible. However, from time to time we may fall below the expected standard of service. Therefore, the complaints handling procedure aims to:

- deal with complaints in a timely and efficient manner
- ensure the process is consistent and fair and that customers receive appropriate redress for a justified complaint
- ensure that the right person deals with each complaint in accordance with On Point Data Ltd authority levels
- meet market and the FCA requirements and guidelines on complaints handling procedures
- ensure that complaints statistics are used effectively so that both systemic and one-off issues are properly identified and addressed to avoid future recurrence
- ensure that appropriate training and guidance is issued to staff to avoid future recurrence.

The Complaints Policy will be approved by the Board. It is the responsibility of the Compliance Officer to keep it under review and recommend changes if appropriate.

## **Definition of a "Complaint"**

This Complaints Procedure applies to: "any expression of dissatisfaction, whether oral or written, and whether justified or not, from or on behalf of a customer or third party". The complaint should involve some allegation that the customer may have suffered financial loss, distress or material inconvenience. This includes both complaints, where a person has contacted On Point Data Ltd (by letter, email, fax or verbally) and has stated that they wish to make a "complaint" and issues where a person is unhappy with a situation, although the term "complaint" has not been used.

## **Definition of "Eligible Complainant"**

The Financial Conduct Authority (FCA) requires complaints from or on behalf of an "eligible complainant" to be dealt with in line with the rules set out in the FCA handbook at DISP 1.2 to 1.10.

An "eligible complainant" is defined as:

- i. a private individual; or
- ii. a "Micro- Enterprise" business which employs less than 10 persons and a group annual turnover of less than £1million; or
- iii. a charity which has an annual turnover or annual balance sheet of less than £2million; or

iv. a trustee of a trust which has a net asset value of less than £1million.

Customers and other interested parties, including policy beneficiaries, and those acting on their behalf including consumer organisations can complain.

Non-eligible complaints are all other complaints which do not fall within the above definition.

On Point Data Ltd may not always deal with customers who would fall within the category of “eligible complainant”. These procedures are, however, designed to meet the requirements of DISP wherever practicable regardless of whether the complainant is an eligible complainant or not.

### **Receiving Complaints**

As complainants can make a complaint by any reasonable means (e.g. by telephone, letter, fax, e-mail or in person), all employees must be alert to the possibility of receiving a complaint as well as the procedures for handling a complaint. All On Point Data Ltd employees have been provided with the internal complaints procedure which details how to receive a complaint and how to manage customers’ expectations.

It is important to realise that in most cases the complainant seeks only for the problem to be resolved quickly and efficiently. The best way of dealing with all complainants is to listen to them patiently, to be courteous to them at all times and to empathise with them. Most complainants will calm down if they believe that you really want to resolve their problems.

When responding to complaints (whether verbal or written), it is important to bear in mind that one of On Point Data Ltd’s main objectives is customer retention. Complaints should therefore be handled fairly, consistently and promptly and care must be taken to avoid the development of blanket rules in the assessment of complaints. Each customer communication must be assessed on a case-by-case basis to determine whether it is to be reported as a complaint.

### **Verbal Complaints**

The following is a list of points that should be always adhered to when speaking with a complainant regarding a complaint:

- clearly identify yourself to the complainant;
- listen carefully and record all relevant details;
- find out exactly what the complainant wants and confirm the details;
- get all of the facts and check that the complainant understands the situation;
- always be polite and do not argue or make excuses;
- do not be defensive or blame someone else; and
- make a file note of the conversation immediately as a written record.

Details of conversations with complainants should be recorded. Staff are encouraged to deal with a complaint by phone as it provides an opportunity to assess the extent of the dissatisfaction and how the complaint may be resolved on an amicable basis.

### **Written Complaints**

When dealing with written complaints, always seek clarification directly from the complainant in the event that you cannot understand the complainant's point.

### **Financial Ombudsman Services (FOS)**

The FCA's handbook imposes a strict regime for complaints handling, which revolves around 'eligible complainants', those who are able to bring a complaint to the Financial Ombudsman Service.

If the internal complaints procedures do not lead to a resolution of a complaint the complainant can refer the matter to the FOS.

If the complaint is referred to the FOS, and is within time limits, as prescribed under the Act, the FOS will send On Point Data Ltd a copy of the complaint form and request that On Point Data Ltd comment. The FOS operates on an inquisitorial basis and will require additional information from either party if it does not understand the complaint.

The Compliance function is responsible for liaising with FOS. Details of cases being investigated by FOS will be provided to the relevant insurer and entered on the complaints log which will record the date the file is sent to and returned by FOS and the outcome.

On Point Data Ltd will cooperate fully with the FOS in the handling of a complaint against On Point Data Ltd by producing documents, adhering to any specified time limits, attending hearings when requested and complying promptly with any settlements or awards.

### **Complaints Procedure**

On Point Data Ltd is committed to providing a high-quality service to all our clients. However, sometimes things can go wrong, and we may fail to meet your expectations. Our internal Complaints procedures allow us to deal with Complaints fairly, effectively and promptly. If you think we have let you down, please tell us why so we can do our best to resolve it. You may let us know about it either orally or in writing. You should contact us using the contact details sent out in the policy documentation On Point Data Ltd has provided or On Point Data Ltd Terms and Conditions.

### **What will happen next**

We will attempt to resolve your complaint as soon as possible. If we are unable to resolve your complaint by the end of the third business day following receipt, you can expect the following from us;

1. We will send you a letter acknowledging your complaint within 5 business days. We may ask you to provide more details if the precise nature of your complaint is unclear or we need more information to consider your complaint. We will also let you know the name of the person who will be dealing with your complaint.
2. We will aim to respond to your complaint as soon as possible and no later than within 8 weeks of receipt, by sending you a final response letter.
3. If we are still unable to provide you with a final response within 8 weeks of receipt of your complaint, at this stage we will write to you explaining why and advise when you can expect a final response, as well as providing your referral rights to the relevant Ombudsman.

In some cases the insurer may deal with your complaint or may deal with it if we cannot resolve it within 3 days. In this case On Point Data Ltd will pass your complaint to the appropriate insurer and write to you with a final response letter confirming who your complaint has been sent to. The insurer will then contact you and deal with it in accordance with their complaint procedures.

### **The Financial Ombudsman Service**

If more than 8 weeks from the date of your complaint has passed and you have not received a final response, or you are dissatisfied with the final response you have received, you may be able to refer your complaint to The Financial Ombudsman Service (FOS).

If you do ask the FOS to investigate your complaint the FOS will consider your complaint totally impartially and we are bound by their decision.

If, after we have investigated your complaint, you still remain dissatisfied and wish to refer your complaint to the FOS we will need to provide information to them about your insurance which may contain personal data. Unless you advise us to the contrary, we will share any information we have relating to your policy, and any claim made against it, with the FOS to enable them to investigate your complaint.

You can contact the FOS as follows:

The Financial Ombudsman Service  
Exchange Tower  
Harbour Exchange  
London  
E14 9SR  
complaint.info@financial-ombudsman.org.uk  
0800 023 4567 (landline)  
0300 123 9123 (mobile)

Further information is available on the Financial Ombudsman Service website  
<https://www.financial-ombudsman.org.uk>

If you employ a professional to represent you, you will need to meet their costs yourself.

### **The Property Ombudsman**

If your complaint is with regards to a search product you can contact The Property Ombudsman

The Property Ombudsman  
Milford House  
43-55 Milford Street  
Salisbury  
Wiltshire  
SP1 2BP  
admin@tpos.co.uk  
01722 333 306

# DOCUMENT VERSION CONTROL

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## Purpose of the Document

This policy sets out the respective obligations of On Point Data Ltd and its employees. It also sets out the procedure to be followed in the event that the company receives a complaint.

## Document Draft History

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