

2023

Complaints Policy V8

UNITED KASH LIMITED

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1 VERSION CONTROL

The table below must also be updated on the revised version so that there is an audit trail of changes made. The previous version of the procedures should be maintained for a minimum period of 12 months following the change.

VERSION NO.	DATE CHANGED	REASON FOR CHANGE
1	18/05/2018	Creation
2	March 2019	Review and Update
3	November 2020	Review and Update
4	December 2020	Review and Update
5	December 2021	Review and Update
6	January 2022	Review
7	June 2022	Update to FOS cases
8	January 2023	Review and Update

2 SCOPE

This Policy applies to all employees and consultants (“staff”) of United Kash and aims to maintain the high standards of conduct which currently exist within United Kash by preventing poor customer service. The Policy sets out the procedures which must be followed to enable United Kash to comply with its legal and regulatory obligations.

Failure by a member of staff to comply with the procedures set out in this Policy may lead to disciplinary action being taken against them. If after investigation of a complaint a failure in relation to staff compliance with company policies and procedures is discovered, this may lead to disciplinary action being taken against them.

3 INTRODUCTION

The objective of this policy is to ensure that all employees and consultants (“staff”) understand the company’s commitment to the fair treatment of customers and our approach to dealing with customer complaints.

This policy applies to all directors, employees and contracted consultants and agents. Where in-scope business functions or services are outsourced to a third party, that third party must comply with this policy. Any queries regarding the application of this policy should be referred to Neil Webb who is the Complaints Manager for United Kash.

A complaint is 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 redress determination, which:

- Alleges that the client has suffered (or may suffer) financial loss, material distress or material inconvenience; and
- Relates to an activity of United Kash, or of any company with whom United Kash has some connection in marketing or providing financial services or products, which comes under the jurisdiction of the Financial Ombudsmen Service (FOS). .
- We may receive complaints directly, from customers, or they may be received by our third parties providing outsourced arrangements for us under contract. For the purposes of this policy, references to “us”, “our”, “the Company” and “staff” includes the directors and senior management of United Kash. Complaints can be received in the following ways:

- (1) verbally;
- (2) written or indirectly from an external source;
- (3) to a member of staff;
- (4) through our website;
- (5) on social media;
- (6) specifically, through our complaints email address.

All complaints, either verbal or written, must be investigated and the appropriate action taken.

Any case that is accepted as a case by the Financial Ombudsman Service (FOS) in excess of the first 3 cases each year incurs a case fee whether or not the FOS find in our favour. Therefore, all staff should adhere to these procedures to minimise the risk of a customer being dissatisfied with our response to the extent that they take their case to the FOS, and to ensure that we deal promptly and appropriately with customers who may have issues, whether justified or not.

We want to ensure that our customers are happy with our service and will recommend our service. Contributing to this objective is the way we handle complaints as this is key to our reputation.

We also conduct reviews of complaints received and the outcomes of those complaints. Investigating complaints can provide useful insight into the suitability and appropriateness of our internal operating policies and procedures, ensuring they are in line with our customers' expectations.

4 DEALING WITH COMPLAINTS

As any member of staff may receive a complaint at any time and by any means (e.g. email, telephone, in person, by letter) it is very important that all staff should be aware of and understand the importance of following this policy and procedures.

Complaints can be categorised as follows:

Advising, Selling and Arranging. This includes:

- Unsuitable/misleading advice;
- Misleading advertising/product info;
- Did not request product;
- Product sold despite not being suitable for the customer;
- Gave incorrect information about the product (i.e., late payment charges not disclosed correctly;
- Unclear, unfair or misleading financial promotions;
- Irresponsible lending
- Breach of DPA

Terms and Disputed sums/charges: This includes:

- Delays;
- Overcharging/incorrect charges;
- Breach of contract;
- Disputes over sums / amounts payable;
- Failure to adhere to the terms and conditions of the product (i.e., failure to give the required notice in the event of a change to the terms and conditions);

General Admin / Customer Service. This includes:

- Other Administration;
- Failure to Carry out Instructions;
- Poor Customer Service;
- Rude impolite or generally unhelpful staff; and
- Not keeping customers informed of matters about which they would want to be aware;

Other. This includes:

- Any complaint that does not fit into one of the other categories;
- Where a complaint relates to another company, the process is set out;
- If the complaint relates to issues that need to be addressed partly by United Kash and partly by another company, we must inform the client of which parts of the complaint are being investigated by each party. This should be included within the acknowledgement letter.

5 COMPLAINTS PROCEDURE

We have three elements to our complaints process:

Complaints Resolved by the Close of Business on the Third Business Day following the date on which the complaint is received.

Such complaints may be resolved informally with the customer in question. All complaints must still be recorded on the complaints register in accordance with this complaints policy. DISP 1.5.2A states that: *A complaint is resolved where the complainant has indicated acceptance of a response from the respondent, with neither the response nor acceptance having to be in writing.*

Summary Resolution Response

Even though this is resolved informally under DISP 1.5.6(2)a summary resolution communication should then be sent. This should include:

- reference to the fact that the complaint has been made;
- informs the client that United Kash now considers the complaint to have been resolved;
- tells the client that if he or she subsequently becomes dissatisfied they may be able to refer the matter to the Financial Ombudsman Service;
- indicates whether relevant time limits have been waived. United Kash does not waive relevant time limits;
- provides the website address of the Financial Ombudsman Service;
- refers to the availability of further information on the Financial Ombudsman Service website.

Complaints Not Resolved by the Close of Business on the Third Business Day following the date on which the complaint is received

If a complaint is not resolved by the end of the third business day following receipt, it becomes part of our formal complaints procedure and should be dealt with in accordance with our complaints procedure set out below.

Full Procedure

The Complaints Manager will log the complaint as a formal complaint and acknowledge the complaint within 5 working days of receipt. Their acknowledgment will include the name and contact details of the individual dealing with the complaint and notify the complainant that they will receive a final response to their complaint within 8 weeks.

We aim to resolve a customer's complaint within this 8-week period but in any event we will keep the customer updated as to the progress of their complaint and send them an updated email or sms to inform them at what stage their complaint is at. This will be within 4 weeks of our acknowledgment communication.

By the end of week 8 the person handling the complaint must send the complainant either:

a final response letter; or

- In exceptional circumstances where it has not been possible to reach a final response in this timescale; a response explaining that the company is not in a position to make a final response, giving reasons for the delay and indicating when a final response should be provided.
- Their FOS rights should also be sent to them

A final response letter will include either:

- An acceptance of the complaint an offer of redress, where appropriate; or
- An offer of redress, but without accepting the complaint; or
- A rejection of the complaint, with reasons for doing so.

The final response letter must also:

- Inform the complainant that, if the customer remains dissatisfied with the response, they can ask for it to be reviewed by the Complaints Manager if the complainant feels that it has not been handled properly.
- Inform the complainant that they may now refer the complaint to the Financial Ombudsman Service and must do so within 6 months.

Any final response letter must be approved by the Complaints Manager

A copy of the final response letter must be sent to the Complaints Manager who will update the complaints log and maintain a central record of complaints. Documentation relating to the complaint investigation should be filed appropriately so that it can be reviewed.

We conduct audit reviews of complaints received and the outcomes of those complaints. Investigating complaints can provide useful insight into the suitability and appropriateness of our internal operating policies and procedures, ensuring they are in line with our customers' expectations. In line with the requirements of the Customer Charter and addendum to the Code of Practice we have a clearly displayed link to our Complaints Summary on our website.

We make our Complaints Policy available to customers at the point of sale by including a clear summary in our consumer credit agreement and signposting customers to the full policy by means of a link.

6 RIGHT OF APPEAL

If the customer is not happy with our final response they can appeal our decision. This will be reviewed by either Neil Webb or our external consultant Kevin Still.

7 COMPLAINTS INVOLVING THIRD PARTIES

- The complaint must be passed to the appropriate company within two working days of receipt of the complaint into the business;
- The client must then be informed that the complaint has been passed on to the appropriate company. A letter must be sent to the client acknowledging receipt of the complaint. The letter must explain that the complaint has been passed on and give the client the relevant company's contact details;
- The letter should be sent within 5 working days of receipt of the complaint into the business;
- All complaints received must be recorded on the Complaints Register and will form part of the FCA reporting required to be made by United Kash on a 6-monthly basis

8 COMPLAINTS FORM

All complaints should be recorded on our complaints form (annex B). This should detail:

- The customer's contact details
- The nature of the complaint and how it originated
- The team/individual to whom responsibility for the resolution was passed
- The steps taken to resolve the complaint
- Why the customer is not satisfied.

The complaints form should be sent to the Complaints Manager.

9 RECORDS

We should keep records of the complaint for at least six years from the date of the complaint. The records should include:

- The original complaint form showing the name of the complainant, date of complaint and a summary of the complaint;
- Any correspondence between the company and complainant and notes of any discussions with the complainant;
- Any supporting evidence used to investigate to complaint;
- Details of redress offered (if any);

Details of the individual investigating the complaint.

10 COMPLAINTS METHODOLOGY AND ROOT CAUSE ANALYSIS (COMPLAINTS HANDBOOK AND AUDIT DOCUMENTS)

We review all complaints individually and thoroughly. We have a separate training handbook for staff and audit documents for reviewing complaints that feeds back into the Management's RCA document.

11 THE FINANCIAL OMBUDSMEN SERVICE

The FOS are an independent public body set up by law who have the power to put things right if they feel that a customer has been treated unfairly. They are an impartial adjudicator who can resolve disputes between consumers and businesses.

Individuals are eligible to refer their complaints to FOS if they have raised their complaint with us and either they have not received a final response letter within eight weeks or the final response letter has been received but is not satisfactory to them or they subsequently become dissatisfied following receipt of a Summary Resolution Communication. They have six months from this date within which to refer the final response to their complaint to the FOS.

The FOS is free to consumers, although a case fee is charged to the business against which the complaint is made if the case is accepted, whether or not the case is found in the consumer's favour (the first 3 complaints against a business each year are free of charge). The FOS records complaints cases where the outcome was "not upheld" to include those where it recommends a nominal amount of redress/nominal increase in redress be offered.

The FOS allows consumers a route to a formal, independent process other than through the courts, although the complainant can always take the matter to court if they do not accept the final decision of FOS.

The FOS may request information in order to review the case and make a decision.

The Complaints Manager will act as the initial point of contact with FOS. However, the Complaints Manager may request that the individual who originally handled the complaint provides information if required to do so.

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

We should review all decisions made by FOS to ensure that we are making fair and consistent decisions for customers.

12 THE COURTS

If the complainant feels they have reached no reasonable solution, they can choose to use the court system to resolve the dispute.

The small claims court is available if the amount claimed is no more than:

£10,000 in England and Wales

£5,000 in Scotland

£3,000 in Northern Ireland

This is less formal than other courts and there is no need to use a solicitor or a barrister.

The claim will need to go to another civil court if the amount claimed is greater than the figures shown above. The complainant should be advised that they have the choice to take the matter further, but:

- Court cases can be lengthy;
- Court cases can be expensive;
- The outcome is uncertain;
- If they lose they can be liable for costs.

Where there is any doubt as to whether a query/comment constitutes a complaint, or how to deal with it, employees are urged to contact the Complaints Manager for further guidance and advice as possible.

13 MONITORING THE POLICY

The Complaints Manager is responsible for all complaints whether formal or not. It is the responsibility of all United Kash staff to ensure this policy is embedded into our daily operations.

All colleagues dealing with customers have a responsibility to read, understand and implement this policy.

ANNEX A – COMPLAINTS (WEBSITE)

This information is provided to all of our customers who visit United Kash. We like to be upfront about our complaints policy. Whilst we strive to offer the best service possible we can sometimes get things wrong.

If you are not satisfied with any aspect of the service you have received from United Kash, we would like you to tell us your concerns.

You can contact us by e-mail, post or by telephone.

Upon receipt of your complaint we will do our best to resolve your complaint by the end of the third business day following receipt of your complaint. If we reach this resolution with you, we will nonetheless send you a Summary Resolution Communication as the Financial Conduct Authority rules require us to do so even if we have informally resolved your complaint.

If we cannot resolve your complaint informally by the end of the third business day following receipt of your complaint, we will send you an acknowledgement of your complaint within 5 business days and let you know who is dealing with it. We will send you updates while we deal with your complaint.

We will issue a final response letter within eight weeks of receiving your complaint.

If you are dissatisfied with our final response, you can ask us to review our decision.

You can ask the Financial Ombudsman Service to review your complaint. You should contact the Financial Ombudsman Service within 6 months of receiving our final response letter or Summary Resolution Communication. You may write to FOS at the following address: The Financial Ombudsman Service, Exchange Tower, London, E14 9SR, or refer to their website at <http://www.financial-ombudsman.org.uk/>

Even if you have asked for your complaint to be reviewed you can still contact the Financial Ombudsman Service.

Contact Details

Complaints Manager	Financial Ombudsman Service
e-mail:	Exchange Tower
	London
	E14 9SR
	0800 023 4567

ANNEX B - COMPLAINTS FORM

United Kash Complaints Record Form	
Completed by:	Initial complaint received:
Date:	Passed to:
	Handled by (if different):
Customer name:	Description of complaint:
Customer address:	
Customer contact details:	
Phone:	
e-mail:	
Agreement number:	
Action taken:	

Reason why customer not satisfied:	
Formal Complaint date:	
Acknowledgement sent:	
Final Response sent:	

Reference to this form any correspondence and/or documentation used to complete the complaints response

ANNEX C - EXAMPLE PARAGRAPHS FOR LETTERS

[N.B Template 1]

Initial Complaint Acknowledgement

Thank you for your recent correspondence/contact. Please accept this letter as an acknowledgement that your complaint has been received by us.

The individual handling this matter will be []

You can contact them on.....

Follow up Acknowledgment

This is just to let you know that we are continuing to review your complaint and expect to give you a full response by [].

The individual handling your complaint is []

You can contact them on.....

ANNEX C - EXAMPLE PARAGRAPHS FOR LETTERS

[N.B Template 2]

Summary Resolution Communication

Thank you for raising your recent concern with us. We are grateful to receive customer feedback and are pleased that we have been able to resolve your complaint directly with you within 3 business days of you having raised your concerns.

[consider whether to add detail].

As we have resolved this directly with you, we now consider this complaint to be resolved.

If you subsequently become dissatisfied with the resolution of this complaint you may be able to refer it to the Financial Ombudsman Service.

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 correspondence. If you do not refer your complaint in time. The Ombudsman will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances, for example, if the Ombudsman believes that the delay was a result of exceptional circumstances.

We appreciate the time you have taken to bring this matter to our attention.

For further information on the Financial Ombudsman Service you can refer to their website at <http://www.financial-ombudsman.org.uk>.

ANNEX C - EXAMPLE PARAGRAPHS FOR LETTERS

[N.B Template 3]

Final Response letter

We refer to your complaint received on []

Your complaint is []. We set out below the pertinent information we hold in relation to your account.

[1.]

After a thorough investigation of your complaint from the information we hold for you, we can confirm that we are *upholding/not upholding. (*delete as appropriate) your complaint.

[N.B IF YOU DON'T UPHOLD THE COMPLAINT]

On this occasion, after a review we cannot uphold your complaint for the following reasons.

[1.]

[N.B IF YOU UPHOLD THE COMPLAINT]

As we have upheld your complaint, we find that you are due compensation on this occasion. We have calculated it in the following way:

- 1) Refund of interest;
- 2) Refund of charges;
- 3) 8% interest per annum on 1+2;
- 4) deduction for tax

[N.B ALTERNATIVELY NON IL CLAIMS]

- 1) Compensation amount.

(We consider this correspondence as our final response to this matter)

For further information on the Financial Ombudsman Service you can refer to their website at <http://www.financial-ombudsman.org.uk/>

Alternatively (delete as appropriate)

[N.B The respondent does not consent to waive the six-month time limit DISP 2.8.2R(1)]

You have the right to refer your complaint to the Financial Ombudsman Service, free of charge – but you must do so within 6-months of the date of this letter.

If you do not refer your complaint in time, the Ombudsman will not have our permission to consider your complaint 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.

Alternatively (delete as appropriate)

[N.B The complaint was received outside the time limit in DISP 2.8.2R(1)]

You have the right to refer your complaint to the Financial Ombudsman Service free of charge.

The Ombudsman might not be able to consider your complaint if:

- What you're complaining about happened more than **six years** ago, and
- You're considering more than **three years** after you realised (or should have realised) that there was a problem.

We think that your complaint was made outside of these time limits but this is a matter for the Ombudsman to decide. If the Ombudsman agrees with us, they will not have our permission to consider your complaint and so will only do so in very limited circumstances (see below).

If you do decide to refer your complaint to the Ombudsman, you must do so within six months of the date of this letter.

If you do not refer to your complaint to the Ombudsman within six months of the date of this letter, the Ombudsman will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances.

The very limited circumstances referred to above include, where the Ombudsman believes that the delay was as a result of exceptional circumstances.