



Complaints Handling Procedure FCAP009

Objective:

Energy Pig Limited must put in place an internal complaints handling procedure which sets out the procedures that we must follow when handling complaints from consumers and include requirements on acknowledging and responding to complaints, the time limits for dealing with complaints and record-keeping and reporting. DISP, part of the FCA Handbook, sets out how complaints are dealt with and the FCA require us to report the number and type of complaints that we have received and when these complaints have been closed. DISP 1.1 contains rules and guidance on how firms carrying out regulated activities and should deal promptly and fairly with complaints in respect of business carried on from establishments in the UK.

Providing Alternative Dispute Resolution (ADR) – or arbitration – became UK law on the 1st October 2015 for all businesses that sell to consumers. This means that when a matter remains in dispute, our firm is legally compelled to give the consumer the contact details to the Financial Ombudsman Service (FOS) where the dispute relates to finance.

The reporting periods are 1st January to 30th June and 1st July to 31st December.

Scope:

All Staff within our firm including third party suppliers, Appointed Representatives and Introducer Appointed Representatives.

Overview:

A complaint is an indication of dissatisfaction and can be made by a customer in writing or verbally. The customer does not have to say they are complaining for their dissatisfaction to be considered a complaint.

Complaints fall into several categories and can be made directly to:

- The Retailer — about the finance product or service of the Lender
- The Retailer — about the retailer's goods and services bought using finance
- The Lender — about the way their product was sold or represented, the terms or their service levels
- The Lender — about the retailer's goods and services bought using the lender's finance facility

The retailer's complaints process should capture all of these complaints and they should have an internal process to address the 'source' of the complaint.

The complaints process should be clear and fair. The retailer should ensure that all staff are trained in the handling of complaints and, in particular, ensure that all sales staff issue customers (following a sales presentation that includes details about finance) with a **'How to Complain' leaflet (FCA002a)**.

In general, the complaints process should:

- Include any requirements set out by the FCA for dealing with complaints.
- Detail time limits for dealing with complaints.
- Capture details about complaints that are about the Lenders loans or service.
- Capture details about complaints which say or suggest the mental capacity of the customer was in question. A retailer must tell the Lender even if the complaint is specifically about their goods and services as it may also have implications for the loan agreement between the Lender and the customer.
- Make a summary of the complaints process available at the point of sale/purchase - a 'how to complain' leaflet works well.
- Make sure customers are aware that they can refer unresolved disputes to the Financial Ombudsman Service.
- Include logging and tracking of all complaints, so that any trends can be identified.
- Ensure co-operation and working relationship with the Lender and our firm so that if for example the Lender receives a direct complaint from a customer that the Lender immediately informs our firm so that everyone in the chain is aware of what is happening to ensure a better outcome for the customer.

Section 75 of the Consumer Credit Act

Customers can make a claim against the retailer or the retailer and the lender if they are not satisfied with the goods or services they bought using finance or if ***they believe the finance was mis-sold***

Under Section 75, a claim can be made if the cash price of the goods or service was more than £100. If the cash price was more than £30,000 and the loan or credit amount is less than £60,260, customers can only make a claim against the lender if the retailer is not able to settle the customer's claim.

INTRODUCTION

This document sets out how we will manage any customer complaints received. This policy and process forms a key part of our staff training programme. In addition, it details how and when we will communicate with our customers when they do complain and importantly how we will work to resolve their complaints in a timely manner.

We believe our organisation provides a first-class service to our customers. However, we also understand that occasionally things may go wrong and not be to the entire satisfaction of our customers.

When our customers make us aware of any shortcomings in our products or our service we will always respond in a professional and courteous manner and ensure that our first-class service is maintained throughout the investigation and resolution of

INTERNAL COMPLAINTS PROCEDURE

How will the consumer be made aware of the Complaints Procedure?

The consumer will be made aware of our complaints procedure at the earliest opportunity and the external procedure will appear on our website and all new customers will be made aware in writing of the principal to be contacted in the event of their wishing to complain about our firm's services and of their rights.

Our firm must take account of the needs of vulnerable consumers, those with additional needs or special access requirements when handling a complaint. Where a consumer may be vulnerable, for example, have mental or physical infirmity, or English may not be their first language, then we would request and allow that a trusted 3rd party be present.

In the event that we receive a complaint we will enter it on to our complaints management form, which will record the details of the complaint, the FCA classification, and enable us to track the complaint through to resolution.



The principle assigned to deal with complaints and who features on the FCA Register is:

David Macneill - Managing Director

The complaint will be dealt with promptly and fairly giving the complainant clear replies and, where appropriate, fair redress.

Complaints not settled within 3 business days

Complaints received by telephone

All complaints should be handled in a polite and professional manner and recorded on a **Complaints Management Form** (FCAF002) and also entered into the **Complaints Record Log** (FCAF007a) at the time of receiving the complaint by the person dealing with the complaint. The complaint handler should report complaints internally to the above nominated person immediately and make recommendations for revised practice where appropriate.

Where our firm operates a telephone line for the purposes of enabling an eligible complainant to submit a complaint, the complainant must not be bound to pay more than the basic rate when contacting the firm by telephone and must not provide the firm with a contribution to its costs or revenues.

Complaints received in writing and/or via e-mail

The complaint should be recorded on a **Complaints Management Form** and also entered into the **Complaints Log** by the person dealing with the complaint. The complaint handler should report complaints internally to the above nominated person immediately and make recommendations for revised practice where appropriate.

We will retrieve all the necessary documentation relevant to the account, from our files and systems. These documents will be read and considered, in conjunction with the complaint.

We will endeavour to respond and resolve the complaint straight away, which we consider to be at least one business day after the day we receive the complaint. However, we may need to carry out further internal investigations; if these are required we will send an acknowledgement/notice of investigation letter within 3 business days from when we receive the complaint.

The notice of investigation letter will include:

- An explanation of why a different person is responding if it is not the person that the complaint was addressed to;
- The name and job title of the individual handling the complaint;
- A timescale of when we will correspond further, which will be no more than 4 weeks from the receipt of your complaint; and a copy of our complaint handling procedures.

In the unlikely event that our investigations require longer than 4 weeks to complete, we will write to the complainant to explain why we are not yet in a position to respond to the complaint and indicate when we will make further contact (This must be within 8 weeks of the receipt of the complaint).

If after 8 weeks we are still not in a position to make a response, we will write and give reasons for the delay and an indication when we expect to provide a full and final response. At this point we must include details of the Financial Ombudsman Service (FOS), who can refer the complaint if the customer wishes, a copy of the FOS's explanatory leaflet should also be enclosed.



Once our investigations are complete we will write to the complainant with our response, this will be either a final response, or an offer letter, depending on the circumstances of the complaint.

A Final Response is:

- Where we believe we have fully addressed the complaint;
- Notified the complainant that they may refer the complaint to the FOS if they remain dissatisfied with our final response and that they may do so within 6 months (from the date of the final response); and Enclosed a copy of the FOS explanatory leaflet.

An offer letter is:

- Where we consider that the complainant is entitled to some redress and believe that we have fully addressed the complaint. This will include a page for the complainant to state their acceptance and return it to us. We will then forward the agreed redress in a final response letter.

We will consider a complaint closed when:

- We have sent a final response; or
- The complainant indicates in writing that they accept our offer or response; or
- The complainant fails to respond to our correspondence within 8 weeks from the date of our written response.

Our firm will issue the final response communication to all resolved complaints and retain a record of the complaint for three years from the date the complaint was received.

Complaints settled within 3 business days

Complaints that can be settled satisfactorily within 3 business days can be treated differently. Instead of sending the initial response and 8 week letters the firm can use the ***“Summary Resolution Communication”***.

Where we consider a complaint to be resolved under this section, we must promptly send the complainant a ***“Summary Resolution Communication”***, being a written communication from us which:

- (1) Refers to the fact that the complainant has made a complaint and informs the complainant that we now consider the complaint to have been resolved to their satisfaction;
- (2) Tells the complainant that if he subsequently decides that he is dissatisfied with the resolutions of the complaint he may be able to refer the complaint back to us or to the Financial Ombudsman Service;
- (3) Indicates whether or not we consent to waive the relevant time limits by including the appropriate wording set out in DISP 1 Annex 3R (*or please refer to the Final Response Letter template for appropriate wording to use*);
- (4) Provides the website address of the Financial Ombudsman Service; and
- (5) Refers to the availability of further information on the website of the Financial Ombudsman Service.

The information regarding the Financial Ombudsman Service required to be provided in a ***Summary Resolution Communication*** should be set out clearly, comprehensibly, in an easily accessible way and prominently, within the text of those responses.

In addition to sending a complainant a ***Summary Resolution Communication***, a respondent may also use other methods to communicate the information where:-



- (1) We consider that doing so may better meet the complainant's needs; or
- (2) The complainant and respondent have already been using another method to communicate about the complaint.

An example of (1) may be where a respondent is aware that a complainant is visually impaired.

An example of (2) above may be where a respondent has been communicating with a complainant about a complaint by telephone.

Financial Ombudsman Service can be contacted in writing:

The Financial Ombudsman Service
Exchange Tower
London
E14 9SR

Tel: 0800 023 4567 (free for most people ringing from a fixed line) or 0300 123 9123 (cheaper for those calling using a mobile) or 44 20 7964 0500 (if calling from abroad)

Email: complaints.info@financial-ombudsman.org.uk

Website: www.financial-ombudsman.org.uk

As of 1st April 2019 the maximum compensation limit that the Financial Ombudsman Service (FOS) can award has increased from £150,000 to £350,000. Please also ensure that you are using the most recent version of the FOS's standard explanatory leaflet.

Review

The complaint or problem is reviewed by a senior compliance member of staff and a course of action decided upon based upon the nature of the complaint. Any discussions with third parties shall be logged on the **Complaints Management Form**. This will also contain the customer's full history from initial enquiry and may help identify any potential issues and provide full details and background on the customer.

We will carry out complaints review meetings as part of our ongoing FCA compliance and these will be recorded at our Board Meetings minutes. Statistics and MI generated will be discussed, recorded and reported and acted on accordingly. This information will also be reported to third party suppliers, installers, AR's, and IAR's where relevant and required in line with the GDPR. Complaints are fed back clearly in writing outlining the full details of the complainant, date of complaint, source, nature of complaint, summary of findings/action taken, date complaint closed, outcome and was the complainant satisfied with the action taken.

Complaints are notified to the FCA as required in our REGDATA reporting and submitted by our compliance officer and financial director. There is no need to notify the FCA other than this unless in any twelve-month period we have upheld three complaints relating to any individual or salesperson or where redress paid exceeds £50,000.

Corrective and preventative action is recorded on our GDPR02 – Non-Conformity and Corrective Action Log to identify further training needs/changes to procedures that may be required. Any legal actions are recorded and processed in the same way.

Our Complaints Handling Procedure explains the whole journey but is essentially an internal document. Externally we would explain the procedure in a published version that we would give to the customer at the start of engagement with our firm and this would also be made available clearly and concisely on our web site.



PUBLISHED VERSION OF EXTERNAL COMPLAINTS PROCEDURE

IF YOU NEED TO MAKE A COMPLAINT

The principle assigned to deal with complaints is:

Complaints Department
Energy Pig Limited
120 Woodneuk Road
Glasgow G53 7QS
Tel: 0800 955 1201
Company Registration No: SC558150
FRN: 775813

Step-by-step complaints procedure

If you're not completely happy with our service we'd like to hear about it so we can do something to put it right.

We do everything we can to make sure our customers get the best products and service possible. However, sometimes we may not get things right the first time.

When that happens we want you to tell us what went wrong so we can put matters right.

We want to:

- Make it easy for you to tell us what went wrong;
- Give your complaint the attention it deserves;
- Resolve your complaint fairly without delay; and
- Make sure you are satisfied with how your complaint was resolved.

How and where to complain

If you are not satisfied with any aspect of our service or products you can tell us about your complaint in the following ways:

In person – call into our office at the address shown overleaf. We are open Monday to Friday from 10.00 am – 5.00pm.

In writing – write to us at the address overleaf and address your letter to The Customer Complaint Manager.

By telephone – call us on 0800 955 1201 during our office hours and ask for the Customer Services Department.

By email – use the email address shown overleaf.



Energy Pig Ltd
120 Woodneuk Road
GLASGOW, G53 7QS
0800 955 1201

How long will it take?

We aim to resolve your complaint straightaway but if we can't, then we will write to you within three business days to tell you:

- Why we have not resolved your complaint;
- Who is dealing with your complaint; and
- When we will contact you again.

We will aim to resolve your complaint quickly but it may take longer if it is complex.

We will keep you informed on a regular basis but if you need an update please call us on 0800 955 1201 and ask to speak to the person handling your complaint.

If we cannot reach agreement with you?

If we can't agree a solution with you within eight weeks, we will:

- Send a letter giving our reasons for the delay and an indication of when we expect to provide a final decision.

OR

- Issue our final decision letter which will explain our final position.

The Financial Ombudsman Service

Our aim is to resolve all complaints internally. However, if after receiving our final decision letter, or if eight weeks have passed (this is sometimes referred to as the "eight week rule"), you may have the right to refer your complaint to the Financial Ombudsman Service (FOS). The eight weeks start from the date a complaint is received anywhere in our business. Their contact details are shown below.

Please note: Only complaints relating to the sale of financial services should be referred to FOS.

As of 1st April 2019 the maximum compensation limit that the Financial Ombudsman Service (FOS) can award has increased from £150,000 to £350,000.

Financial Ombudsman Service can be contacted in writing:

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Exchange Tower

London

E14 9SR

Tel: 0800 023 4567 (free for most people ringing from a fixed line) or 0300 123 9123 (cheaper for those calling using a mobile) or 44 20 7964 0500 (if calling from abroad)

Email: complaint.info@financial-ombudsman.org.uk

Further information can be obtained from the Financial Ombudsman Service's website at www.financial-ombudsman.org.uk



Financial
Ombudsman
Service



Energy Pig Ltd
120 Woodneuk Road
GLASGOW, G53 7QS
0800 955 1201

If you are not satisfied with any aspect of our service or products relating to your finance agreement, please tell us about your complaint.

Complaints Department
Energy Pig Limited

120 Woodneuk Road

Glasgow G53 7QS

Tel: 0800 955 1201

Company Registration No: SC558150

FRN: 775813

Complaints Department

www.energypig.co.uk

This Complaints Handling Procedure has been approved and authorised by:

Name:	David Macneill
Position:	Managing Director
Reviewed:	10 th April 2021
Next Review Date:	10 th April 2022

Signature: *David Macneill*



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120 Woodneuk Road
GLASGOW, G53 7QS
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