



Complaints Handling Procedure

FOR OFFICE USE AND TRAINING PURPOSES

V3.0

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1. Introduction

Golden Leaves is committed to the delivery of an efficient friendly and a personal service in all customer interactions. We recognise that from time-to-time things may go wrong and we believe it is of utmost importance to remedy these situations.

This procedure has been created to provide guidance and support to colleagues to oversee complaints from first notification through to resolution.

2. What is a Complaint?

Our Definition

The Financial Conduct Authority defines 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 ... 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 Golden Leaves a complaint may relate to:

- Complaints against GL, a reseller or third party regarding how our service was provided, including how a funeral was conducted.
- Complaints regarding a delay in service, delivery or correspondence.
- Complaints which involve financial matters or which have led to delayed payments, miscalculation or an overcharge.
- Complaints regarding dissatisfaction or suitability of plans or information relating to plans.
- Complaints regarding inaccurate information in any document submitted to the customer.
- Inaccurate information.
- Poor customer service.

- Any of the above which has been caused by or is attributable to the actions of an Appointed Representative for whose actions Golden Leaves is responsible and for whom the firm has regulatory liability.

This means that any of the following may be true of a complaint that we receive:

- It may be written or it may be expressed verbally. A complainant can use any medium or form of expression. Complaints do NOT have to be written to be valid.
- It must be an expression of dissatisfaction but it also has to meet the FCA's requirements below for distinguishing a complaint from a mere grumble.
- A complaint does not have to be justified. We don't know when we receive a complaint whether it's justified or not – that is what the investigation is for. Whether we decide that it's justified or not also doesn't matter to our complaint statistics; it is still a legitimate complaint.
- It doesn't have to come directly from a customer: a complaint can come from anyone acting on their behalf so long as it meets all the other parts of the FCA's definition.
- There has to be an allegation or indication of *financial loss, material distress or material inconvenience* to meet the definition of a complaint. This is what distinguishes a complaint from a simple grumble or other dissatisfaction. We will look more closely later at what these mean.
- The loss, distress or inconvenience complained about do NOT have to have happened already. A complaint can be about one of these things which *may* happen so just because it may not have happened yet does not mean that the complaint cannot be accepted.
- The complaint must relate to what we do and also be something that the Financial Ombudsman will accept jurisdiction over if the complainant doesn't accept our conclusion and wants to take the complaint further.

Financial Loss, Material Distress, Material Inconvenience

A complaint is different from someone just saying that they're unhappy or disappointed. There is a threshold to be met where there has to be an indication of a financial loss, material distress or material inconvenience. Otherwise, the expression of dissatisfaction is likely to be just an indicator of unhappiness and may not amount to a complaint.

These terms aren't defined by the FCA so they have their normal, usually-understood, common-sense meanings:

Financial Loss – is likely to be something that you can point to as a cost, expense or other consequence that can be measured in monetary or other financial terms.

Material distress – may be more subjective than financial loss but is likely to be an allegation of more than just slight annoyance. Nevertheless, if the complainant is claiming some form of material distress then it will not matter whether the person receiving the complaint thinks it's trivial or unimportant; what matters is that the *complainant* believes it to be material. If they do, then it's a complaint.

Material inconvenience – is also likely to be subjective. Like distress, there should be some indication of real inconvenience rather than a trivial irritation but again it's in the eyes of the complainant so it doesn't matter if you think it's irrelevant: if the complainant says they've been inconvenienced by the cause of the complaint, then it's a complaint.

Any expression of dissatisfaction that meets these thresholds must be logged as a complaint: in this case, pass any telephone complaint through to the Customer Service department. If the complaint is received by email or post, these too should be passed to Customer Service.

3. Our Complaints Handling Process

Initial Stages and Summary Resolution Communication (SRC)

The Customer Service Department aims to address complaints promptly. The complainant will be contacted by telephone (or by their preferred method) within three business days of the complaint being received. The case handler will seek to understand the nature of the complaint and assess whether it can be resolved within three business days.

If the department can resolve the issue to the customer's satisfaction within three business days, they will send a Summary Resolution Communication (SRC). The SRC aims to provide a clear, straightforward response that resolves the problem without unnecessary delay or complexity. However, this communication must inform the complainant that they may refer their complaint to the Financial Ombudsman if they subsequently decide they remain dissatisfied.

A leaflet (or PDF copy) explaining the next steps for escalation to the Ombudsman must be included, along with a reference to further information available on the website.

Acknowledgement

If the investigation is likely to take longer than three business days, Customer Services will formally acknowledge the complaint in writing. The Customer Service Team will send an acknowledgment letter within five business days of receiving the complaint. The letter must contain the following information:

- Confirmation that the complaint is being handled under our formal complaints procedure.
- The name and contact details of the person handling the complaint.
- A copy of our internal complaint procedure – ‘Complaint Handling Procedures Summary’
- A request for further information, where appropriate.
- Confirmation of the timescales allowed for the business to provide a final response.

Investigating the complaint

Once an acknowledgment letter has been sent, the complaints handler must carry out a full investigation, including reviewing all available evidence such as documentation, correspondence, and call recordings. The complaints handler may also need to liaise with other business areas. Relevant factors in the investigation of a complaint under DISP include the following:

- All available evidence and the circumstances of the complaint.
- Similarities with other complaints received by Golden Leaves.
- Appropriate analysis of decisions by the Financial Ombudsman Service concerning similar complaints received by the respondent.

Outcome

A complaint is deemed upheld or rejected based on the outcome of the investigation conducted by the complaint handler. The criteria for each are as below:

Upheld Complaints

A complaint is upheld if, after a thorough investigation, the complainant's grievance is valid. This typically involves:

- The available evidence (documentation, correspondence, call recordings, etc.) substantiates the customer's claims.
- The investigation reveals that there was a failure to follow company policies or regulatory standards
- The service or product provided did not meet agreed terms, conditions, or quality standards.
- The customer's experience was negatively impacted due to the company, agent, or appointed representative's actions or inactions.
- The decision aligns with relevant guidance from the FCA or decisions made by the Financial Ombudsman Service on similar cases.

Rejected Complaints

A complaint is considered rejected if the investigation concludes that the complainant's grievance is not valid. This typically involves:

- There is insufficient evidence to support the customer's claims.
- The investigation finds that the company followed all relevant policies, procedures, and regulatory requirements.
- The service or product provided met the agreed terms, conditions, and quality standards.
- The customer's experience was not negatively impacted due to the company's actions.

In both cases, the complaints handler must clearly document the investigation process, evidence reviewed, and reasons for the decision. The outcome must be communicated to the complainant, explaining the decision and the next steps for escalation (referring to the Financial Ombudsman Service).

If Golden Leaves has caused customer detriment and the complaint is upheld, a decision must be made as to the appropriate course of action in terms of remediation and/or redress.

Final Response letter

Regulatory timescales require that a Final Response letter must be sent to the customer within 8 weeks of the complaint notification. The Final Response letter must:

- Detail the complaint and explain Golden Leaves' actions.
- Offer redress or refunds where appropriate, regardless of whether Golden Leaves accepts or rejects the complaint, providing reasons for the decision.
- Inform the complainant of their right to refer the complaint to the Financial Ombudsman (FOS) if they remain dissatisfied.
- Provide the address of the FOS.
- Refer to additional information available on the FOS website.
- Clarify that this letter constitutes Golden Leaves' final response to the complaint and include a copy of the Financial Ombudsman Service's explanatory leaflet.

If no further response is received from the customer after sending the final response letter, the complaint will be considered closed for FCA reporting purposes.

If Customer Services are unable to complete the investigation within 8 weeks, a letter will need to be sent to the customer to explain to them when they are likely to reach a decision. At the same time, they will also need to tell the customer that they can refer the matter to FOS.

4. Compensation, Goodwill Gestures and Refunds

In some cases, offering compensation or a gesture of goodwill is necessary when handling complaints.

If a customer's funeral plan experiences multiple faults, appropriate compensation must be considered in accordance with the Terms & Conditions, particularly in the following scenarios:

- Delay in documents (resulting in documents being sent after the 28-day cooling-off period).
- Payment errors (such as duplicated payments or missed collections).
- Multiple issues persist since the inception of the plan due to Golden Leaves.

Compensation should be assessed when a customer makes a complaint that demonstrates distress or financial loss due to processes used by Golden Leaves or inadequate services provided by Golden Leaves' Appointed Representatives, staff, or previous agents.

This includes (but is not limited to):

- Funeral services do not meet the agreed standards
- Issues with ashes, burial, or funeral proceedings.
- Cases involving vulnerable customers.

At Golden Leaves, we recognise that each customer and complaint is unique, and compensation should reflect the impact on the individual or family involved.

5. Root Cause and Trend Analysis

We have an obligation to analyse concerns raised by complainants to ensure ongoing service improvement. This involves conducting root cause analyses on individual complaints and performing trend analysis on core complaints data.

The Customer Services Manager will produce relevant MI and share it with senior management during Management Operation Team meetings and monthly compliance meetings.

6. Financial Ombudsman Service

Customers have the right to escalate their complaint to the Financial Ombudsman Service if they are dissatisfied with the response or if 8 weeks have passed since they first reported their complaint to Golden Leaves.

The FOS' decisions are not binding on customers, who retain the option to pursue their complaint through legal channels if they choose. However, FOS decisions are binding on firms, and the FOS can mandate corrective actions.

Complaints referred to the Financial Ombudsman Service will be managed by the Customer Services Manager. According to DISP 1.4.4R, *'Where a complaint against a respondent is referred to the Financial Ombudsman Service, the respondent must fully cooperate with the Financial Ombudsman Service and promptly comply with any settlements or awards made by it.'*

The Customer Services Manager is responsible for liaising with the FOS and must also ensure all FOS complaints are recorded in the Complaints Log.

7. Reporting Complaints Data to the FCA

Annually, we are required to submit our complaints data to the FCA. This task will be overseen by the Quality Standards Manager, who will prepare the data for submission to the FCA's Reg Data Portal through the Head of Regulation.

The data submitted must include:

- The total number of complaints opened during the reporting period.
- The average time taken to close a complaint.
- The total number of complaints upheld by Golden Leaves.
- The total amount of redress paid for both upheld and not upheld complaints.

If we more than 500 complaints are received in a year, we are obligated to publish this complaints information on the Golden Leaves website.

Appendix 1: Supporting documents.

This procedure is supported by the following documents.

Document	Purpose	Location
Complaints Log	All complaints must be logged accurately on the complaints register.	G Drive
Customer Care Leaflet	This sets out our Complaint Handling Procedure and must be provided to customers upon request. We also need to provide this to a customer when we acknowledge their complaint.	Appendix 2.
FOS Leaflet	This must be provided to customers upon final resolution of their complaint. It provides them with the contact details and process for referrals to FOS if required.	Available in the Customer Service Department

Appendix 2: Customer Care Leaflet

Guide to Making a Complaint

At Golden Leaves we aim to provide great products and excellent service to our customers. However, we know that sometimes things can go wrong and that you may have cause to complain. If you have a complaint, then please let us know as soon as possible.

We will do our very best to resolve your complaint as soon as you get in touch with us:

By telephone: +44 (0)20 2684 34 64 (Monday to Friday 9.00am to 5.30pm excluding Bank Holidays) and ask for [Customer Service Department]

By email: customerservices@goldenleaves.com

By post: 16th Floor, No.1 Croydon, 12-16 Addiscombe Road, Croydon, CR0 0XT

Information we need from you:

To assist us in understanding the nature of your complaint it would be helpful if you can provide us with the following information:

- Name & account details.
- Details regarding your concern or complaint
- What you would like us to do to put it right
- Any relevant documents to support your complaint.

Investigating your complaint

We aim to resolve your complaint within three working days following the receipt of the complaint. Once an agreed resolution has been reached, we will confirm the details in writing to you in a final resolution letter.

However, there may be occasions when it will take longer to respond to your complaint. If this happens, we will send you an acknowledgement within 5 business days. This acknowledgement will include the name and contact details of the person handling your complaint, this may not be the same person who received your complaint.

We aim to send you a final response within 8 weeks of your original complaint. In the unlikely event that we have been unable to resolve your claim by 8 weeks, we will write to you to advise the reason why and when we expect to resolve it.

The Financial Ombudsman Service (FOS)

The FOS is an independent compliant resolution service that was set up to resolve complaints between financial businesses and their customers.

If you are dissatisfied with our response to your complaint, you have the right to contact the FOS, free of charge, but you must do so within six months of the date of our final response letter. If you do not refer your complaint in time, the FOS will not have our permission to consider your complaint and so will only be able to do so in limited circumstances.

The FOS contact details are:

By telephone: Freephone number is 0800 023 4567 or 0300 123 9123 from a mobile

By email: complaint.info@financial-ombudsman.org.uk

By Post: The Financial Ombudsman Service

Exchange Tower

Harbour Exchange

London

E14 9SR

Visit their website: <https://www.financial-ombudsman.org.uk>