

Complaints Procedure for members



FHT
Federation
of Holistic
Therapists

The UK and Ireland's largest
professional association

FHT – Complaints Procedure

Contents

1. Introduction
2. Definition of a Complaint
3. Definition of an Eligible Complaint
4. Receipt of Complaints
5. Logging Complaints
6. Investigating Complaints
7. Making a decision on the appropriate course of action
8. Time limits for dealing with a complaint
9. Record Keeping Requirements
10. Dealing with the Financial Ombudsman Service (FOS)
11. Contacting the Financial Ombudsman Service (FOS)

1. Introduction

This procedure for complaints will be put into action as and when required and is written to comply with the FSA regulations on Dispute Resolution – Complaints.

2. Definition of a Complaint

A complaint is “any expression of dissatisfaction, whether oral or written, and whether justified or not, from or on behalf of an eligible complainant about FHT’s provision of, or failure to provide a financial service which alleges that the complainant has suffered (or may suffer) financial loss, material distress or material inconvenience”.

3. Definition of an Eligible Complainant

Any client has the right to complain to FHT and we treat all complaints seriously. However, there are restrictions as to who is eligible to take their complaint to the Financial Ombudsman Service if they remain dissatisfied with FHT’s final response to the complaint.

3.1 Subject to 3.2 below, a person is an eligible complainant if, at the time the complaint is made to FHT, he is:

- (a) a private individual; or
- (b) a business with a group annual turnover of less than £1 million; or
- (c) a charity with an annual income of less than £1 million; or
- (d) a trustee of a trust with a net asset value of less than £1 million.

and he is or has been a customer of FHT and the complaint arises out of matters relevant to his being or having been a customer of FHT.

3.2 The following are not eligible complainants:

An individual, business, charity or trustee, who was an intermediate customer in relation to FHT at the time of the act or omission and in respect of the activity, which is the subject of the complaint. However, FHT intends to treat all complainants as eligible although those defined above as ineligible will not have recourse to the FOS.

4. Receipt of Complaints

Complaints may be received in the following ways;

- Telephone Complaints
- Fax or E-Mail Complaints
- Letter Complaints
- Complaints in person, in exceptional circumstances

5. Logging Complaints

All complaints will be recorded in a separate complaints log maintained by the Membership and Insurance Manager, which can then be made available for inspection by the FSA at any time.

For avoidance of doubt, where a complaint is received on a day other than a business day or after business of a business day, FHT will treat it as received on the next business day.

6. Investigating Complaints

The Membership and Insurance Manager will become conversant with the full facts of a particular complaint as quickly as possible. This will involve a review of the relevant placing and/or claims files, together with a discussion with the relevant member of staff concerned. This review and discussion should take place as soon as possible following receipt of the complaint in order that FHT is in a position to respond within the timetable concerned (see section 8). This review may also require the involvement

of other members of staff, who may be asked either to provide an independent view or a particular degree of expertise.

If the Membership and Insurance Manager is himself the subject of the complaint, the Chief Executive will conduct the investigation.

7. Making Decision on the Appropriate Course of Action

Following the review and discussion set out in Section 6 above, the Membership and Insurance Manager must decide whether the complaint has validity and that redress is appropriate, or that the complaint is unjustified. If redress is felt to be appropriate, the FHT must provide the complainant with fair compensation for any acts or omissions for which it was responsible, and it must comply with any offer of redress, which the complainant accepts.

Appropriate redress will not always involve financial redress. It may, for example, simply involve an apology. Where financial redress is deemed appropriate, it may include a reasonable rate of interest.

8. Time Limits for Dealing with a Complaint

FHT intends to resolve complaints at the earliest possible stage.

The following procedures apply to the timetable when dealing with a complaint

- I. When a complaint is received and it is not resolved by the close of business on the next working day, a written acknowledgement of the complaint should be sent within five working days of its receipt, giving the name or job title of the individual handling the complaint, together with details of FHT's internal complaints handling procedures.
- II. Unless the complaint has been resolved to the satisfaction of the complainant in the meantime, FHT must, within four weeks of receiving the complaint, send either:
 - i) a final response or
 - ii) a holding response which explains why it is not yet in a position to resolve the complaint and indicate when further contact will be made (which must be within eight weeks of receipt of a complaint).
- III. FHT must, by the end of eight weeks after receipt of a complaint, send the complainant either:
 - i) a final response or
 - ii) a response which:
 - a) explains that FHT is still not in a position to make a final response, gives reasons for the further delay and indicates when it expects to be able to provide a final response and;
 - b) informs the complainant that he may refer the complaint to the Financial Ombudsman Services if he is dissatisfied with the delay. A copy of the Financial Ombudsman Services explanatory leaflet will also be enclosed .
- IV. If the complainant takes more than a week to reply to a written response, the additional time in excess of a week will not count towards the four week and eight week time periods.
- V. When FHT sends a complainant its final response, this response must:
 - i) inform the complainant that he may refer the complaint to the Financial Ombudsman Service if he is dissatisfied with the final response and that he must do so within six months; and
 - ii) enclose a copy of the Financial Ombudsman Services Explanatory leaflet (unless this has already been done).

REFERRING COMPLAINTS

1. Where FHT has reasonable grounds to be satisfied that another firm may be solely responsible for the fault alleged in a complaint, it may refer the complaint to that other firm but if it does so it must:
 - a. refer the complaint promptly and in any event within five working days of the date on which it became satisfied that such other firm may be responsible for the subject matter of the complaint and;
 - b. inform the complainant of the referral by way of a final response and include the other FHT's contact details.
2. A firm which has reasonable grounds to be satisfied that another firm may be jointly responsible for the fault alleged in a complaint may refer the complaint to that other firm, but if it does so it must:
 - a. refer the complaint promptly and in any event within five working days of the date on which it became satisfied that such other firm may be jointly responsible for the subject matter of the complaint;
 - b. at the same time inform the complainant of the referral and include the other FHT's contact details; and
 - c. comply with the obligations in the FSA handbook as to the investigation of that part of the complaint that is FHT's responsibility and, as soon as possible, inform the complainant of the outcome by a final response.

On receiving a complaint referred by another firm, the standard time limits and procedures will apply from the date on which FHT receives the referral.

9. Record Keeping Requirements

It is vital that satisfactory records relating to complaints are made and retained for a minimum period of three years from the date of its receipt from the complainant. These records are required for the purpose of monitoring by the FSA and also to ensure that FHT is able to co-operate, as necessary, with the Financial Ombudsman Service. They must therefore include:

- i) the name of the complainant
- ii) the substance of the complaint
- iii) any correspondence between the FHT and the complainant including details of any redress offered by the FHT.
- (iv) Documentation relating to the referral of the complaint.

10. Dealing with the Financial Ombudsman Service (FOS)

The Financial Ombudsman Service is the body to which complainants may turn if they do not feel they have received a satisfactory response to their complaint from FHT.

- a. The following conditions need to be satisfied before a complaint can be dealt with under the Financial Ombudsman Service:
 1. the complainant must be an eligible complainant (see section 3 above);
 2. FHT must be subject to Compulsory Jurisdiction;
 3. the activity to which the complaint relates must be subject to Compulsory Jurisdiction;
 4. in relation to the Compulsory Jurisdiction, the act or omission complained of must have occurred at a time when the rules were in force, in relation to the activity being complained about;
 5. FHT must have failed to resolve the complaint to the satisfaction of the complainant within eight weeks of receiving it; and
 6. FHT must have been authorised under the act at the time of the act or omission to which the complaint relates.
- b. The Compulsory Jurisdiction

The Ombudsman can consider a complaint under the Compulsory Jurisdiction only if it relates to an act or omission by FHT in the carrying on of its regulated activities

11. Contacting the Financial Ombudsman Service (FOS)

The Ombudsman cannot consider a complaint if the complainant refers it to the Financial Ombudsman Service:

- 1) less than eight weeks after receipt of the complaint by the FHT, unless FHT has already sent the complainant its final response; or
- 2) more than six months after the date on which FHT sends the complainant its final response advising him that he may refer his complaint to the Financial Ombudsman Service; or
- 3) more than six years after the event complained of or (if later) more than three years from the date on which he became aware (or ought reasonably to have become aware) that he had cause for complaint, unless he has referred the complaint to FHT or to the Ombudsman within that period and has a written acknowledgement or some other record of the complaint having been received.

The Ombudsman can consider complaints outside the time limits above when, in his view, the failure to comply with the time limits was as a result of exceptional circumstances or where he is required to do so by the Ombudsman Transitional Order, or where FHT has not objected to the Ombudsman considering the complaint.