

# Complaints Handling Procedure

MARIANA UFP – V.3

1. Introduction.....	3
2. Complaints .....	3
Version Control .....	5

## 1. Introduction

As Mariana UFP LLP (more commonly known as “MUFP”) does not deal with eligible complainants its clients are not able to access the Financial Ombudsmen Service (FOS) and the firm is not required to complete complaints reports. For all MiFID business the below policy must be kept to. When MUFP deals with an eligible complainant then all references to FOS must also be met.

## 2. Complaints

In the event that a customer wishes to make a complaint, this can be made verbally, by telephone or in person, or via a written communication delivered in person, via post, e-mail or fax. In the first instance, the complaint should be handled by the account manager responsible for the account, in consultation with the Compliance Officer, and resolution of the complaint sought. If the complaint is capable of being resolved the same business day as it is received, any agreed course of action should be taken and a file note made and inserted on the customer’s file, together with any copy correspondence.

In the event that a complaint is not capable of resolution the same business day as it is received, a brief **written** explanation of the substance of the complaint should be provided by the account manager responsible for the account, together with any written correspondence from the customer concerned. At this point in time, an entry should be made in the Complaints Register and the date of receipt of the complaint recorded in the Complaints Log, an example of the format of which appears in appendix one.

**If the complaint has not been resolved by the close of business on the second day, the account manager concerned is responsible for ensuring that a copy of these internal procedures are sent to the customer and receipt of the complaint acknowledged in writing within 5 business days. The name and job title of the person handling the complaint must be advised to the customer.**

In order to ensure that complaints are fairly, consistently and promptly dealt with, the Compliance Officer must be consulted, and any proposed course of action or correspondence signed off by him. The Compliance Officer will be responsible for ensuring that any complaint is properly investigated and that the required timetable set by the FCA rules is adhered to.

In the event that a complaint identifies a systemic, recurring or specific problem, the Compliance Officer will advise the Managing Partner of the problem and seek to resolve it via discussion and the implementation of any conclusions arrived at.

Where a complaint has been resolved, a **final response** should be issued to the customer, unless it was resolved by the close of business on the business day following receipt, in which case no letter need be sent. A final response is a written response from the company which accepts the complaint and, if appropriate, offers redress (appropriate redress may not involve financial redress, it may, for example, simply involve an apology); or offers redress without accepting the complaint or rejects the complaint and gives reasons for doing so, and which informs the customer that, if he remains

dissatisfied with the company's response, he may now refer his complaint to the Financial Ombudsman Service ("FOS") which, should he wish to do so, must be done within 6 months.

In any event, within 4 weeks of receiving a complaint, unless the customer has already indicated in writing acceptance of a response by the company (provided that the response informed the customer how to pursue his complaint if he remained dissatisfied), and in the event that a final response has not been issued, a holding response must be sent to the customer explaining why the company is not yet in a position to resolve the complaint and indicating when the company will make further contact (which must be within 8 weeks of receipt of the complaint).

Within 8 weeks of the receipt of a complaint the company must send to the customer a final response or a response which explains that the firm is still not in a position to make a final response, giving reasons for the further delay and indicating when it will be able to provide a final response, and informs the customer that he may refer the complaint to the FOS if he is dissatisfied with the delay, enclosing a copy of the FOS's explanatory leaflet.

In the event that a customer takes more than a week to respond to a communication, the 4 and 8 week time-frames will be extended by the amount of time in addition to a week that the customer takes to respond. Any final response must inform the customer that he may refer the complaint to the FOS if he is dissatisfied with it, (and that he must do so within 6 months should he wish to refer it), enclosing a copy of the FOS explanatory leaflet, unless the company has already done so.

A record of the complaint must be retained by the company for 3 years from the date of the receipt of the complaint. A report must be made to the FCA twice a year, as at 31 March and 30 September via the FCA's Firms on Line electronic reporting system. This report specifies the total number of complaints received by the firm which were not settled by the close of business the business day after the receipt of the complaint in accordance with rule DISP 1.5.4.

A Complaints Log is kept and maintained in the "Compliance Master File".

A complaint will be deemed to be closed where the company has sent a final response or where the customer has indicated in writing acceptance of the company's earlier response.

All investment staff are required to sign a copy of these internal complaints procedures to confirm that they have received, read and agree to be bound by the requirements placed upon by them by these procedures as part of their contract.