

Complaint Handling Procedure

This document ('Complaints Handling Procedure') sets out an appropriate and effective internal procedure by X-Claims Ltd (hereafter: XCL) for handling any expression of dissatisfaction, whether oral or written, and whether justified or not, from or on behalf of a complainant about the business's provision of a regulated claims management service.

Introduction:

1. A complaint is defined in this document as any expression of dissatisfaction, whether oral or written, and whether justified or not, from or on behalf of a complainant about XCL's provision of a regulated claims management service.
2. A complainant is a person using a service regulated under the Compensation Act 2006;
3. This procedure will provide for: receiving complaints; responding to complaints; the appropriate investigation of complaints, and notifying complainants of their right to complain to the Claim Management Regulator, where appropriate;
4. XCL will take reasonable steps to ensure that all relevant employees are aware of XCL's internal complaints handling procedures and that they act in accordance with them.

Particular Provisions for Complaints:

5. XCL will allow a complainant to make a complaint by letter, telephone, e-mail or in person;
6. XCL will ensure that the complaint will be investigated by a person of sufficient competence (The Compliance Manager) who, where possible, was not directly involved in the matter which is the subject of the complaint;
7. XCL has ensured that the person charged with responding to complaints has sufficient authority to settle complaints (including offering redress where appropriate); s/he will have ready access to someone who has the necessary authority, if necessary, or in matters of doubt;
8. XCL has made provision for responses to complaints to address adequately the subject matter of the complaint and, where a complaint is upheld, to offer redress.

Timescale for Complaints:

9. XCL might decline to consider a complaint that is made more than six months after the complainant became aware of the cause of the complaint;
10. XCL will send written or electronic acknowledgement of a complaint within five working days of receipt, giving the name or job title of the person handling the complaint, together with details of XCL's complaint handling procedure;
11. XCL will, within four weeks of receiving a complaint, send the complainant either: a final response or: a holding response which explains why XCL is not yet in a position to resolve the complaint. Furthermore, XCL will indicate when it proposes to make further contact (which will be within eight weeks of receipt of the complaint at the latest)
12. XCL will, within eight weeks of receiving a complaint, send the complainant either: a final response or: i) a response which explains that XCL is still not in a position to make a final response, gives reasons for further delay and indicates when XCL will be able to provide a final response or ii) a response which informs the complainant that he may refer the handling of the complaint to the Claims Management Regulator if he is dissatisfied with the delay, at the following address: Department of Constitutional Affairs, PO Box 7284 Burton on Trent Staffordshire DE14 9DP (Tel: 0845-450-6858).

Publicising Procedures:

13. XCL always refers its clients to the availability of its internal complaints handling procedures *before* the client agrees to proceed with a claim, by including this information on the 'Terms of Business' document which is given to ALL clients.
14. XCL will publish details of its internal complaints handling procedures on any future website and will always supply a copy of this document to a complainant upon request, and XCL will, moreover, supply a copy of these procedures to the complainant when XCL receives a complaint.
15. XCL does its utmost to ensure that all literature and correspondence relating to complaints is in clear, plain and grammatical English, free of infelicities.

Providing Redress:

16. If XCL determines that redress is appropriate in the matter of a given complaint, it undertakes to furnish the complainant with fair compensation for any acts or omission for which XCL was directly responsible. Furthermore, XCL undertakes to comply with any offer of redress which the complainant accepts;
17. XCL affirms that appropriate redress may not always involve financial redress. It may involve an apology, an offer to redo the work or the refund of a fee. Where financial redress is deemed appropriate, XCL may include a reasonable rate of interest.

Conclusion:

18. Where XCL makes a final response – or if a complaint is not resolved after eight weeks – XCL will indicate to the complainant that if he/she is not satisfied, he/she may refer the handling of the complaint to the Claims Management Regulator, as previously outlined in 10. above.
19. XCL keeps good records. It will provide the regulator, upon request, with details of all complaints handled under these rules.