

Company Vehicle Solutions Complaints Procedure

The FCA sees effective and fair management of complaints as a key item of evidence that TCF principles are integral to the way an authorised dealer operates. The FCA expects that complaints procedures will be clear to customers. Importantly, it is important to note that the FCA will expect to see complaint records as part of their monitoring regime and that complaints recorded should not be limited to consumer credit, but include all business issues (eg. Satisfactory quality disputes, deposits, servicing plans). The FCA perceives that this provides evidence of the wider business culture towards customers.

Company Vehicle Solutions Ltd Complaints Procedure

1. Purpose

To ensure all staff are able to recognise, investigate record and resolve complaints fairly, effectively, consistently and promptly.

2. Scope

- 2.1. Rules and requirements of the Financial Conduct Authority (FCA)
- 2.2. All our customers and/or their agents

3. References

- 3.1. FCA Sourcebook DISP
- 3.2. Complaints Register
- 3.3. Financial Ombudsman Service guidance

4. Definition of a Complaint

“Any verbal or written expression of dissatisfaction, whether justified or not, regarding the provision of, or failure to provide, a service”.

It is important that all staff recognise, and remain alert to, this definition in order to minimise risks associated with failure to identify, or handle, complaints in accordance with our requirements

5. Receiving and Recording a Complaint

5.1. Complaints may be received:

- 5.1.1. over the phone
- 5.1.2. in writing
- 5.1.3. by fax
- 5.1.4. by email
- 5.1.5. verbally

5.2. All complaints received in writing must be date-stamped confirming the date of receipt.

5.3. Records of conversations with and/or their agents must be accurately recorded on the customer file, being ever mindful of the Data Protection Act.

5.4. The complaints register must be updated as soon as possible.

5.5. NB. If the “query” from the customer can be resolved on the day of receipt, it is not logged as a formal complaint.

6. Acknowledging a Complaint

- 6.1. An acknowledgement letter will be issued within 5 working days of receipt.
- 6.2. The letter will include:
 - 6.2.1. A summary of the complaint
 - 6.2.2. Who will be investigating the complaint
- 6.3. A complaint Checklist will be attached to the front of the complaint file for completion.

7. Investigating a Complaint

- 7.1. Who should investigate a complaint?
 - 7.1.1. The Director (or nominated deputy) will oversee and/or investigate the complaint. If he/she needs to refer the case to another individual he/she will select an individual, preferably not initially involved with the subject/cause of the complaint and with appropriate experience, to investigate a complaint and report back.
- 7.2. The scope of the investigation
 - 7.2.1. A full investigation into the facts and circumstances surrounding the complaint must be undertaken.
 - 7.2.2. Once the investigation is complete, an assessment of the facts can be undertaken to determine whether the complaint is upheld or rejected. In all instances, the Complaints Register and complaint file notes must be kept up to date and documentary evidence/information retained in the complaint file.
 - 7.2.3. Where an independent expert report (eg. Engineers report) is obtained; this should be held on the customer's file and reviewed in light of whether the matter is material to the complaint, and what is fair and reasonable.

8. Compensation/Redress

- 8.1. The individual circumstances of each complaint must be taken into account when deciding whether compensation, or redress, is appropriate. This may involve:
- 8.2. A simple apology
- 8.3. A goodwill gesture e.g. flowers / vouchers
- 8.4. Ex-gratia payment.
- 8.5. Compensation.
- 8.6. Taking the car back as faulty (with the agreement being unwound).
- 8.7. Interest on the compensation amount at 8% pa simple.

9. Updates to the customer

- 9.1. At day 28 – we will issue a holding letter to the customer if the complaint is not resolved.
- 9.2. This will include confirmation that referral rights will exist to the FOS at week 8.

10. Final Response

- 10.1. Our *Final Response* should be sent once all investigations into the complaint have been completed. It should reflect our final position in relation to the complaint.
- 10.2. The Final Response must:
 - 10.2.1. Explain clearly whether the complaint has been upheld or rejected.
 - 10.2.2. Provide details of the results of our investigations into the matters raised.
 - 10.2.3. Explain the reasons for our decision.
 - 10.2.4. Where appropriate, offer redress.
 - 10.2.5. Provide details of the right of referral to the Financial Ombudsman Service (FOS) **(Regulated Agreements Only)**.
 - 10.2.6. Provide details for the BVRLA, our industry trade association who will act as an independent arbiter at www.bvrla.co.uk
- 10.3. The final response must include the FOS leaflet "How to Complain".
- 10.4. Where compensation / redress is being offered, the customer must be asked to indicate their acceptance by signing and returning an acceptance slip.

11. Closing a Complaint

- 11.1. A complaint may be treated as closed when:
- 11.2. A Final Response" has been issued.

12. Reviewing

Decisions from the Financial Ombudsman Service are reviewed to discuss general feedback on complaints for a continuous improvement cycle.

13. Record Keeping

- 13.1. Complaint file notes and the Complaints Register must be kept fully up to date at all times.
- 13.2. The Complaint file will be held for a period of 3 years from the date of the final response letter.

14. Complaints Register

Details of each complaint must be entered on the Register as soon as received or any actions updated.

15. Reports

- 15.1. Details of complaints and their outcomes will be provided to the firm's management meetings on a regular basis.
- 15.2. Information on the root causes of complaints will be gathered and analysed and included in the management report. In addition, any items considered repeat or systemic will be investigated and dealt with either under the Breach Process or the feedback process with the business.

16. Responsibility.

All staff.

17. General Notes:

17.1. What the Customer Receives

What is issued	When
How to complain	Point of sale/Online
Complaints process	On request and when a complaint is received
Acknowledgement letter	Promptly within 5 working days of complaint receipt
Final Response Letter with details of the investigation, the outcome (whether upheld or rejected) and the customer's right to refer their complaint to the Financial Ombudsman Service	Within 28 days, of complaint receipt
Holding Letter giving an update of the current position with rights to refer their complaint to the Financial Ombudsman Service at that point.	At 4 weeks (if a final response has not been issued)
Final Response Letter with details of the investigation, the outcome (whether upheld or rejected) and the customer's right to refer their complaint to the Financial Ombudsman Service	Within a maximum of 56 days of complaint receipt

Appendix - Complaint checklist

Customer name					
Customer registration and/or agreement number for Finance					
Date received					
Any third party involved i.e. finance co/insurance provider					
Details of complaint					
Actions to be taken					
Written acknowledgment sent					
Complaints process issued					
Investigation completed					
Resolution proposal					
Final response issued					
Ombudsman leaflet issued					
Customer response received					
Closure letter issued					
Referred to Financial Ombudsman Service	Yes		No		Date
Complaint 'owner' within the dealership					

**Appendix – Sample acknowledgement letter
(amend the content to suit the actual complaint matter)**

Dear XXXXXXXX

Your Vehicle **Make & Model**
Registration No. **XXXXXX**

Thank you for letting us know that you have concerns around the sales process, the finance we arranged for you, the description of the vehicle and the satisfactory quality of the vehicle as supplied.

We have noted your concerns, and would like to advise you that we take complaints seriously. We will investigate your complaint and aim to respond to you within a maximum period of 56 days.

Meanwhile, we have enclosed a copy of “Our Commitment to Quality” that outlines our complaints procedure which you may find helpful.

Appendix – Complaint Leaflet for Customers **(to be printed on Firm's letterhead)**

Our Commitment to Quality – The Complaints Procedure **Your views are important to us!**

We are committed to respond promptly and fairly to any complaints or expressions of dissatisfaction from our customers. Within this document you will find details of our internal customer complaints procedures, including timeframes in which we will respond to any issues that you raise.

Our aim is always to satisfactorily resolve any complaint at the earliest opportunity, so please help us by following the guidelines. We keep records of all complaints that we receive. They provide us with valuable feedback, telling us how we can improve our services. Your views are important, so please make them known to us. The complaint investigation is free of charge.

Who should you complain to?

In the first instance, please address your complaint, in writing, e mail or by telephone to our complaints officer whose details are at the bottom of this document.

What will we do next?

Our aim is to provide a satisfactory solution as speedily as possible. We will endeavour to sort out the problem there and then. In some cases further investigation may be required, in which case we will try to provide an answer by the end of the next working day following receipt of your complaint.

If this is not possible, we will send you a written acknowledgement within five working days of receipt. This will state the name of the person who is dealing with your complaint, their contact details and confirm our understanding of the nature of your concerns.

When will we contact you again?

We will either provide our final response to your complaint within four weeks of receipt, or we will write to you to explain why we have not been able to do so and when we expect to make further contact.

If, after eight weeks we have still not provided a final response to your complaint, then we will write to you giving reasons for the delay and tell you when we expect to be able to provide a final response. If you are able to refer your complaint to an ombudsman service, arbitration scheme, or dispute resolution scheme, then we will explain the process and provide you with the necessary details. Alternatively you may still choose to wait until we are in a position to provide our final response.

What do we mean by final response?

Our final response will detail the results of our investigation into your complaint and we will explain whether it has been accepted or rejected. In both cases we will explain the reasons for our decision. Where it is appropriate, we may make an offer of redress taking into account the individual circumstances of each case investigated. This will not always involve financial redress and may simply involve an apology. Our aim is to treat all customers consistently and fairly.

What happens if you remain dissatisfied?

Our final response will provide details of how you may escalate your complaint if you remain dissatisfied following the outcome of our investigation. It will also give you details of any rights of referral you may have to an ombudsman service, arbitration scheme, or dispute resolution scheme.

Contact details:

Ann Baker
Company Vehicle Solutions Ltd
Telephone : 01492 541212

APPENDIX – SAMPLE FINAL RESPONSE TEMPLATE

(TO BE PERSONALISED TO THE INDIVIDUAL CUSTOMER COMPLAINT DETAILS)

Dear

Your Vehicle: Make/Model
Registration No. XXXXXXX

Thank you for your letter outlining your concerns. I have now completed an investigation into the issues you have raised and I am able to let you have details of the outcome, and our decision in respect of your complaint

Firstly, I would confirm that I do / do not uphold your complaint for the following reasons:

Your complaint relates to (summary here) with the results of your investigation into why you have come to your decision.

Include any offer of redress here (if applicable):

However, purely as a gesture of goodwill I would make an offer of £xxx.xx / details of the offer.

To accept this, please sign and return the enclosed acceptance slip and we will arrange the refund / arrange to complete the details of the offer.

As we are covered by the Financial Ombudsman Services Arbitration Scheme, if you remain dissatisfied with the outcome of my investigation, then you have the right to refer the matter to the Financial Ombudsman Service, Exchange Tower, London E14 9SR, telephone: 0800 023 4567 or 0300 123 9123. If you decide to refer the matter to the Ombudsman, you should do so **within six months** of the date of this letter. This is explained in the enclosed Ombudsman leaflet.

Yours sincerely

Name here

Job Title

**APPENDIX – SAMPLE ACCEPTANCE FORM TEMPLATE
(TO BE PERSONALISED TO THE INDIVIDUAL CUSTOMER COMPLAINT DETAILS)**

To: Firm name here

I, **(insert customer name)** accept the offer made by **Firm Name** in their letter of **(date here)** in full and final settlement of my claim against them.

A refund will be made by cheque/BACS within 28 days from the date the acceptance is received by us.

The amount will be £xxx.xx.

(Or)

The vehicle will be repaired, taken back, cancelled, etc....

Signed : _____

Dated: _____

Ref : XXXXXXXXX

Complaint Register

Complaint reference number	Customer name	Customer reference number	Person handling complaint	Date received	Date acknowledged	Product type	Complaint category	Details of complaint	Actions taken	Target resolution date	Actual resolution date

Complaint category:

- A. Overcharging or incorrect charges
- B. Problems with vehicle
- C. Other administrative errors
- D. Unsuitable or misleading advice
- E. Finance set up problems i.e. direct debit
- F. Poor customer service
- G. Misleading advertising/product information
- H. Disputes over sums/amounts payable
- I. Customer experiencing problem with finance company
- J. Other