

# 365 INVESTMENT MANAGEMENT

## Complaints Policy

### The regulatory definition of a complaint

The FCA's definition of a complaint, which applies to all eligible complainants, is adopted by 365IM for all complaints received and is defined as, **any expression of dissatisfaction whether oral or written and whether justified or not from or on behalf of a complainant about 365IM's provision of or failure to provide a specific financial service which;**

- **alleges that the complainant has suffered, or may suffer, financial loss, material distress or material inconvenience; and**
- **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 FOS (Financial Ombudsman Service).**

An eligible complainant is an individual or a micro enterprise.

All 365IM team members who potentially interact with clients are aware how to deal with a complaint appropriately and quickly. The FCA require 365IM to have in place effective and appropriate internal complaint handling procedures, both for eligible complainants and for practical purposes for non-eligible complainants, as the only differences relate to reporting and referrals the FOS.

### Complaints Procedure

The FCA has issued specific rules governing the process regulated firms must deploy when handling client complaints. The FCA's rules relating to complaints are designed to lay down minimum standards for the complaint handling and resolution of complaints received from clients.

This is to ensure that complaints are handled fairly, effectively and promptly, and resolved at the earliest possible opportunity, minimising the number of unresolved complaints which need to be referred to the FOS, or are referred to arbitration or the courts. Firms are expected to:

- **Acknowledge complaints promptly;**
- **Make an objective, prompt and thorough initial investigation of complaints;**
- **Provide a final response to the complainant within 8 weeks after the initial investigation;**
- **Inform the complainant of their right to apply to the FOS in the case of eligible complainants; and**
- **Keep adequate records of all complaints and investigations.**

Once identified, complaints will be immediately referred to the Head of Department who will advise the Compliance Oversight at Continuum Wealth. Complaints must be entered in the complaints log and the progress towards resolution appropriately recorded.

Complaints will be handled by Compliance Oversight at Continuum Wealth or the Head of Department at 365IM as the investigating officer. All complaints will be logged on a Complaints spreadsheet. Compliance Oversight is responsible for maintaining and ensuring the log is up to date and accurate. This is to ensure the rules on reporting complaints from eligible complainants are adhered to, and the complaint is recorded in the bi-annual report made to the FCA on complaint statistics.

Complaints that are received and resolved by the end of the **third business day**, are not reportable to the FCA. Neither are any complaints received from non-eligible complainants.

If a complaint remains unresolved by the end of the **third business day**, an acknowledgement should be sent promptly to the complainant by email or letter, advising them who the investigating officer is and his/her position in the firm, the procedure to be followed, and that the allegations will be investigated fully and impartially.

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A written reply setting out the findings will be sent to the complainant within **eight weeks** of the original date of receipt of complaint or a holding response which will detail the reasons why the complaint requires additional time to be resolved. The investigating officer must send a **final response after 8 weeks** or a response stating that the firm is unable to provide a response at this time, the reasons for the delay, when it can provide a response and advise the complainant that they have the right to refer the complaint to the FOS if they are not happy with the delay.

Final responses will:

- **Address all issues raised by the complainant;**
- **Be clear, relevant to the matter concerned and presented in a way which is easy to follow;**
- **Be free of jargon and technical terms;**
- **Explain to the complainant whether, and why, each matter is being upheld or rejected; and**
- **Include full details how to escalate their complaint to FOS and the applicable time limits for such referral if they are not satisfied with the response from Continuum Wealth.**

Once the complaint has been investigated to the standard 365IM and Continuum Wealth are satisfied with, the findings will be reported back to the complainant in the form of a final response and such response recorded and retained. The FOS will not usually consider a case which has not first been referred to Continuum Wealth. All complaints, whether significant or minor, will be maintained in accordance with FCA rules in the form of a register by Compliance Oversight and will detail the final response from Continuum Wealth and any/all action taken. Compliance Oversight will monitor the register and all complainant related matters, carry out a periodic root cause analysis of the complaints and consider how to minimise similar complaints in the future by reviewing the products, processes or services that resulted in complaints.