

Complaints Handling Procedure

Consumer Credit Activities

This complaints procedure relates to any complaints which we receive in relation to our FCA regulated activities. As at the date of this policy, those activities are limited to the following:

- ▶ Lifeline (does not include Lifelines linked to tenancies)
- ▶ Financial advice including debt advice, debt adjusting
- ▶ Tenants Contents Insurance
- ▶ Open Market Homebuy Properties
- ▶ Equity Loans
- ▶ Debt collection in relation to the above services

We will therefore apply this policy to any complaints we receive in relation to these activities.

If you have a complaint then this policy sets out the stages you may follow. Complaints may include *unsatisfactory customer service, the way a representative of emh has behaved, a misunderstanding of information provided or another breakdown in communication relating to the administration of our existing second charge loans.*



1. The first stage is to get in touch with us and see if we can help. You should get in touch with your usual contact at emh or its representative. We may be able to resolve your complaint immediately.

If you do not have a usual contact then you can contact us at:

T: 0300 123 6000

E: customerservices@emh.co.uk

Post: Customer Services

Emh

Jubilee House

Stenson Road

Coalville

Leicestershire

LE67 4NA

It would assist if you could provide details of your complaint including the circumstances around how the complaint has arisen, details of who handled the complaint or caused the complaint, how you would like us to solve the problem for you and how we can contact you.

If you set out as much detail as possible including dates and any supporting evidence this will help us to resolve the complaint for you.

We will then record and log your complaint and acknowledge it in writing. We will respond in full to the details as soon as we can taking into account the nature of your complaint.

If your complaint is resolved by the end of the third business day after you made it, we will send you written confirmation that you made a complaint that we consider has been resolved, and that if you decide later that you are dissatisfied with the resolution of the complaint you may be able to refer it to the Financial Ombudsman Service.

If your complaint is not resolved by the end of the third business day after you made it, we will continue to investigate it, keeping you updated as to how we are proceeding. We will give you a full written response not more than 8 weeks after we receive your initial complaint.

Please note that if the complaint relates to the conduct of our representatives we will liaise with our representatives and ask them to take appropriate action and report their proposed resolution of your complaint to us.

We might contact you during this process to obtain more information from you about your complaint in order to help us take the appropriate action. You should also be aware that we may record any calls and will log your complaint formally for our own records.



2. If you are not satisfied the next stage will be for you to report the matter to the Financial Ombudsman Service. You can do this:

- i If you are not satisfied with our formal response, as long as you refer the matter to the Ombudsman Service within 6 months of the date we formally responded; or
- ii If we have not responded to your written complaint within 8 weeks

We will provide you with the Ombudsman's guidance leaflet to assist you with this process.

The contact details for the Financial Ombudsman Service are:

enquiries and consumer helpline

- ▶ Monday to Friday – 8am to 8pm / Saturday – 9am to 1pm
- ▶ 0800 023 4 567 calls to this number are free on mobile phones and landlines
- ▶ 0300 123 9 123 calls to this number cost no more than calls to 01 and 02 numbers

These numbers may not be available from outside the UK – so please call from abroad on +44 20 7964 0500.

The Financial Ombudsman Service can phone you back, if you're worried about the cost of calling.

You can also text the Financial Ombudsman Service on 07860 027 586 and they will call you back.

If you feel you need to speak to the Service more urgently, it's probably best to call so they can help there and then.

Phoning will be quicker than emailing but you can write to the Service at:

E: complaint.info@financial-ombudsman.org.uk

Emails are automatically acknowledged – so please check your *junk-mail* folder or *spam* filter if you don't get a reply

The postal address is:

The Financial Ombudsman
Service Exchange Tower
London E14 9SR

Your Complaint and the Ombudsman

About the ombudsman

If you're unhappy with something a financial business has done, you can get in touch with the Financial Ombudsman Service.

It doesn't cost anything to use us. We'll look at what's happened and give an unbiased view. And if something's gone wrong, we can help put it right.

Last year, more than two million people contacted us about problems with:

- ▶ bank accounts
- ▶ credit, debit and store cards
- ▶ payment protection insurance (PPI)
- ▶ other insurance, like motor, travel and household
- ▶ loans, including payday loans
- ▶ other credit, like car finance
- ▶ mortgages
- ▶ repayment problems and debt collection
- ▶ money transfers and online payments
- ▶ financial advice, savings and investments
- ▶ pensions

If you're not sure if we can help, phone us on 0300 123 9 123. Just let us know if you'd like us to call you back. We record and monitor phone calls to help improve our service.

What should I do first?

First of all, give the business the chance to sort things out. Get in touch with them to explain what's happened – and how you want things put right.

The business has eight weeks to give their *final response* to your complaint. If you're not happy with how things turn out – or you don't get an answer within eight weeks – let us know.

If you're not sure how to get started, contact us – and we can tell the business about the problem for you.

How do I ask you to step in?

You'll need to contact us within six months of the business's final response – either over the phone or by visiting our website.

We'll need to know:

- ▶ some personal details – like your name and address
- ▶ what the problem is – and how you want things put right and
- ▶ some key details – like your account number or policy number.

Let us know if we can make things easier for you – for example, by using a different language, or a different format like Braille, large print or CD.

How will you look into the problem?

Once we've got your details, we'll:

- ▶ ask for your side of the story – and get the business's side
- ▶ find out the facts of what's happened – and weigh everything up and
- ▶ tell you and the business what we think.

If we think there's just been a misunderstanding – or you haven't lost out – we'll explain why. But if we decide you've been treated unfairly, we'll tell the business to put things right.

You don't have to agree with what we say. At any point, you can let us know that you no longer want our help. But if you explain why you're unhappy, we'll try to find a fair way forward.



How long does it take?

It depends on what the problem is.

For example, if there's just been a mix-up, then we might be able to sort things out within a few days. If we need to find out more information, it could take a few weeks.

But if things are more complex – or you've complained about PPI – it could take far longer. We'll always let you know what's happening – so you know what to expect.

It could also take longer if you or the business disagree with what we say – and want an ombudsman to make a formal, final decision. But in most cases, this isn't necessary.

Let us know if your situation's urgent – for example, if you're seriously ill or in financial difficulties.

Is there a deadline for asking you to step in?

You need to contact us within six months of the date of the business's response to your complaint.

And we might not be able to help if:

- ▶ what you're complaining about happened more than six years ago and
- ▶ you complain more than three years after you realise (or could have realised) there's a problem.

Do I need help to come to the ombudsman?

We want to hear from you in your own words – and we'll explain anything you're not sure about. So you don't need to pay anyone to complain for you – for example, a solicitor or a claims company.

If you pay someone, it might come out of any compensation you get.

But if you'd prefer, we can talk to a member of your family, a friend or someone else who's helping you for free – like Citizens Advice.

Is using the ombudsman like going to court?

We're far less formal than a court. We won't ask you to present your case in person. We'll sort things out over the phone and in writing.

But our service isn't right for all situations. The most we can make a business pay you is £150,000. So if you think your complaint involves more than that, it might be better for you to go to court.

Or you might prefer the court if you want to cross-examine the business yourself.

We won't usually look into a problem that a court has already looked into. And if you agree with our ombudsman's final decision, a court won't look into the same issues. This is because our final decisions are legally *binding*.

If you disagree with the ombudsman's final decision, you can still take your complaint to court. Because the courts take a different approach to complaints, their answer might be different to ours.

Whether or not you agree with the ombudsman's decision, our involvement ends there.

I run a small business – can you help me?

We can look at complaints from smaller businesses with:

- ▶ an annual turnover of up to two million euros (a limit set under European Union law) and
- ▶ fewer than ten employees.

The situation isn't always straightforward. If you get in touch, we'll let you know if we can help.

Can you fine businesses?

We're not here to punish or fine businesses. We'll look into what happened to you – and if the business has done something wrong, we'll make sure you're not out of pocket.

But we do tell the regulator, the Financial Conduct Authority (FCA), what we're seeing. The FCA sets the rules that businesses follow – and fines businesses that break them.

This is only a general guide. The rules we follow can be complex but we'll explain if any apply to your situation.