



Just Digital Marketplace Limited Complaints Handling Policy

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Amendment History

This document is reviewed periodically, at least annually, and is retained for a period of 5 years. Amendments and revisions are distributed to the named holders. The history of amendments and the issue of revisions are recorded below.

Date	Amend. No.	Page No.	New Issue No.	Reason for Change	Authorised By
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09/01/2023	1	All	2	Annual review – staffing change.	CB
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Complaints Policy

This document provides guidelines for resolution and the treatment of complaints made by our customers, clients and third parties impacted by our procedures. Each employee is responsible for reviewing the elements of the policy below. Also, the employee's signature is required to confirm the reading of this policy.

1. Policy Statement

Complaints are welcome and will be taken seriously. The company believes that if a customer, client or third party wishes to file a complaint or express dissatisfaction, it should be easy for them to do so. In receiving complaints, the company will consider them as an opportunity to learn, adapt, improve and provide a better service going forward.

In addition, a quick resolution of complaints, in a way that respects and values a person's feedback, can be one of the most important factors in recovering the person's confidence about a service offered by the company. It can also help to prevent further escalation of the complaint. A responsive, efficient, effective and fair complaint management system can assist an organisation to achieve this.

The purpose of this policy is to ensure that complaints are handled properly and that all customer complaints or comments are taken seriously and that, where possible, complaints will be resolved at the earliest opportunity. The company expects staff at all levels to be committed to fair, effective and efficient handling.

2. Purpose

This policy is intended to ensure that the company handles complaints fairly, efficiently and effectively and, where possible, to ensure all complaints will be resolved at the earliest opportunity. The company's objective is to ensure that its complaints procedure is properly and effectively implemented and that complainants feel confident that their complaints and worries are listened to and acted upon promptly and treated fairly.

Our complaint management system aims to:

- a) Allow the company to respond to questions raised by people who file complaints in a timely and cost-effective manner.
- b) Increase customer confidence in the company's administrative process; and
- c) Provide information that we can use to improve the quality of the company's services, personnel and complaint handling.

This policy provides guidance to the company's staff and to individuals who wish to file a complaint about the key principles and concepts of the company's complaint management system.

3. Scope

This policy applies to all staff receiving or managing complaints that are received in accordance with our external complaints procedure.

4. What is a complaint?

A complaint is an expression of dissatisfaction, however put, that requires a response. It will be about the negative impact of the standard of services offered by the company or its staff or the action or lack of action taken regarding operations or services provided by the company, or by a person or body acting on behalf of the company. This applies to all complaints received in accordance with the provisions of the company's external complaints procedure.

A formal complaint means any complaint that has not been successfully resolved by discussion with the company resulting in a complainant submitting a written complaint and/or completing the company's online complaint form.

An informal complaint means a complaint that has been received by the company, by telephone, email or in person, which has not been submitted on a complaint form or set as a full and formal complaint.

A complainant should not need to use the word "complaint" for it to be treated as one.

What is not a complaint

The Company may receive contact, either in writing or by telephone, that appears to be a complaint. However, there is a distinction between everyday requests for action to be taken or pointing out that something has gone wrong and the point at which someone is dissatisfied and wishes to complain.

Everyday conversations: these are issues, queries or concerns that are raised and dealt with quickly and resolved before the complainant becomes dissatisfied and wants to make a complaint.

Service requests: these are requests that the company take action, fixes a problem, reconsiders a decision or provides a service. This is not a complaint about the action that has been taken or a complaint about the failure to take action. Like everyday conversations, these should be raised and resolved quickly before the person affected becomes dissatisfied.

Feedback: this is an opinion given, whether requested or not, that does not require a response.

Sometimes, correspondence may be received that covers both service requests and a complaint. Where possible, one response should be sent to the complainant covering both matters. Decisions on whether to treat the correspondence as a service request or a complaint should be based on:

- (a) The balance in the correspondence between the service request and the complaint;
- (b) The significance to the individual of the services request and the complaint;
- (c) Whether the individual asks for the correspondence to be treated as a service request or a complaint.

5. Complaint Management System

Complainants should be able to access the complaints process in a way that is simple and meets their needs. Complaints can be made by telephone, email, letter, or any other communication channel actively used by the Company.

Support to complainants

Where appropriate, members of staff and/or managers managing the complaint must direct the complainant to the support that is available to assist them in making a complaint.

In addition, if the complaint is about a different sort of conduct issue (for example, if the enforcement activity has triggered domestic abuse trauma), members of staff and/or managers should consider providing other possible support needs due to the vulnerability identified.

As part of our commitment to fair and inclusive complaint handling, members of staff and managers must take into account their responsibilities under the Equality Act 2010, the Welsh Language Act 1993, and any other applicable legislation. We are committed to ensuring that our complaints process is accessible to all individuals, including those with specific circumstances or vulnerabilities.

We will consider all requests for reasonable adjustments on a case-by-case basis and respond to such requests sympathetically and appropriately. Reasonable adjustments may include, but are not limited to:

- (a) Modifying the way complaints are received (e.g., accepting complaints in alternative formats);
- (b) Altering contact arrangements to accommodate the complainant's needs;
- (c) Adapting the resolution or investigation process to ensure fair treatment;
- (d) Providing the final decision in a format or manner suited to the complainant's requirements.

These adjustments aim to ensure that all complainants are treated with fairness, dignity, and respect throughout the complaints process.

Informal Stage

a. Oral Complaints

1. Company employees who receive a verbal complaint should try to resolve the issue immediately if possible. If staff cannot resolve the problem immediately, they should offer to refer it to the Head of Operations for resolution. The Head of Operations will be the Complaints Manager who will deal with the early stages of the complaints process under the supervision of the Principal High Court Enforcement Officer. It is the Principal High Court Enforcement Officer who will be the named person who is ultimately responsible for the entire handling of the complaint through the process. The staff or managers who receive an oral complaint should sincerely listen to the concerns raised by the complainant. Any contact with the complainant must be polite, courteous and sympathetic. At all times, staff and managers must remain calm and respectful.
2. After discussing the problem, each manager or member of staff handling the complaint should suggest an action plan to resolve the complaint. If the issue is not something that can be resolved straight away, the complainant should be told that the Company will attempt to resolve the complaint informally with the complainant within 5 working days (from the date the complaint is acknowledged). If this action plan is acceptable, the staff member should clarify the agreement with the complainant and agree on a way in which the results of the complaint will be communicated to the complainant.

3. If the proposed action plan is not acceptable to the complainant, the staff member or manager should ask the complainant to make his or her complaint in writing to the company and provide a copy of the procedure and complaint form to be completed. The complainant should be provided with links to the Enforcement Conduct Board's (ECB) website at <https://enforcementconductboard.org/how-to-complain/> where more information and support on making a complaint can be found.
4. In both situations, details of the complaint should be recorded on a complaint form.
5. If the company cannot resolve the complaint informally, a formal stage, the complaints process will move to a formal stage, which is set out in more detail below.

b. **Written Complaints**

1. When a complaint is received in writing, it must be forwarded to the designated Complaints Manager, who must enter it in the Complaint Register. The complainant will receive an automated acknowledgement within 2 working days. This acknowledgment should set out the following:
 - i. the name and contact details of who will consider and respond to the complaint. The Complaints Manager will be the Head of Operations for the early stages of the Complaints Procedure.
 - ii. ask the complainant to confirm whether they have submitted all the evidence they have in support of their complaint;
 - iii. where possible, set out how the company intends to manage any reasonable adjustments that have been requested (see below);
 - iv. where possible, let the complainant know about any aspects of their concerns that the Company cannot consider. If known, details on how to escalate these concerns should be provided. If not known, provide the contact details for the relevant advice organisations (for example, details about how to access the creditors' complaints process)
 - v. a copy of the Company's complaints procedure; and
 - vi. confirmation that, where appropriate, the Company will attempt to resolve the company informally with the complainant within 5 working days (from the date of the acknowledgment).
 - vii. If it is not clear from the information received, the acknowledgment should ask the complainant how they would like the Company to communicate with them and whether they have any communication requirements.
2. Immediately on receipt of the complaint the company should launch an investigation and within 5 working days should be in a position to provide a full explanation to the complainant, either in writing or by arranging a meeting with the individual concerned.
3. The Complaints Manager must record all relevant information about the complaint and keep it as simple and accurate as possible.

Reporting to the complainant

Unless there is a reason not to, the Complaints Manager should provide the complainant with a written summary setting out the conclusion to the complaint and/or their representative, which will include as appropriate:

- (a) The complaint
- (b) The action that has been agreed to resolve the complaint and a timeline for when that will be completed
- (c) The explanation provided for the events that led to the complaint

(d) The next stage in the complaints process (if necessary).

Formal Stage

If the Company cannot resolve the complaint informally, the complaint will move to a formal stage,

In some cases, it may be necessary for the complaint to go straight to the formal stage and this decision will be made by the Complaints Manager. This will usually be in circumstances where:

- (a) The complainant raises more than one issue in their complaint;
- (b) There are complex issues raised that need to be looked into in depth and will require more than 5 working days to unpick; or
- (c) There has been a complete breakdown in the relationship between the Company and the complainant.

The formal stage should be concluded within 20 working days, unless, due to exceptional circumstances, a longer period is required to investigate it appropriately. The 20-working day timeframe starts, as appropriate, from either:

- (a) The date the case is passed by the Company from the informal stage to the formal stage; or
- (b) The acknowledgement of the formal complaint received from the complainant.

If the 20-working day timeframe cannot be met, the delay must be managed appropriately. The complainant must be updated on the progress as soon as the Company is aware that this timeframe will not be met, and arrangements must be put in place for the complainant to be provided with regular and meaningful updates. The Company must notify the complainant of their right to complain to the ECB when the complaint reaches the 20 working days.

Investigation of the complaint during the formal stage must be undertaken by a senior member of staff that was not involved in the events that led to the complaint.

Reporting to the Complainant and remedies

The Company will review all complaints honestly and fairly and assess them against the ECB's standards and guidance and any relevant legislations, to identify what should have happened in the circumstances relevant to the complainant. Where something has gone wrong, the Company will acknowledge this and take action to put matters right.

Even if the Company has not made an error, it should consider whether there has been an unfair outcome for the complainant and whether action could be taken to put it right. Decisions about what actions to take should be based on the impact the mistakes have had on the complainant.

Unless there is a reasonable adjustment in place specifying a different form of communication, a decision letter should be set out in writing and to the complainant with the following information:

- (a) The complaint
- (b) Clarification about any matters that did not fall within the remit of the complain investigation, e.g. the actions of the creditor
- (c) The action that has been taken to investigate the complaint;
- (d) What happened (with reference to the relevant evidence);

- (e) What should have happened (with reference to the ECB's standards, the Company's own policies and / or the relevant legislation);
- (f) If the Company has acted appropriately, an explanation of why the Company is satisfied that this is the case;
- (g) If there is a difference between what happened and what should have happened, an open and honest acknowledgement of that, with the Company taking responsibility where something has gone wrong;
- (h) Where something has gone wrong, an acknowledgement of the impact of that on the person affected;
- (i) Where something has gone wrong and there has been an impact on the person affected, an explanation of the action the Company is going to take to remedy that;
- (j) Where appropriate, the action the Company is going to take to learn from the complaint and improve their service going forward.

The complainant should also been told how to access the next stage in the complaints process (if appropriate) and where relevant, any time limits on that escalation.

Details on how the complainant should contact the ECB should be set out in the decision letter. This should include:

- (a) A link to the ECB's website;
- (b) The telephone number for the ECB's complaints team;
- (c) The timeframes to put the complaint to the ECB;
- (d) Where appropriate, clarification that putting a complaint to the ECB does not affect the complainant's right to further pursue their complaint to the relevant Ombudsmen once the ECB has completed their consideration of it;
- (e) Where the ECB is not the only second tier complaint handler, details of alternative organisations which the complainant can contact, such as the Local Government and Social Care Ombudsman, and the Public Sector Ombudsman for Wales and, where it is required under their contractual obligations the creditor.

Remedies, such as apologies, should be set out in the decision letter, and if not, issued within 10 working days of the decision being issued. Remedies such as payment for financial loss and consolatory payments should be issued within 10 working days of the Company receiving the relevant payment information. Where remedies cannot be provided in 10 working days, the decision letter should set out the timeframe and, where appropriate, when they will next be updated.

6. Role of the Manager

The manager who receives a complaint will evaluate the information to determine whether it falls within the scope of this policy.

The manager will contact the complainant to confirm the complaint where:

- (a) The complaint is unclear;
- (b) There is not sufficient information within the complaint to determine the event or course of events they are complaining about.
- (c) The investigation of the complaint has identified some poor service on the part of the Company, but the impact of that poor service and/or the outcome sought is not clear.

The manager will collect and review all available information and attempt to resolve the issue informally through discussions with the complainant. If there are any aspects of the complaint that the Company is unable to consider, the manager will notify the complainant and direct them to the correct body to make their complaint to as soon as possible and provide the complainant with information on how to escalate those concerns, including providing contact details for the relevant advice organisations (if known) and directing the complainant to the creditors' complaints process.

The manager may choose to use human resources, request assistance from the Principal High Court Enforcement Officer or other resources as required, if they require assistance or advice. Managers are required to involve their departmental human resources representative before taking any disciplinary action against employees. Managers must ensure that all staff involved in resolving the complaint are aware of their responsibility to maintain the confidentiality of the matter and to respect the privacy rights of all parties involved.

Support will be provided to staff who are the subject of a complaint, so that they are able to provide an honest account of their actions in a non-defensive way. The role of the complaints process is not to apportion blame, but to provide a resolution to the complainant and identify any wider learning for the Company. Staff that are the subject of a complaint will be offered the opportunity to clarify the action they took, explain why they considered that to be appropriate, and where appropriate, to reflect on whether they might do anything differently now and the reasons for that.

Informal complaint files

Details of informal complaints should be noted as soon as possible and may include information such as when, where and how the alleged issue giving rise to the complaint occurred, who was involved and the names of potential witnesses. These notes may be required if a formal complaint is filed. Complaints that are resolved amicably to the complainant's satisfaction will not be followed up. However, all records relating to the resolution of informal complaints must be kept within each department in accordance with the current policies and by-laws. Any disciplinary action resulting from an information complaint will be maintained in accordance with established human resources procedures and policies.

Unresolved complaints

If the problem cannot be resolved amicably or if the complainant requests a formal investigation into the alleged misconduct, the matter must be referred to the Principal High Court Enforcement Officer for further consideration and for referral to the company's Board for further consideration if the Principal High Court Enforcement Officer considers it appropriate to do so.

The complainant must be informed as soon as possible if their complaint, or any aspect of it, cannot be investigated.

7. Complainants Failure to Respond

If a complainant, after making an initial or written complaint, fails to respond to a letter or other electronic communication issued in response within 12 weeks of that response being issued the Complaints Manager may close its complaint file and determine that the Complainant does not wish to pursue the complaint any further.

8. Referral to Court

If the Principal High Court Enforcement Officer considers that the best and most appropriate cause of action is to make an application to Court in accordance with the relevant legislation that relate to the Complaint then he may advise the Complainant that the matter is being addressed using appropriate legal steps that will take the handling of the complaint outside of the scope of this policy and the company's external complaints procedure. The company's external complaints process may continue at the conclusion of any legal procedures/steps that are taken.

9. Effect of a complaint

No complaint made in accordance with the company and no automatic stay on further steps will be applied. However, on receipt of a complaint the Complaints Manager should consider, after discussing the matter with the Principal High Court Enforcement Officer what steps are appropriate and may decide to address ongoing procedures on a step-by-step basis.

10. Employee Agreement on Complaints Policy

I have read, understood, and agree to comply with this policy. I am aware that violations of this policy may subject me to disciplinary action. I understand that this policy can be amended from time to time.

Date:

Signature

Name

Signed by

Carlos Osorio

Carlos Osorio
CEO