

COMPLAINTS PROCEDURE

What is a complaint?

We consider any expression of dissatisfaction whether spoken or written, justified or not as a 'complaint', whether it is made from or on behalf of an eligible complainant.

You may complain about the company's provision of, or failure to provide a financial service.

This may include any allegation of financial loss (whether actual, potential or consequential), material loss or material inconvenience.

This also includes any written or verbal expression of dissatisfaction made about our level of service or concerning an individual.

We will treat all relevant complaints made by eligible complainants in a fair and consistent manner in accordance with the procedures set out in this document.

Who is an eligible complainant?

An eligible complainant is someone who has a customer or potential customer relationship with the firm, or someone who has an indirect relationship with the firm e.g. lenders, borrowers and brokers.

Eligible complainants:

- ✓ Private Individual.
- ✓ Business with less than £1m annual turnover at time of complaint
- ✓ Charity with less than £1m annual income at time of complaint
- ✓ Trustees of a trust with less than £1m net asset value at time of complaint

Do I have a complaint?

The types of complaint we will investigate include:

- ✗ Poor customer service
- ✗ Delay
- ✗ Failure to carry out instructions
- ✗ Misleading advertising

When is an expression of dissatisfaction not a complaint?

For example, complaints against a poor performing loan are not usually grounds for a valid complaint as this is an inherent risk of lending money, which is made clear to the investors at the time of registration and on our website.

How do I complain?

You may make your complaint in writing to:

The Compliance Team,
Tally Marketplace Lending Ltd,
Capital Tower Business Centre,
3rd Floor Capital Tower,
Greyfriars Road,
Cardiff,
CF10 3AG

Or telephone: 02920 100417

Or email: help@fundingempire.com

Who will handle my complaint?

Wherever possible we will endeavor to have your complaint investigated by someone in the company who is judged to be as impartial as possible.

You will be made aware of the name and job title of the complaint handler.

Funding Empire reserves the right to use a third party administrator for the purposes of handling complaints.

How will my complaint be investigated?

Your complaint will be handled in a fair, consistent and prompt manner.

A person of sufficient competence will investigate the complaint.

Responses to all complaints will adequately address the subject matter of the complaint.

How long do I have to wait?

Wherever possible we will try to resolve the complaint to your satisfaction by the end of the next business day. In circumstances where this is not possible we have strict time frames set down by our Regulator that we must adhere to.

Upon receipt of your complaint we will send you a written acknowledgment within **five working days** of what we understand your complaint to be.

This acknowledgment will also include the name and job title of the complaint handler and details of the company's procedures for dealing with complaints.

The company then has approximately **two months** to resolve your complaint.

Within **four weeks** we must have sent you either our 'final' response resolving your complaint or a 'holding' response, explaining why we are not yet in a position to make a final response and an indication of when the firm will make further contact.

Within **eight weeks** we must have sent you a 'final' response or if this is not possible, we must give you details of the reason why we are still unable to resolve your complaint, why there has been a delay and when we expect to be in a position to provide a final response.

At this point the company is also obliged to provide you with details of the Financial Ombudsman Service [FOS] (including a copy of the leaflet - <http://www.financial-ombudsman.org.uk/PUBLICATIONS/consumer-leaflet.htm>)

You may refer to FOS if you are dissatisfied at this stage or if you are dissatisfied after the 'final' outcome.

When is a complaint closed?

A complaint is considered to be closed as far as the company is concerned when:

- ✓ The company has sent a final response.
- ✓ The complainant has indicated acceptance in writing or the company's earlier response.
- ✓ The complainant has not responded within eight weeks.

The final response from the company must contain:

- ✓ An offer of redress with or without acceptance of the complaint. Appropriate redress will not always involve financial compensation. It may for example, simply involve an apology, OR
- ✓ A rejection of the complaint, with reasons.
- ✓ Information regarding the right to refer to FOS within six months.

What if I am not satisfied with the outcome of the investigation?

Should you have a relevant complaint that is not settled to your satisfaction by us within the appropriate time frame you may refer your complaint to the Financial Ombudsman Service. FOS is an independent service for resolving complaints.

FOS will only investigate:

- ✓ Complaints from 'eligible complainants'.
- ✓ Where the company and activity is subject to either the compulsory or voluntary jurisdiction.
- ✓ Allegations of financial loss, material distress or material inconvenience.
- ✓ Where the company has failed to resolve the complaint within eight weeks of receipt.
- ✓ 'Relevant' existing complaints where the original complaint was previously dealt with by a former complaints scheme and has not been resolved.
- ✓ 'Relevant' new complaints where the complaint fully falls under the jurisdiction of FOS.
- ✗ FOS is not able to deal with complaints from businesses, charities and trustees whose annual turnover/income/net asset value is over £1m at the time of the complaint.

We are authorised and regulated by the Financial Conduct Authority (FCA) and fully co-operate with the Financial Ombudsman Service (FOS).

This includes but is not limited to:

- ✓ Producing requested documents.
- ✓ Adhering to specified time limits.
- ✓ Attending hearings when requested to do so.
- ✓ Complying promptly with any settlements of awards.

The types of complaint that FOS will dismiss without consideration of the merits are:

- ✗ Frivolous and vexatious
- ✗ Subject to court proceedings
- ✗ Where the company has already made a fair and reasonable offer of compensation
- ✗ Due to investment performance

FOS has the power to make decisions that are binding on firms including directions and monetary awards.

What do I do if the company is no longer trading?

If you make a valid claim against our company in respect of any services we have provided you and we are unable to meet our liabilities in full, you may be entitled to redress from the Financial Services Compensation Scheme.

Useful Contacts:

For more information regarding the **Financial Ombudsman Service (FOS)** please contact:

Address: Financial Ombudsman Service
South Quay Plaza
183 Marsh Wall
London
E14 9SR

Telephone: 0845 080 1800

Website: www.financial-ombudsman.org.uk

For more information regarding the **Financial Conduct Authority (FCA)** please contact:

Address: The Financial Conduct Authority
25 The North Colonnade
Canary Wharf
London
E14 5HS



FCA Consumer Helpline: 0800 111 6768

FSA Consumer Website: <http://www.fca.org.uk/consumers>

For more information regarding the **Financial Services Compensation Scheme (FSCS)** please contact:

Address: Financial Services Compensation Scheme (FSCS)

7th Floor

Lloyds Chambers

1 Portsoken Street

London

E1 8BN

Telephone: 020 7892 7300

Website: www.fscs.org.uk