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## COMPLAINTS POLICY SUNDERLAND VAN SALES LTD

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### 1. COMPLAINTS PROCEDURE

This document sets out the firms Complaints Procedure which comply with the FCA Sourcebook DISP. As a firm we are committed to treating our customers fairly and we will seek to respond to all complaints received promptly and fairly. In order to ensure that complaints are fairly, consistently and promptly dealt with, the Owner must be consulted in all cases, and any proposed course of action or correspondence signed off by him. The Owner will be responsible for ensuring that any complaint is properly investigated and that the required timetable set by the FCA rules is adhered to. In the event that a complaint identifies a systemic, recurring or specific problem, the Owner will seek to resolve it via discussion and the implementation of any conclusions arrived at.

### 2. Definitions

2.1 In this Complaints Policy the following expressions have the following meanings:

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| <b>“Appeal”</b>               | means your request to escalate a Complaint from Level One to Level Two if you are not satisfied with the outcome at Level One;   |
| <b>“Appeal Handler”</b>       | means an employee of Sunderland Van Sales Ltd working at managerial level who will handle Level Two Complaints;  |
| <b>“Business Day”</b>         | means, any day (other than Saturday or Sunday) on which ordinary banks are open for their full range of normal business in Pallion New Road, Sunderland SR4 6UA  |
| <b>“Complaint”</b>            | means a complaint about goods and/or services sold by Sunderland Van Sales Ltd about our customer service, or about our employees, agents;   |
| <b>“Complaint Handler”</b>    | means an employee of Sunderland Van Sales Ltd working at sales level who will handle Level One Complaints;   |
| <b>“Complaints Policy”</b>    | means this document;   |
| <b>“Complaints Procedure”</b> | means the internal complaints handling procedure of Sunderland Van Sales Ltd which is followed when handling a Complaint and is available from Pallion New Road, Sunderland, SR4 6UA for your reference; |

**“Complaint Reference”** means a unique code assigned to your Complaint that will be used to track your Complaint;

**“Level One”** means the first stage in our complaints handling procedure under which your Complaint will be handled by a Complaint Handler; and

**“Level Two”** means the second stage in our complaints handling procedure under which you may appeal the outcome of a Level One Complaint. Your Complaint will be handled by an Appeal Handler.

### 3. **Purpose of this Complaints Policy**

- 3.1 Sunderland Van Sales Ltd welcomes and encourages feedback of all kinds from our customers. If you have a Complaint about our goods and/or services, our customer service, or about our employees or agents, not only do we want to resolve it to your satisfaction but we also want to learn from it in order to improve our business and customer experience in the future.
- 3.2 It is our policy to resolve Complaints quickly and fairly, where possible without recourse to formal investigations or external bodies. In particular, the aims of this Complaints Policy are:
  - 3.2.1 To provide a clear and fair procedure for any customers who wish to make a Complaint about Sunderland Van Sales Ltd our goods and/or services, our customer service, or about our employees or agents;
  - 3.2.2 To ensure that everyone working for or with Sunderland Van Sales Ltd knows how to handle Complaints made by our customers;
  - 3.2.3 To ensure that all Complaints are handled equally and in a fair and timely fashion;
  - 3.2.4 To ensure that important information is gathered from Complaints and used in the future to avoid such a situation arising again.

### 4. **What this Complaints Policy Covers**

- 4.1 This Complaints Policy applies to the sale of goods and/or the provision of services by Sunderland Van Sales Ltd to our customer service and to our employees and agents.
  - 4.2 For the purposes of this Complaints Policy, any reference to Sunderland Van Sales Ltd also includes our employees or agents.
  - 4.3 Complaints may relate to any of our activities and may include (but not be limited to):
    - 4.3.1 The quality of customer service you have received from Sunderland Van Sales Ltd The behaviour and/or professional competence of our employees or agents;
- Delays, defects or other problems associated with the sale of goods by Sunderland Van Sales Ltd Delays, defects, poor workmanship or other

problems associated with the provision of services by Sunderland Van Sales Ltd

- 4.4 The following are not considered to be Complaints and should therefore be directed to the appropriate person or department:
  - 4.4.1 General questions about our goods and/or services;
  - 4.4.2 Matters concerning contractual or other legal disputes;
  - 4.4.3 Formal requests for the disclosure of information, for example, under the Data Protection Act;

## 5. Making a Complaint

- 5.1 All Complaints, whether they concern our goods and/or services, our customer service, or our employees agents, should be made in one of the following ways:

In writing, addressed to Andrew Trott, Sunderland Van Sales Ltd, Pallion New Road, Sunderland, SR4 6UA

- 5.2 When making a Complaint, you will be required to provide the following information in as much detail as is reasonably possible:
  - 5.2.1 Your name, address, telephone number and email address (We will contact you using your preferred contact method as your Complaint is handled);
  - 5.2.2 If you are making a Complaint on behalf of someone else, that person's name and contact details as well as your own;
  - 5.2.3 If you are making a Complaint about a particular transaction, the vehicle details and date of purchase;
  - 5.2.4 If you are making a Complaint about a particular employee of ours, the name and, where appropriate, position of that employee;
  - 5.2.5 Further details of your Complaint including, as appropriate, all times, dates, events, and people involved;
  - 5.2.6 Details of any documents or other evidence you wish to rely on in support of your Complaint;
  - 5.2.7 Details of what you would like Sunderland Van Sales Ltd to do to resolve your Complaint and to put things right. (Please note that whilst we will make every reasonable effort to accommodate such requests, we are not bound to take any action beyond that which we may be contractually or otherwise legally obliged to take.)

## 6. How We Handle Your Complaint

- 6.1 Sunderland Van Sales Ltd operates a two-stage complaints handling procedure. Following our Complaints Procedure, our aim is to always resolve Complaints to your satisfaction at Level One without further recourse to Level Two. If you are not satisfied at the end of Level One, you may escalate your Complaint to Level Two
- 6.2 Level One:
  - 6.2.1 Upon receipt of your Complaint, the person identified above in Section 4.1 will log the Complaint in our complaints system and will acknowledge receipt of it in writing within 14 days, giving you a Complaint Reference.

- 6.2.2 When we acknowledge receipt of your Complaint we will also provide details of your Complaint Handler. This may be the sales person to whom your original Complaint was directed (as above) or your Complaint may be assigned to another appropriate member of our team.
  - 6.2.3 If your Complaint relates to a specific employee or agent, that person will be informed of your Complaint and given a fair and reasonable opportunity to respond. Any communication between you and the employee or agent in question should take place only via the Complaint Handler and we respectfully ask that you do not contact the employee or agent in question directly concerning the Complaint while we are working to resolve it.
  - 6.2.4 If we require any further information or evidence from you, the Complaint Handler will contact you as quickly as is reasonably possible to ask for it. We ask that you use reasonable efforts to supply any such information or evidence quickly in order to avoid delaying the complaints handling process. If you are for any reason unable to provide such information or evidence we will use all reasonable efforts to proceed without it, however please be aware that we will not ask for further information or evidence unless we consider it important to the successful resolution of your Complaint.
  - 6.2.5 We aim to resolve Level One Complaints within 30 days, however in some cases, particularly if your Complaint is of a complex nature, this may not be possible. If this is not possible for any reason you will be informed of the delay, the likely length of the delay and the reasons for it.
  - 6.2.6 At the conclusion of the Level One complaints procedure, regardless of the outcome, we will provide you with full details of our investigation, our conclusions from that investigation, and any action taken as a result. You will also be reminded of your right to appeal our decision and escalate the complaint to Level Two in the form of an Appeal.
- 6.3 Level Two:
- 6.3.1 If you are not satisfied with the resolution of your complaint at Level One, you may appeal the decision within 14 days, and have the complaint escalated to Level Two. Appeals are handled by management level members of our team.
  - 6.3.2 Appeals, quoting your original Complaint Reference, should be directed to your original Complaint Handler who will forward the request to an appropriate Appeal Handler. Receipt of Appeals will be acknowledged in writing within 14 days. When we acknowledge receipt of your Appeal we will also provide details of your Appeal Handler.
  - 6.3.3 If your Complaint relates to a specific employee or agent, that person will be informed of your Appeal and given a further opportunity to respond. Any communication between you and the employee or agent in question should take place only via the Appeal Handler and we respectfully ask that you do not contact the employee or agent in question directly concerning the Complaint while we are working to resolve it.
  - 6.3.4 If we require any further information or evidence from you, the Appeal Handler will contact you as quickly as is reasonably possible to ask for

it. We ask that you use reasonable efforts to supply any such information or evidence to us quickly in order to avoid delaying the complaints handling process. If you are for any reason unable to provide such information or evidence we will use all reasonable efforts to proceed without it, however please be aware that we will not ask for further information or evidence unless we consider it important to the successful resolution of your Complaint.

6.3.5 We aim to resolve Level Two Complaints within 30 days, however in some cases, particularly if your Complaint is of a complex nature, this may not be possible. If this is not possible for any reason you will be informed of the delay, the likely length of the delay and the reasons for it.

6.3.6 At the conclusion of the Level Two procedure, regardless of the outcome, we will provide you with full details of our investigation, our conclusions from that investigation, and any action taken as a result. Our decision at this stage is final

## 7.

### **7.1 IDENTIFY THE COMPLAINT**

A complaint will involve an allegation from a customer or potential customer that they have suffered financial loss, distress or material inconvenience in the company's provision or failure to provide a financial service. If the recipient of the complaint is unsure regarding the complaint please refer it to the Owner. In the event that a customer wishes to make a complaint, this can be made verbally, by telephone or in person, or via a written communication delivered in person, via post, e-mail, sms or fax. In the first instance, the complaint should be handled by the manager responsible for the account, in consultation with the Owner, and resolution of the complaint sought. If the complaint is capable of being resolved the same business day as it is received, any agreed course of action should be taken and a file note made and inserted on the customer's file, together with any copy correspondence.

### **7.2.1 PROCESS FOR COMPLAINTS NOT IMMEDIATELY RESOLVED**

If the complaint has not been resolved by the close of business on the third day, a brief written explanation of the substance of the complaint should be provided by the manager responsible for the account, together with any written correspondence from the customer concerned. At this point in time, an entry should be made in the Complaints Register and the date of receipt of the complaint recorded in the Complaints Log, an example of the format of which appears in Appendix A. The manager concerned is responsible for ensuring that a copy of these internal procedures are sent to the customer and receipt of the complaint acknowledged in writing within 5 business days. The name and job title of the person handling the complaint must be advised to the customer.

### **7.2.2 COMPLAINTS RESOLVED WITHIN 72 HOURS**

If an eligible complaint is received and resolved within 72 hours, the full complaints procedure does not need to be implemented. A Summary Resolution Letter will be issued to the complainant confirming the closure of the complaint, any redress offered and their right to refer the matter to FOS if not satisfied.

### **7.2.3 INVESTIGATION OF THE COMPLAINT**

Investigation must be done by the Owner. We will investigate a complaint and ensure we understand fully the complaint that has been made. Once a complaint has been received by a respondent, we will:

- (1) investigate the complaint competently, diligently and impartially, obtaining additional information as necessary;
- (2) assess fairly, consistently and promptly:
  - (a) the subject matter of the complaint;
  - (b) whether the complaint should be upheld;
  - (c) what remedial action or redress (or both) may be appropriate;
  - (d) if appropriate, whether it has reasonable grounds to be satisfied that another respondent may be solely or jointly responsible for the matter alleged in the complaint; taking into account all relevant factors;
- (3) offer redress or remedial action when it decides this is appropriate;
- (4) explain to the complainant promptly and, in a way that is fair, clear and not misleading, its assessment of the complaint, its decision on it, and any offer of remedial action or redress; and
- (5) comply promptly with any offer of remedial action or redress accepted by the complainant.

#### **7.2.4 AFTER 4 WEEKS**

If a complaint has not been resolved within 4 weeks of being received, unless the customer has already indicated in writing acceptance of a response by the company (provided that the response informed the customer how to pursue his complaint if he remained dissatisfied), and in the event that a final response has not been issued, a holding response must be sent to the customer explaining why the company is not yet in a position to resolve the complaint and indicating when the company will make further contact (which must be within 8 weeks of receipt of the complaint).

#### **7.2.5 FINAL RESPONSE**

A Final Response must be made within 8 weeks of receiving the complaint. This response sets out the final view of the company on the complaint, dealing directly with the issues the customer has raised. It will summarise the complaint and summarise the outcome of the investigation. The written final response must either:

- Accept the complaint and offer appropriate redress. We must include a clear explanation of how we have arrived at this offer.
- Reject the complaint giving the reasons behind this decision.
- A combination of a) and b)

We must inform the customer that they have 8 weeks to respond to our final response until we consider the complaint closed.

Response must include:

“This is our final decision and I trust I have been able to fully explain our position in this matter. You have the right to refer your complaint to the Financial Ombudsman Service, (<http://www.financialombudsman.org.uk/>) free of charge – but you must do so within 6 months of the date of this letter. If you do not refer your complaint in time, the Ombudsman will not have our permission to consider your complaint and so will only be able to do so in very limited circumstances. For example, if it believes that the delay was a result of exceptional circumstances.” And must include:

- The Financial Ombudsman Service Leaflet A complaint will be deemed to be closed where the company has sent a final response or where the customer has indicated in writing acceptance of the company’s earlier response.

#### **7.2.6 RESOLUTION**

Where a complaint has been resolved, a final response should be issued to the customer. A final response is a written response from the company which accepts the complaint and, if appropriate, offers redress (appropriate redress may not involve

financial redress, it may, for example, simply involve an apology); or offers redress without accepting the complaint or rejects the complaint and gives reasons for doing so, and which informs the customer that, if he remains dissatisfied with the company's response, he may now refer his complaint to the Financial Ombudsman Service ("FOS") which, should he wish to do so, must be done within 6 months.

#### **7.2.7 RECORD KEEPING**

A record of the complaint must be retained by the company for 3 years from the date of the receipt of the complaint. A report must be made to the FCA twice a year via the FCA's Firms on Line electronic reporting system. This report specifies the total number of complaints received by the firm which were received by the firm and requires detail of whether and when a complaint has been settled.

#### **7.2.8 BREACHES**

Where an investigation into a complaint has uncovered a breach of an FCA rule then an entry must be made into the firms Breach Register.

#### **7.2.9 STAFF ACKNOWLEDGMENT & RESPONSIBILITY**

All staff and agents are required to sign a copy of these internal complaints procedures to confirm that they have received, read and agree to be bound by the requirements placed upon by them by these procedures as part of their contract of employment. Failure to comply with this policy may result in disciplinary action.

### **8. Confidentiality and Data Protection**

8.1 All Complaints and information relating thereto are treated with the utmost confidence. Such information will only be shared with those employees or agents of Sunderland Van Sales Ltd who need to know in order to handle your Complaint.

8.2 We may ask for your permission to use details of your Complaint (with your personal details removed) for internal training and quality improvement purposes. If you have given such permission, you may revoke it at any time by contacting Gavin Walker, whose details are provided above in Section 4.1.

8.3 All personal information that we may collect (including, but not limited to, your name and address) will be collected, used and held in accordance with the provisions of the General Data Protection Act 2018 and your rights under that Act.

### **9. Questions and Further Information**

If you have any questions or require further information about any aspect of this Complaints Policy or about our Complaints Procedure, please contact Andrew Trott by post at Sunderland Van Sales Ltd, Pallion New Road, Sunderland, SR4 6UA, by telephone on 07713058814, or by email at [sunderlandvansales@gmail.com](mailto:sunderlandvansales@gmail.com).

### **10. Policy Responsibility and Review**

10.1 Overall responsibility for this Complaints Policy within Sunderland Van Sales Ltd and the implementation thereof lies with Andrew Trott.

10.2 This Complaints Policy is regularly reviewed and updated as required.

10.3 This Complaints Policy was adopted on 26 September 2024

10.4 This Complaints Policy was last reviewed on 26 September 2024

