

Complaints Handling Procedures

Introduction

Atlantic Capital Markets Limited is committed to maintaining the highest level of client service and as part of that commitment has designed the following procedures to ensure that any complaints received from clients are handled fairly, effectively, promptly and in accordance with the requirements of the FCA Complaints Handling Rules.

Definition of a Complaint

A complaint is any oral or written expression of dissatisfaction, whether justified or not from or on behalf of a person about the provision of, or failure to provide, a financial service.

Receipt of a Complaint

In order that Atlantic Capital Markets can record and manage all received client complaints, any employee receiving any form of complaint (see above FCA definition of a complaint) must immediately notify the Compliance Oversight Officer of the complaint, forwarding any written correspondence received, in order that he can record the complaint and if necessary ensure that it is promptly dealt with.

If the complaint is in verbal form employees must email the Compliance Oversight Officer with a summary of the complaint, including name of client, account number, time / date of call and phone number used by the complainant.

If the complaint relates to a “Trading” client the complaint should also be passed onto the complainants respective Trader or failing that a Director in an attempt to resolve the complaint within a timely fashion.

Recording of Complaints

Upon their receipt of a complaint the complaints handling team should immediately complete a complaints notification form fully documenting the circumstances leading to the received complaint, enter the complaint on the complaints register and change the client’s status on Sugar CRM to “See Compliance” and select “Complaint” in the Compliance Status field.

Investigation of Complaint

Atlantic must investigate the complaint competently, diligently and impartially, obtaining additional information as necessary.

The Complaint Manager will make an assessment based on the subject matter of the complaint, any documents or records relevant to the complaint, any similarities to other complaints received and relevant guidance published by the FCA or other relevant bodies, and will then recommend whether the complaint should be upheld or not and if any redress may be appropriate.

Response to Complainant

If the complaint cannot be resolved within the first three business days the complaints handling team will send a formal letter of acknowledgement to the client, giving the name and job title of the person handling the complaint and enclosing a copy of these complaints

handling procedures, usually within five business days, but in any case, within ten business days.

All communications with complainants must be clear, using plain language that is easy to understand.

Referring Complaints to Other Firms

Where appropriate Atlantic Capital Markets may refer the complaint to the Market Maker involved with the client's account. Where a complaint is referred to the Market Maker the date of referral and details of any correspondence will be noted on the complaints file. Any response received from the Market Maker will be incorporated into the responses made to the complainant.

Atlantic Capital Markets must inform the complainant of the referral of the complaint to the Market Maker and provide contact details for the Market Maker.

Final Response

The Final Response will address the subject of the complaint as fully as possible and, if the complaint is upheld, will offer appropriate redress. Before the Final Response is issued the complaints file will be reviewed and signed off by a Director.

Atlantic Capital Markets will endeavour to use all means to resolve a complaint at the earliest possible time, however within eight weeks of receipt of the complaint at the latest the complaints handling team will send the client either a Final Response or a response indicating the reasons for the delay in producing a Final Response and informing the client that they have the right to refer the complaint to the Financial Ombudsman Service (FOS) if they are not happy with the delay.

A copy of the FOS's explanatory leaflet must be enclosed with this response and the complainant provided with details of how to refer their complaint to the FOS to adjudicate on as necessary, including a link to the FOS's website (www.financial-ombudsman.org.uk/).

A Final Response would not be required however; if the complainant has indicated that they are willing to accept a response made by Atlantic Capital Markets, provided that Atlantic Capital Markets provides written confirmation of the complaints resolution, which should include details of:

- a) How the complainant can pursue their complaint if they remain dissatisfied with the resolution offer made by Atlantic Capital Markets;
- b) The availability of the FOS to adjudicate on any further dissatisfaction;
- c) Enclosing a copy of the FOS's explanatory leaflet;
- d) Details of the FOS's website; and
- e) Setting out time limits within which the client can take their complaint to the FOS.

The FCA's Complaints Handling Rules allow firms 36 hours in which to try and amicably resolve a complaint (to the complainant's full satisfaction), however all complaints, however quickly resolved should be recorded and reported.

The complaint may be considered as being resolved if the complainant has indicated acceptance of a response by Atlantic Capital Markets, with neither this response nor any acceptance having to be in writing.

Where Atlantic Capital Markets considers a complaint as being resolved within the three business day resolution limits it must send the complainant a written “summary resolution communication”, such communication which:

- a) Refers to the fact that the complainant has made a complaint and informs the complainant that Atlantic Capital Markets now considers the complaint as resolved;
- b) Tells the complainant that if he subsequently decides that he is dissatisfied with the resolution of the complaint he may refer the complaint to the FOS;
- c) Indicates whether or not Atlantic Capital Markets consents to the relevant time limits set out in the FCA’s Complaints Handling Rules using the appropriate wording set out in DISP 1 Annex 3R; and
- d) Provides the complainant with a link to the FOS’s website and a copy of their explanatory leaflet.

Redress

Where a complaint is upheld by Atlantic Capital Markets appropriate redress will be offered in the Final Response. This may take the form of an apology or a formal offer of financial compensation.

When the offer of financial compensation is accepted by the complainant Atlantic Capital Markets will undertake to pay the agreed amount within a reasonable timeframe, with all members of the Board being fully authorised to offer appropriate redress as necessary.

Record Keeping

Notes of all conversations with a complainant or with third parties regarding a complaint must be kept on file, together with copies of all relevant correspondence. These will be kept on the clients file, with a copy kept on the complaints file.