

## Overview

Guavapay Ltd's complaint policy and procedure has been created to meet general standards and requirements and complies with standard complaint handling procedures, including the Financial Ombudsman Service (FOS) regulations.

The aim of this policy is to ensure that all customer complaints, either written or verbal, are handled in a consistent and regulated manner and that further complaint incidents are mitigated and where possible, prevented. Where a customer has cause to complain, the complaints handling procedure will be followed in every instance and a record will be made of the complaint nature and details to help improve our services and reduce the occurrence of similar complaints.

## What is a complaint?

Guavapay adopts the following definition of a complaint for the purposes of this policy and as it appears in the Glossary to the FCA Handbook "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, a claims management service or a redress determination which alleges that the complainant has suffered (or may suffer) financial loss, material distress or material inconvenience".

Negative feedback not requiring a resolution or a formal investigation do not constitute a complaint, although Guavapay values and welcomes all feedback.

## Who is the complainant?

For the purposes of this policy, a complainant is a user of Guavapay's services.

Guavapay will not accept complaints pertaining to relations between users or between a user and a third party. This policy only covers complaints pertaining to the lack of or poor execution of payment services carried out by Guavapay.

## Timing of complaints

All complaints received by Guavapay will be considered and responded to, regardless of how they are raised or what they refer to.

The Financial Ombudsman Service in the UK sets up time limits for referral of complaints. Any complaint made outside of those timelines will be automatically rejected and answered to with an email explaining the rationale for the rejection.

The time limits to raise a complaint with Guavapay are as follows:

- more than six (6) years following the issue resulting in the complaint,
- more than three (3) years of the complainant becoming aware (or should reasonably have become aware) that the complainant could have complained,

Additionally, complainants are expected to complain to the FOS within six (6) months of receiving Guavapay's final response. Unless the complainants can show exceptional circumstances justifying the delay, any complaints made after this timeframe will be rejected by Guavapay.

## **How to make a complaint**

To lodge a complaint, complainants must contact Guavapay either by email at [support@guavapay.com](mailto:support@guavapay.com) or by phone calling Guavapay's customer support phone number: +442045773333

At the request of the complainant, Guavapay will provide a PDF copy of its complaint handling procedure policy.

## **Complaint process**

Guavapay will consider all complaints and the process will happen as follows:

- Payment Services / Electronic Money Complaints (PSD/EMD) investigation will be conducted within 1 week of the initial complaint being received, and final response sent in the form of a decision letter within 15 days from the initial contact.

- General Complaints investigation will be conducted within 6 weeks of the initial complaint being received, and final response sent in the form of a decision letter within 8 weeks from the initial contact.

All responses will always be provided in writing, unless the complainant makes a specific interest for an alternate form of communication, which will be provided in addition to the written format.

If Guavapay comes to the conclusion that another party is responsible for the issue resulting in the complaint, the complainant will be redirected to the relevant party.

## **Timing of response from Guavapay**

Upon receipt of a complaint, Guavapay will endeavour to:

- acknowledge any complaint in a timely manner and no later than 3 working days,
- provide a final response within:
  - o fifteen (15) days for PSD/EMD. If a final conclusion cannot be reached within the 15 days timeframe, the complainant will be given a detailed explanation of the issue(s) and when a final response can be expected, which should not be later than thirty-five (35) days of the receipt of the initial complaint;
  - o eight (8) weeks for general complaints.

## **Content of Guavapay's response**

The final response from Guavapay will contain Guavapay's findings further to the investigation and any decision regarding any action(s) to be taken or compensation awarded, which could be:

- acceptance of the complaint and if applicable, offer of redress or remedial action,
- rejection of the complaint and explanation.

Details of the complainant's right to refer to or lodge the complaint with the appropriate body should the complainant be unhappy with Guavapay's final decision. The relevant bodies are:

The Financial Ombudsman Service (FOS), the final response will detail the FOS's telephone number mail and email addresses: The Financial Ombudsman Service, South Quay Plaza, 183 Marsh Wall, London E14 9SR, or online at <https://www.financial-ombudsman.org.uk/contact-us/complain-online> or by email or phone at **complaint.info@financial-ombudsman.org.uk** or +44 800 023 4567.

The complainant will be provided with the options for taking the matter further and that they have 6 months to log the complaint with the FOS.

The Information Commissions Office (ICO), for complaints related to personal data and/or breaches of the data protection laws and regulations, the final response will reiterate the complainants right to lodge a complaint with the ICO and will detail the ICO's telephone number and website: +44 303 123 1113 and <https://ico.org.uk/make-a-complaint/>, along with the possibility of seeking a judicial remedy.

## **Records**

Guavapay will keep a record of all complaints and relevant data associated with them for a minimum of five (5) years after the resolution of the complaint.