



# COMPLAINTS PROCEDURE

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## COMPLAINTS HANDLING PROCEDURE

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### 1. Definitions and Interpretation

1.1 In this Complaints Handling Procedure the following expressions have the following meanings:

<b>“Appeal”</b>	means a request from a Customer to escalate a Complaint to Level Two following an unsatisfactory outcome at Level One;
<b>“Appeal Handler”</b>	means a representative of Paintbrush Ltd. 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 the UK;
<b>“Complaint”</b>	means a complaint about services sold by Paintbrush Ltd. about our customer service, or about our employees and or subcontractors;
<b>“Complaints Form”</b>	means our standard complaints form, available upon request
<b>“Complaint Handler”</b>	means a representative of Paintbrush Ltd who will handle Level One Complaints;
<b>“Complaints Policy”</b>	means our customer complaints policy, available from <a href="http://www.paintbrushonline.uk">www.paintbrushonline.uk</a> ;
<b>“Complaint Reference”</b>	means a unique code assigned to a Complaint that will be used to track that Complaint;
<b>“Customer”</b>	means a customer of Paintbrush Ltd and includes potential customers (no purchase necessary);
<b>“Data Protection Policy”</b>	means our data protection policy, available upon request.
<b>“Decision Letter”</b>	means a letter sent by a Complaint Handler or Appeal Handler to a Customer informing that Customer of the outcome of their Complaint;
<b>“External Resolution”</b>	means the referral of a Complaint to an external body or organisation for resolution by a Customer if that Customer is not satisfied with the outcome at Level Two;
<b>“Investigation Report”</b>	means the report prepared by a Complaint Handler or Appeal Handler detailing his/her investigation;



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- “Level One”** means the first stage in this Complaints Handling Procedure under which Complaints will be handled by a Complaint Handler;
- “Level Two”** means the second stage in this Complaints Handling Procedure under which a Customer may appeal the outcome of a Level One Complaint and under which Complaints will be handled by an Appeal Handler;
- “Recommendation”** means the recommended resolution to a Complaint made by a Complaint Handler or Appeal Handler; and
- “Resolution Action”** means the available actions to be taken in response to a Complaint as detailed in Section 8.

### 2. What this Complaints Handling Procedure Covers

- 2.1 This Complaints Handling Procedure applies to Complaints pertaining to the provision of services by Paintbrush Ltd, to our customer service and to our employees and or subcontractors.
- 2.2 For the purposes of this Complaints Handling Procedure, any reference to Paintbrush Ltd also includes our employees and or subcontractors.
- 2.3 Complaints may relate to any of our activities and may include (but not be limited to):
- 2.3.1 The quality of our customer service;
  - 2.3.2 The behaviour and/or professional competence of our employees and or subcontractors;
  - 2.3.3 Delays, defects, poor workmanship or other problems associated with the provision of services;
- 2.4 The following do not constitute Complaints. Customers raising such questions or matters should be directed to the appropriate person at Paintbrush Ltd:
- 2.4.1 General questions about our services;
  - 2.4.2 Matters concerning contractual or other legal disputes;
  - 2.4.3 Formal requests for the disclosure of information including, but not limited to, those made under the Data Protection Act;

### 3. Receipt and Recording of Complaints

- 3.1 Customers may make Complaints to Paintbrush Ltd using any of the following methods:
- 3.1.1 In writing, addressed to Mr Jack Afonso, Director of Paintbrush Ltd. at 9 Burdett Road, Richmond TW92EE



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- 3.1.2 By email, addressed to Mr Jack Afonso, Director of Paintbrush Ltd at [paintbrushonline@outlook.com](mailto:paintbrushonline@outlook.com) Using our Complaints Form, following the instructions included with the form
- 3.1.3 By contacting us by telephone on 07456281212
- 3.2 Upon receipt of Complaints, the following steps should be taken within 5 Business Days:
  - 3.2.1 If a written Complaint is received by post, Mr Jack Afonso, Director of Paintbrush Ltd. must complete the Complaints Log, issue a unique complaint handling code for the case and acknowledge the receipt of the complaint to the customer via post within 5 Business days.
  - 3.2.2 If a written Complaint is received by email, Mr Jack Afonso, Director of Paintbrush Ltd. must complete the Complaints Log, issue a unique complaint handling code for the case and acknowledge the receipt of the complaint to the customer via email within 5 Business days.
  - 3.2.3 If a Complaints Form is received, Mr Jack Afonso, Director of Paintbrush Ltd. must complete the Complaints Log, issue a unique complaint handling code for the case and acknowledge the receipt of the complaint to the customer by the method in which the complaint form was received within 5 Business days.
  - 3.2.4 If a Complaint is made by telephone, Mr Jack Afonso, Director of Paintbrush Ltd. must complete the Complaints Log, issue a unique complaint handling code for the case and acknowledge the receipt of the complaint to the customer in writing via either email or post. Notes of the telephone conversation need to be recorded and sent to the customer.
- 3.3 All Complaints must be given a Complaint Reference and forwarded to an appropriate Complaint Handler, selected in accordance with Section 6.1 within 5 Business Days.
- 3.4 All Complaints must be acknowledged in writing within 5 days of receipt by Mr Jack Afonso, Director of Paintbrush Ltd. The acknowledgement should inform the Customer of their Complaint Reference, their assigned Complaint Handler and should include copies of Paintbrush Ltd.'s Customer Complaint Policy and this Complaints Handling Procedure.

#### 4. Complaint Information

- 4.1 Customers are advised in our Complaints Policy that the following information should be provided in as much detail as is reasonably possible when making a Complaint:
  - 4.1.1 The Customer's name, address, telephone number and email address, indicating any preferred method of communication;
  - 4.1.2 If the Customer is being represented by a third party, the information set out in Section 4.1.1 should be provided in reference to both parties;



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- 4.1.3 If the Complaint relates to a particular employee and or subcontractor, the name and, where appropriate, position of that employee and or subcontractor;
  - 4.1.4 Further details of the Complaint including, as appropriate, all times, dates, events, and people involved;
  - 4.1.5 Details of any documents or other evidence on which the Customer wishes to rely in support of the Complaint;
  - 4.1.6 Details of how the Customer would like Paintbrush Ltd. to resolve the Complaint. Whilst we undertake to make all reasonable efforts to accommodate such requests, however, we are not bound to take any action beyond that which we may be contractually or otherwise legally obliged to take.
- 4.2 If the information detailed in Section 4.1 is missing, insufficiently detailed, or incomplete, Mr Jack Afonso, Director of Paintbrush Ltd. should contact the Customer within 8 Business Days of receipt of the Complaint to request further information.

### 5. Complaint Levels

- 5.1 Paintbrush Ltd. operates a two-stage complaints handling procedure. Upon receipt, all new Complaints should be handled in accordance with the Level One procedure set out in Section 6 below. It is our policy to use all reasonable endeavours to resolve all Complaints to Customers' satisfaction at Level One.
- 5.2 If a Customer is not satisfied with the resolution of their Complaint at Level One, he/she may request that the Complaint is escalated to Level Two in the form of an Appeal at which point the Complaint should be handled in accordance with the Level Two procedure set out in Section 7 below.
- 5.3 If a Customer is not satisfied with the resolution of their Complaint at Level Two, he/she has the option of referring the matter to another party of your choosing. You may find the Civil Mediation Council helpful you can visit their website at <http://www.civilmediation.org>. You may also find <http://civilmediation.justice.gov.uk/> useful.

### 6. Level One Complaints

- 6.1 The following staff member is an eligible Complaint Handlers for Level One Complaints:

Mr Jack Afonso, Director of Paintbrush Ltd.
- 6.2 Upon receipt of a Complaint, the Complaint Handler shall consider the Complaint and make a decision within 10 Business Days whether to:
  - 6.2.1 Investigate the Complaint fully if it is considered to be valid, in which case the procedure should resume from Section 6.3; or



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- 6.2.2 Dismiss the Complaint if it is considered to be invalid, in which case the Complaint Handler should inform the Customer of his/her decision in writing within 11 Business Days.
- 6.3 Subject to delays arising from circumstances beyond his/her reasonable control (including, but not limited to, delays in other persons responding to communications), the Complaint Handler shall have a period of 14 Business Days, from the initial receipt of the complaint in which to fully investigate the Complaint and to decide upon appropriate Resolution Action(s).
- 6.4 If the Complaint relates to (a) particular employee(s) and or subcontractor(s) (a "Complainee" or "Complainees"), the Complaint Handler shall inform the Complainee(s) in question of the Complaint and arrange meetings and or telephone calls as required to discuss the Complaint. In such cases, the Complainee(s) should not, under any circumstances, contact the Customer directly regarding the Complaint. If the Customer contacts the Complainee(s) directly regarding the Complaint (which they are requested not to do in our Complaints Policy), the Complainee(s) should respectfully refuse to discuss the matter, referring the Customer to Section 5.2.3 of our Complaints Policy. Any such contact should be reported to the Complaint Handler.
- 6.5 If the Complaint Handler requires additional information or evidence in support of the Complaint, the Complaint Handler shall contact the Customer using the Customer's preferred method of communication, stating clearly what information or evidence is required. Customers should be respectfully reminded that any delay in their response to such a request may delay the resolution of their Complaint, as per Section 5.2.4 of our Complaints Policy.
- 6.6 If a Customer is unable or unwilling to provide information or evidence requested under Section 6.5, the Complaint Handler must nevertheless use all reasonable endeavours to resolve the Complaint. If, however, the Complaint Handler considers that it is not possible to uphold the Complaint in the absence of the requested information or evidence, he or she may close the Complaint and inform the Customer of the outcome in accordance with Sections 6.9 to 6.12.
- 6.7 The Complaint Handler shall examine and evaluate the Complaint, taking full account of all relevant statements, information, evidence and circumstances and shall maintain full objectivity and fairness at all times.
- 6.8 Subject to the exceptions in Section 6.8.1, during the investigation of the Complaint, the Complaint Handler shall have access to all records, information, employees and or subcontractors that may be necessary to enable him/her to carry out an impartial and thorough investigation.
- 6.8.1 Access to the following records and/or information is restricted and shall require the authorisation of Mr Jack Afonso, Director of Paintbrush Ltd:
- a) Names, addresses and contact details of customers.
  - b) Names, addresses and contact details of employees and or subcontractors.
- 6.9 Following his/her examination of the Complaint, the Complaint Handler shall



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reach a decision within the time period set out in Section 6.3 (subject to the exceptions noted therein). Resolution Actions that may be chosen are set out in Section 8.

- 6.10 Upon reaching a decision, the Complaint Handler shall send an Investigation Report to the customer. This will be sent within 14 business days of receiving the initial complaint, if deemed valid.
- 6.11 Upon reaching a decision under Section 6.9 the Complaint Handler shall send an Investigation Report and Decision Letter to the Customer by first class post or by email, as appropriate. Decision Letters shall set out the decision, the Resolution Action(s), and shall remind the Customer of their right to escalate the Complaint to Level Two. A copy/copies of the Investigation Report and Decision Letter should be kept electronically by Paintbrush Ltd. A further copy will be given to any named person within the complaint, so they are made aware of the investigation outcome.
- 6.12 If a delay either occurs or is considered likely to occur at any stage of the Level One procedure, the Complaint Handler shall inform the Customer using the Customer's preferred communication method. The Customer should be informed of the length or likely length of the delay and the reasons therefor.
- 6.13 The Customer shall have a time limit of 21 Business Days within which to make an Appeal if he/she wishes to escalate the Complaint to Level Two.
- 6.14 Upon receipt of an Appeal, the following steps should be taken within 5 Business Days by the Complaint Handler: up to here
  - 6.14.1 If a written Appeal is received by post, the Complaint Handler must complete the Level 2 section of the Complaints Log, and send an acknowledge of receipt of the Level 2 complaint within 5 days of receiving it to the customer by post within 5 Business days.
  - 6.14.2 If a written Appeal is received by email, the Complaint Handler must complete the Level 2 section of the Complaints Log, and send an acknowledge of receipt of the Level 2 complaint to the customer via email within 5 Business days.
  - 6.14.3 If an Appeal is made by telephone, the Complaint Handler must complete the Level 2 Complaints Log, and send an acknowledgement of receipt of the Level 2 complaint to the customer in writing via either email or post. Notes of the telephone conversation need to be recorded and sent to the customer.
- 6.15 All Appeals must be forwarded to an appropriate Appeal Handler, selected in accordance with Section 7.1 within 7 Business Days.
- 6.16 All Appeals must be acknowledged in writing within 5 Business days of receipt by The Appeal Handler. The acknowledgement should inform the Customer of their assigned Appeal Handler.

## 7. Level Two Complaints



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- 7.1 The following Paintbrush Representative is an eligible Appeal Handler for Level Two Complaints:
- Ruth Hannah Office Clerk.
- Upon receipt of an Appeal, the Appeal Handler shall consider the Appeal and make a decision within 10 Business Days whether to:
- 7.1.1 Investigate the Complaint fully if it is considered to be valid, in which case the procedure should resume from Section 7.3; or
- 7.1.2 Dismiss the Complaint if it is considered to be invalid, in which case the Appeal Handler should inform the Customer of his/her decision in writing within 14 Business Days. If the Complaint is so dismissed, the Complaint may be dismissed in its entirety, or the Resolution Action from Level One may stand.
- 7.2 Subject to delays arising from circumstances beyond his/her reasonable control (including, but not limited to, delays in other persons responding to communications), the Appeal Handler shall have a period of 10 Business Days in which to fully investigate the Complaint and to decide upon appropriate Resolution Action(s).
- 7.3 If the Complaint relates to (a) particular Complainee(s), the Appeal Handler shall inform the Complainee(s) in question of the Appeal and arrange meetings and or telephone calls as required, to discuss the Complaint. In such cases, the Complainee(s) should not, under any circumstances, contact the Customer directly regarding the Complaint. If the Customer contacts the Complainee(s) directly regarding the Complaint (which they are requested not to do in our Complaints Policy), the Complainee(s) should respectfully refuse to discuss the matter, referring the Customer to Section 5.3.2 of our Complaints Policy. Any such contact should be reported to the Appeal Handler.
- 7.4 If a Customer is unable or unwilling to provide information or evidence requested under Section 7.5, the Appeal Handler must nevertheless use all reasonable endeavours to resolve the Complaint. If, however, the Appeal Handler considers that it is not possible to uphold the Complaint in the absence of the requested information or evidence, he or she may close the Complaint and inform the Customer of the outcome in accordance with Sections 7.9 to 7.12.
- 7.5 The Appeal Handler shall examine and evaluate the Complaint, taking full account of all relevant statements, information, evidence and circumstances and shall maintain full objectivity and fairness at all times.
- 7.6 Subject to the exceptions in Section 7.7.1, during the investigation of the Complaint, the Complaint Handler shall have access to all records, information, employees and or subcontractors that may be necessary to enable him/her to carry out an impartial and thorough investigation.
- 7.7 During the investigation of the Complaint, the Appeal Handler shall have access to all records, information, employees and or subcontractors that may be necessary to enable him/her to carry out an impartial and thorough



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investigation.

7.7.1 Access to the following records and/or information is restricted and shall require the authorisation of Mr Jack Afonso Director of Paintbrush Ltd.:

- a) Names, addresses and contact details of customers.
- b) Names, addresses and contact details of employees and or subcontractors.

7.8 Following his/her examination of the Complaint, the Appeal Handler shall reach a decision within the time period set out in Section 7.3 (subject to the exceptions noted therein). Resolution Actions that may be chosen that may be chosen are set out in Section 8.

7.9 Upon reaching a decision, the Appeal Handler shall send an Investigation Report and Recommendation for review and authorisation by Jack Afonso Director of Paintbrush Ltd. who shall be required to respond within 5 Business Days.

7.10 In the event that Jack Afonso Director of Paintbrush Ltd. does not agree with the Appeal Handler's decision and/or Recommendation under Section 7.9 he/she must give reasons for such disagreement and the Appeal Handler shall have a further 10 Business Days to revise his/her decision and/or Recommendation and resubmit it to Jack Afonso Director of Paintbrush Ltd. for review and authorisation. If, following resubmission, Jack Afonso Director of Paintbrush Ltd. still does not agree with the decision and/or Recommendation, the Complaint shall be reassigned to a new Appeal Handler and the Level Two procedure shall begin again.

7.11 Upon receiving approval or a final decision under Section 7.10, the Appeal Handler shall send an Investigation Report and Decision Letter to the Customer by first class post or by email, as appropriate. Decision Letters shall set out the decision and the Resolution Action(s). The Customer shall also be reminded of their right to seek External Resolution of their Complaint. A copy/copies of the Investigation Report and Decision Letter should be kept electronically by Paintbrush Ltd.

7.12 If a delay either occurs or is considered likely to occur at any stage of the Level Two procedure, the Appeal Handler shall inform the Customer using the Customer's preferred communication method. The Customer should be informed of the length or likely length of the delay and the reasons therefor.

### 8. Resolution Actions

When handling Complaints, Complaint Handlers and Appeal Handlers may select from the following Resolution Actions, as appropriate to the facts and circumstances of a Complaint:

- 8.1 Follow up training needs of our employees and or subcontractors, identified, planned, actioned and recorded.
- 8.2 Policy procedures and documentation evaluated and revised.



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8.3 Disciplines procedures actioned and recorded if required of our employee(s) and or subcontractors.

### 9. External Resolution

9.1 Customers have the right to seek External Resolution of Complaints from any appropriate organisation of their choosing, if they are not satisfied with the outcome resulting from this Complaints Handling Procedure.

9.2 Paintbrush Ltd. will work with any such appropriate agencies in order to gain resolve. If contact with employees and or subcontractors of Paintbrush Ltd is required will are open to this. If access to documents and information pertaining to a Complaint in the event that a Customer refers their Complaint for External Resolution is required we are open to this. Any and all such interactions between an appointment External Resolution Agency and Paintbrush Ltd. shall take place via Mr Jack Afonso director of Paintbrush Ltd.

9.3 Any and all requests made by an External Resolution Agency for evidence or information, whether written or oral, shall be answered without undue delay, subject to the approval and authorisation of Mr Jack Afonso director of Paintbrush Ltd who shall ensure that said request is reasonable and pertinent given the nature of the Complaint.

### 10. Implementation of Resolution Actions

Upon the conclusion of a Complaint, whether at Level One or Level Two, or by External Resolution the Resolution Action(s) settled upon shall require implementation in a timely manner. Responsibility for the implementation of Resolution Actions ultimately lies with the following and may be delegated thereby, as appropriate:

10.1 Mr Jack Afonso, Director of Paintbrush Ltd.

### 11. Recording of Resolution Actions

11.1 Upon the conclusion of a Complaint and the implementation of the applicable Resolution Action(s), Mr Jack Afonso, Director of Paintbrush Ltd. shall Record all resolution actions and the steps by which they are carried out.

### 12. Confidentiality and Data Protection

12.1 All Complaints, Appeals, evidence and other information gathered, held and processed under this Complaints Handling Procedure shall be treated with the utmost confidence at all times. Such information may be shared with employees and or subcontractors of Paintbrush Ltd. only to the extent required to resolve the Complaint in question in accordance with this Complaints



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- 12.2 In the event that the details of a Complaint are to be used for training or quality improvement purposes, in which case they will be shared with other employees and or subcontractor of Paintbrush Ltd. beyond the scope of this Complaints Handling Procedure, the relevant Customer's express permission must first be sought using that Customer's preferred contact method. Personal details (that is, anything that may be used to identify the Customer) shall be removed from all information so used. Such permission may be revoked at any time in accordance with the Customer's right to do so under Section 6.2 of our Customer Complaints Policy.
- 12.3 All personal information collected by Paintbrush Ltd. (including, but not limited to, Customers' names and contact details) shall only be collected, used and held in accordance with the provisions of the Data Protection Act 1998 and our Customers' rights under that Act.

### 13. Procedure Review and Responsibility

- 13.1 Overall responsibility for this Complaints Handling Procedure and the implementation thereof lies with Mr Jack Afonso, Director of Paintbrush Ltd.
- 13.2 This Complaints Handling Procedure shall be reviewed regularly at intervals of not more than 6 months and shall be updated as required.
- 13.3 This Complaints Handling Procedure was adopted on 29/01/2018.
- 13.4 This Complaints Handling Procedure was last reviewed on 29/01/2018.