



**F.B & Sons, Lawns and Landscapes Limited**

**Complaints Handling Policy**

**V1/September - 2024**

## Complaints Handling Procedure

### 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 an employee of F.B & Sons, Lawns and Landscapes Limited working at Senior management or Director 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 England;
<b>“Complaint”</b>	means a complaint about goods <b>AND/OR</b> services sold by F.B & Sons, Lawns and Landscapes Limited about our customer service, or about our employees, its agents or subcontractors;
<b>“Complaints Form”</b>	means our standard complaints form for use by Customers, available from on our website at <a href="https://www.fbslandscapes.co.uk/complaintspolicy">https://www.fbslandscapes.co.uk/complaintspolicy</a>
<b>“Complaint Handler”</b>	means an employee of F.B & Sons, Lawns and Landscapes Limited working at Manager level who will handle Level One Complaints;
<b>“Complaints Policy”</b>	means our customer complaints policy, available from <a href="https://www.fbslandscapes.co.uk/complaintspolicy">https://www.fbslandscapes.co.uk/complaintspolicy</a> ;
<b>“Complaint Reference”</b>	means a unique code assigned to a Complaint that will be used to track that Complaint;
<b>“Appeal Reference”</b>	means a unique code assigned to an appeal that will be used to track that Complaint;
<b>“Customer”</b>	means a customer of F.B & Sons, Lawns and Landscapes Limited and includes potential customers (no purchase necessary);
<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;
<b>“Level One”</b>	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. Purpose of this Complaints Policy

- 2.1 F.B & Sons, Lawns and Landscapes Limited 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, its agents or subcontractors, 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.
- 2.2 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:
- 2.2.1 To provide a clear and fair procedure for any customers who wish to make a Complaint about F.B & Sons, Lawns and Landscapes Limited, our goods **AND/OR** services, our customer service, or about our employees its agents or subcontractors.
- 2.2.2 To ensure that everyone working for or with F.B & Sons, Lawns and Landscapes Limited knows how to handle Complaints made by our customers.
- 2.2.3 To ensure that all Complaints are handled equally and in a fair and timely fashion.
- 2.2.4 To ensure that important information is gathered from Complaints and used in the future to avoid such a situation arising again.

## 3. What this Complaints Policy Covers

- 3.1 This Complaints Policy applies to the sale of goods **AND/OR** the provision of services by F.B & Sons, Lawns and Landscapes Limited, to our customer service and to our employees its agents or subcontractors.
- 3.2 For the purposes of this Complaints Policy, any reference to F.B & Sons, Lawns and Landscapes Limited also includes our employees, its agents or subcontractors.
- 3.3 Complaints may relate to any of our activities and may include (but not be limited to):
- 3.3.1 The quality of customer service you have received from F.B & Sons, Lawns and Landscapes Limited.
- 3.3.2 The behaviour and/or professional competence of our employees its agents or subcontractors.
- 3.3.3 Delays, defects or other problems associated with the sale of goods by F.B & Sons, Lawns and Landscapes Limited.
- 3.3.4 Delays, defects, poor workmanship or other problems associated with the provision of services by F.B & Sons, Lawns and Landscapes Limited.
- 3.4 The following are not considered to be Complaints and should therefore be directed to the appropriate person **OR** department:
- 3.4.1 General questions about our goods **AND/OR** services.
- 3.4.2 Returns of damaged, faulty, incorrect or unwanted goods for exchange or refund in accordance with our Standard terms and conditions where there is no further complaint.

- 3.4.3 Matters concerning contractual or other legal disputes.
- 3.4.4 Formal requests for the disclosure of information, for example, under applicable legislation.

#### 4. **Making a Complaint**

- 4.1 All Complaints, whether they concern our goods **AND/OR** services, our customer service, or our employee's, agents **or** subcontractors, should be made in one of the following ways:
  - 4.1.1 In writing, addressed to Complaints team, 73a New Road, Rubery, Birmingham, B45 9JT.
  - 4.1.2 By email, addressed to Complaints Team, Subject should state "COMPLAINT" at support@fbslandscapes.co.uk.
  - 4.1.3 Using our Online Complaints Form at <https://www.fbslandscapes.co.uk/complaintspolicy>.
- 4.2 When making a Complaint, you will be required to provide the following information in as much detail as is reasonably possible:
  - 4.2.1 Your name, address, telephone number and email address (We will contact you using your preferred contact method as your Complaint is handled).
  - 4.2.2 If you are making a Complaint on behalf of someone else, that person's name and contact details as well as your own.
  - 4.2.3 If you are making a Complaint about a particular transaction, the invoice reference should be provided.
  - 4.2.4 If you are making a Complaint about a particular employee, agent or subcontractor of ours, the name and, where appropriate, position of that employee, agent or subcontractor
  - 4.2.5 Further details of your Complaint including, as appropriate, all times, dates, events, and people involved.
  - 4.2.6 Details of any documents or other evidence you wish to rely on in support of your Complaint;
  - 4.2.7 Details of what you would like F.B & Sons, Lawns and Landscapes Limited 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.)

#### 5. **How We Handle Your Complaint**

- 5.1 F.B & Sons, Lawns and Landscapes Limited operates 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. If you are still not satisfied at the end of Level Two, Complaints may progress to External Resolution as detailed below.
- 5.2 Level One:
  - 5.2.1 Upon receipt of your Complaint, the complaint handler will log the Complaint in our complaint register and will acknowledge receipt of it in writing within 10 business days, giving you a Complaint Reference.
  - 5.2.2 When we acknowledge receipt of your Complaint, we will also provide details of your Complaint Handler. This may be the person to whom your original Complaint was directed (as above) or your Complaint may be assigned to another appropriate member of our team.

- 5.2.3 If your Complaint relates to a specific employee, agent or subcontractor, that person will be informed of your Complaint and given a fair and reasonable opportunity to respond. Any communication between you and the employee, agent or subcontractor in question should take place only via the Complaint Handler and we respectfully ask that you do not contact the employee, agent or subcontractor in question directly concerning the Complaint while we are working to resolve it.
- 5.2.4 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.
- 5.2.5 We aim to resolve Level One Complaints within 33 business 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.
- 5.2.6 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.
- 5.3 Level Two:
- 5.3.1 If you are not satisfied with the resolution of your complaint at Level One, you may appeal the decision within 28 business days, and have the complaint escalated to Level Two. Appeals are handled by senior management level members of our team.
- 5.3.2 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 5 business days. When we acknowledge receipt of your Appeal, we will also provide details of your Appeal Handler.
- 5.3.3 If your Complaint relates to a specific employee, agent or subcontractor, that person will be informed of your Appeal and given a further opportunity to respond. Any communication between you and the employee, agent or subcontractor in question should take place only via the Appeal Handler and we respectfully ask that you do not contact the employee, agent or subcontractor in question directly concerning the Complaint while we are working to resolve it.
- 5.3.4 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.
- 5.3.5 We aim to resolve Level Two Complaints within 33 business 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.
- 5.3.6 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, subject to your right to seek External Resolution of your Complaint.
- 5.3.7 The Dispute Resolution Ombudsman offer a free alternative dispute resolution service (ADR) you as a customers have the right to seek External Resolution of Complaints from

that organisation if you are not satisfied with the outcome resulting from level two of this Complaints Handling Procedure.

5.4 External Resolution:

5.4.1 If you are not satisfied with the resolution of your Complaint at Level Two you may seek External Resolution of your Complaint from Dispute Resolution Ombudsman

For details of complaint and conflict resolution mechanisms available from Dispute Resolution Ombudsman please contact them via their website at <https://www.disputeresolutionombudsman.org/>

6. **Confidentiality and Data Protection**

6.1 All Complaints and information relating thereto are treated with the utmost confidence. Such information will only be shared with those employees, agents or subcontractors of F.B & Sons, Lawns and Landscapes Limited who need to know in order to handle your Complaint.

6.2 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 emailing [dpo@fbslandscapes.co.uk](mailto:dpo@fbslandscapes.co.uk)

6.3 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 UK data protection law (including but not limited to the UK GDPR, the Data Protection Act 2018, and the Privacy and Electronic Communications Regulations 2003) and your rights thereunder, as set out in our Privacy Policy available from <https://www.fbslandscapes.co.uk/terms-of-use>.

7. **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 us by email at [support@fbslandscapes.co.uk](mailto:support@fbslandscapes.co.uk)

8. **Policy Responsibility and Review**

8.1 Overall responsibility for this Complaints Policy within F.B & Sons, Lawns and Landscapes Limited and the implementation thereof lies with Darryl Harbourne-Bessant, Director.

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

8.3 This Complaints Policy was adopted on 25/09/2024..

8.4 This Complaints Policy was last reviewed on 25/09/2024..



## 10. **What this Complaints Handling Procedure Covers**

- 10.1 This Complaints Handling Procedure applies to Complaints pertaining to the sale of goods **AND/OR** the provision of services by F.B & Sons, Lawns and Landscapes Limited, to our customer service and to our employees, its agents or subcontractors.
- 10.2 For the purposes of this Complaints Handling Procedure, any reference to F.B & Sons, Lawns and Landscapes Limited also includes our employees, its agents or subcontractors.
- 10.3 Complaints may relate to any of our activities and may include (but not be limited to):
  - 10.3.1 The quality of our customer service;
  - 10.3.2 The behaviour and/or professional competence of our employees, its agents or subcontractors.
  - 10.3.3 Delays, defects or other problems associated with the sale of goods;
  - 10.3.4 Delays, defects, poor workmanship or other problems associated with the provision of services;
- 10.4 The following do not constitute Complaints. Customers raising such questions or matters should be directed to the appropriate person **OR** department:
  - 10.4.1 General questions about our goods **AND/OR** services.
  - 10.4.2 Returns of damaged, faulty, incorrect or unwanted goods for exchange or refund in accordance with our Standard terms and conditions where there is no further complaint];
  - 10.4.3 Matters concerning contractual or other legal disputes.
  - 10.4.4 Formal requests for the disclosure of information including, but not limited to, those made under the applicable legislation.

## 11. **Receipt and Recording of Complaints**

- 11.1 Customers may make Complaints to F.B & Sons, Lawns and Landscapes Limited using any of the following methods:
  - 11.1.1 In writing, addressed to Complaints team, 73a New Road, Rubery, Birmingham, B45 9JT;
  - 11.1.2 By email, addressed to Complaints Team, Subject should state "COMPLAINT" at support@fbslandscapes.co.uk;
  - 11.1.3 Using our Online Complaints Form at <https://www.fbslandscapes.co.uk/complaintspolicy> ;



- 11.2 Upon receipt of Complaints, the following steps should be taken within 5 Business Days:
  - 11.2.1 If a written Complaint is received by post, a complaint handler must log the complaint in the complaint register and assign a complaint reference
  - 11.2.2 If a written Complaint is received by email, a complaint handler must log the complaint in the complaint register and assign a complaint reference
  - 11.2.3 If a Complaints Form is received, a complaint handler must log the complaint in the complaint register and assign a complaint reference
- 11.3 All Complaints must be given a Complaint Reference and forwarded to an appropriate Complaint Handler, selected in accordance with Section 6.1 within 10 Business Days.
- 11.4 All Complaints must be acknowledged in writing within 10 business days of receipt. The acknowledgement should inform the Customer of their Complaint Reference, their assigned Complaint Handler and should include copies of F.B & Sons, Lawns and Landscapes Limited's Customer Complaint Policy and this Complaints Handling Procedure.

## 12. **Complaint Information**

- 12.1 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:
  - 12.1.1 The Customer's name, address, telephone number and email address, indicating any preferred method of communication;
  - 12.1.2 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;
  - 12.1.3 If the Complaint relates to a particular transaction, the invoice reference should be provided.
  - 12.1.4 If the Complaint relates to a particular employee, agent or subcontractor, the name and, where appropriate, position of that employee, agent or subcontractor;
  - 12.1.5 Further details of the Complaint including, as appropriate, all times, dates, events, and people involved;
  - 12.1.6 Details of any documents or other evidence on which the Customer wishes to rely in support of the Complaint;
  - 12.1.7 Details of how the Customer would like F.B & Sons, Lawns and Landscapes Limited 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.
- 12.2 If the information detailed in Section 4.1 is missing, insufficiently detailed, or incomplete, the Complaint Handler should contact the Customer within 7 Business Days of being assigned to the Complaint to request further information.

## 13. **Complaint Levels**

- 13.1 F.B & Sons, Lawns and Landscapes Limited operates 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.
- 13.2 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.
- 13.3 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 Dispute Resolution Ombudsman for External Resolution as detailed in Section 9 below.

## 14. Level One Complaints

14.1 The following staff members are qualified and eligible Complaint Handlers for Level One Complaints:

14.1.1 Complaints pertaining to customer service may be referred to:

- a) Darryl Harbourne-Bessant, Director, [Darryl.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Darryl.Harbourne-Bessant@fbslandscapes.co.uk).
- b) Marc Harbourne-Bessant, Director, [Marc.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Marc.Harbourne-Bessant@fbslandscapes.co.uk).
- c) Lisa Taylor, Admin, [Lisa.taylor@fbslandscapes.co.uk](mailto:Lisa.taylor@fbslandscapes.co.uk).

14.1.2 Complaints pertaining to the behaviour and/or professional competence of our employees, agents or subcontractors may be referred to:

- a) Darryl Harbourne-Bessant, Director, [Darryl.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Darryl.Harbourne-Bessant@fbslandscapes.co.uk).
- b) Marc Harbourne-Bessant, Director, [Marc.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Marc.Harbourne-Bessant@fbslandscapes.co.uk).

14.1.3 Complaints pertaining to goods and services may be referred to:

- a) Darryl Harbourne-Bessant, Director, [Darryl.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Darryl.Harbourne-Bessant@fbslandscapes.co.uk).
- b) Marc Harbourne-Bessant, Director, [Marc.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Marc.Harbourne-Bessant@fbslandscapes.co.uk).
- c) Lisa Taylor, Admin, [Lisa.taylor@fbslandscapes.co.uk](mailto:Lisa.taylor@fbslandscapes.co.uk).

Upon receipt of a Complaint, the Complaint Handler shall consider the Complaint and make a decision within 14 Business Days whether to:

14.1.4 Investigate the Complaint fully if it is considered to be valid, in which case the procedure should resume from Section 6.3; or

14.1.5 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 7 Business Days.

14.2 Subject to delays arising from circumstances beyond his/her reasonable control (including, but not limited to, delays in other persons responding to communications), the Complaint Handler shall have a period of 28 Business Days in which to fully investigate the Complaint and to decide upon appropriate Resolution Action(s).

14.3 If the Complaint relates to (a) particular employee(s), agent(s) or subcontractor(s) (a "Complaine" or "Complainees"), the Complaint Handler shall inform the Complaine(s) in question of the Complaint and arrange meetings **AND/OR** telephone calls as required to discuss the Complaint. In such cases, the Complaine(s) should not, under any circumstances, contact the Customer directly regarding the Complaint. If the Customer contacts the Complaine(s) directly regarding the Complaint (which they are requested not to do in our Complaints Policy), the Complaine(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.

14.4 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.

14.5 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.

- 14.6 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.
- 14.7 Subject to the exceptions in Section 6.7.1, During the investigation of the Complaint, the Complaint Handler shall have access to all records, information, employees, agents or subcontractors that may be necessary to enable him/her to carry out an impartial and thorough investigation.
  - 14.7.1 Access to the following records and/or information is restricted and shall require the authorisation of a Director
    - a) CRB or DBS checks.
    - b) Driving license checks.
    - c) Other sensitive information held on file.
- 14.8 Following his/her examination of the Complaint, the Complaint Handler shall 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.
- 14.9 Upon reaching a decision, the Complaint Handler shall send an Investigation Report and Recommendation for review and authorisation by Darryl Harbourne-Bessant who shall be required to respond within 5 Business Days.
- 14.10 In the event that Darryl Harbourne-Bessant does not agree with the Complaint Handler's decision and/or Recommendation under Section 6.10 he/she must give reasons for such disagreement and the Complaint Handler shall have a further 7 Business Days to revise his/her decision and/or Recommendation and resubmit it to Darryl Harbourne-Bessant for review and authorisation. If, following resubmission, Darryl Harbourne-Bessant still does not agree with the decision and/or Recommendation, Darryl Harbourne-Bessant's preferred decision and/or Recommendation shall be final
- 14.11 Upon reaching a decision under Section 6.9 **OR** upon receiving approval or a final decision under Section 6.10 or 6.11, as applicable, 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. 3 copies of the Investigation Report and Decision Letter should be distributed to staff and management and a further copy filed.
- 14.12 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 Customers preferred communication method. The Customer should be informed of the length or likely length of the delay and the reasons therefor.
- 14.13 The Customer shall have a time limit of 28 Business Days within which to make an Appeal if he/she wishes to escalate the Complaint to Level Two.
- 14.14 Upon receipt of an Appeal, the following steps should be taken within 3 Business Days by the Complaint Handler:
  - 14.14.1 If a written Appeal is received by post, an appeal handler must log the complaint in the Appeal register and assign an appeal reference
  - 14.14.2 If a written Appeal is received by email, the Complaint Handler must an appeal handler must log the complaint in the Appeal register and assign an appeal reference
- 14.15 All Appeals must be forwarded to an appropriate Appeal Handler, selected in accordance with Section 7.1 within 5 Business Days.
- 14.16 All Appeals must be acknowledged in writing within 5 of receipt by Darryl Harbourne-Bessant The acknowledgement should inform the Customer of their assigned Appeal Handler.

## 15. Level Two Complaints

- 15.1 The following staff members are qualified and eligible Appeal Handlers for Level Two Complaints:
- a) Darryl Harbourne-Bessant, Director, Darryl.Harbourne-Bessant@fbslandscapes.co.uk.
  - b) Marc Harbourne-Bessant, Director, Marc.Harbourne-Bessant@fbslandscapes.co.uk
- 15.2 Upon receipt of an Appeal, the Appeal Handler shall consider the Appeal and make a decision within 5 Business Days whether to:
- 15.2.1 Investigate the Complaint fully if it is considered to be valid, in which case the procedure should resume from Section 7.3; or
  - 15.2.2 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 5 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.
- 15.3 Subject to delays arising from circumstances beyond his/her reasonable control (including, but not limited to, delays in other persons responding to communications), the Appeal Handler shall have a period of 28 Business Days in which to fully investigate the Complaint and to decide upon appropriate Resolution Action(s).
- 15.4 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 5.3.3 of our Complaints Policy. Any such contact should be reported to the Appeal Handler.
- 15.5 If the Appeal Handler requires additional information or evidence in support of the Complaint, the Appeal 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 5.3.4 of our Complaints Policy.
- 15.6 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.
- 15.7 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.
- 15.8 During the investigation of the Complaint, the Appeal Handler shall have access to all records, information, employees, agents or subcontractors that may be necessary to enable him/her to carry out an impartial and thorough investigation.
- 15.9 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 are set out in Section 8.
- 15.10 Upon reaching a decision under Section 7.9 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. 2 copies of the Investigation Report and Decision Letter should be stored on file

- 15.11 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.

## 16. 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:

- 16.1 Appointment of staff to rectify issues.
- 16.2 Appointment of third party to rectify issues.
- 16.3 Referral of insurance to rectify issues.
- 16.4 Replacement of faulty goods
- 16.5 Refund in full or part.
- 16.6 Offer of reimbursement for losses and expenses
- 16.7 Offer of goodwill payment
- 16.8 Referral of staff, agents or subcontractors to HR for disciplinary action
- 16.9 Referral of staff, agents or subcontractors to local police or other law enforcement
- 16.10 Any other such action that the External Resolution service see fit, subject to Director approval..
- 16.11 Any other such action that the Directors see fit.

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## 17. External Resolution

- 17.1 The Dispute Resolution Ombudsman offer a free alternative dispute resolution service (ADR) Customers have the right to seek External Resolution of Complaints from that organisation if they are not satisfied with the outcome resulting from this Complaints Handling Procedure. You can contact the free of charge at <https://www.disputeresolutionombudsman.org/>
- 17.2 Dispute Resolution Ombudsman handles all such referrals in accordance with their own relevant policies. The appropriate representative(s) of Dispute Resolution Ombudsman may require contact with employee's, agents or subcontractors of F.B & Sons, Lawns and Landscapes Limited and may require access to documents and information pertaining to a Complaint in the event that a Customer refers their Complaint for External Resolution. Any and all such interactions between Dispute Resolution Ombudsman and F.B & Sons, Lawns and Landscapes Limited shall take place via:
  - d) Darryl Harbourne-Bessant, Director, Darryl.Harbourne-Bessant@fbslandscapes.co.uk.
  - e) Marc Harbourne-Bessant, Director, Marc.Harbourne-Bessant@fbslandscapes.co.uk.
- 17.3 Any and all requests made by Dispute Resolution Ombudsman for evidence or information, whether written or oral, shall be answered without undue delay, subject to the approval and authorisation of Directors, who shall ensure that said request is reasonable and pertinent given the nature of the Complaint.

## 18. 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:

- 18.1 Resolution Actions pertaining to customer service shall be the responsibility of:
  - a) Darryl Harbourne-Bessant, Director, [Darryl.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Darryl.Harbourne-Bessant@fbslandscapes.co.uk).
  - b) Marc Harbourne-Bessant, Director, [Marc.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Marc.Harbourne-Bessant@fbslandscapes.co.uk).
  - c) Lisa Taylor, Admin, [Lisa.taylor@fbslandscapes.co.uk](mailto:Lisa.taylor@fbslandscapes.co.uk).
  
- 18.2 Resolution Actions pertaining to the behaviour and/or professional competence of our employees, agents or subcontractors shall be the responsibility of:
  - a) Darryl Harbourne-Bessant, Director, [Darryl.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Darryl.Harbourne-Bessant@fbslandscapes.co.uk).
  - b) Marc Harbourne-Bessant, Director, [Marc.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Marc.Harbourne-Bessant@fbslandscapes.co.uk).
  
- 18.3 Resolution Actions pertaining to goods or services shall be the responsibility of:
  - a) Darryl Harbourne-Bessant, Director, [Darryl.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Darryl.Harbourne-Bessant@fbslandscapes.co.uk).
  - b) Marc Harbourne-Bessant, Director, [Marc.Harbourne-Bessant@fbslandscapes.co.uk](mailto:Marc.Harbourne-Bessant@fbslandscapes.co.uk).
  - c) Lisa Taylor, Admin, [Lisa.taylor@fbslandscapes.co.uk](mailto:Lisa.taylor@fbslandscapes.co.uk).

## 19. Recording of Resolution Actions

- 19.1 Upon the conclusion of a Complaint and the implementation of the applicable Resolution Action(s), Darryl Harbourne-Bessant shall record digitally on our servers the details, including the time, date and outcome of any resolution actions in the resolution register against the complaint and appeal numbers.

## 20. Confidentiality and Data Protection

- 20.1 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, agents or subcontractors of F.B & Sons, Lawns and Landscapes Limited only to the extent required to resolve the Complaint in question in accordance with this Complaints Handling Procedure.
- 20.2 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, agents or subcontractors of F.B & Sons, Lawns and Landscapes Limited 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.
- 20.3 All personal information collected by F.B & Sons, Lawns and Landscapes Limited (including, but not limited to, Customers' names and contact details) shall only be collected, used and held in accordance with the provisions of UK data protection law (including but not limited to the UK

GDPR, the Data Protection Act 2018, and the Privacy and Electronic Communications Regulations 2003) and Customers' rights thereunder, as set out in our Privacy Policy available from <https://www.fbslandscapes.co.uk/terms-of-use>.

21. **Procedure Review and Responsibility**

- 21.1 Overall responsibility for this Complaints Handling Procedure and the implementation thereof lies with Darryl Harbourne-Bessant, Director.
- 21.2 This Complaints Handling Procedure shall be reviewed regularly at intervals of not more than 12 Months and shall be updated as required.
- 21.3 This Complaints Handling Procedure was adopted on 25/9/2024.
- 21.4 This Complaints Handling Procedure was last reviewed on 25/09/2024.