

## Customer Complaints Code

### Introduction

Blue Sky Digital LTD is authorised and regulated by the Financial Conduct Authority (“FCA”) in the United Kingdom. We are required to have in place effective and transparent procedures for the reasonable and prompt handling of complaints received from complainants.

This page sets out the complaints handling procedures that we will follow in the event that you, as an investor, make a complaint.

### What is a complaint?

We will apply this policy to you if you are either a retail client or an eligible complainant.

An eligible complainant is defined as a:

- Private individual;
- “Micro-enterprise” – a business that has fewer than 10 employees and a turnover/annual balance sheet not exceeding 2m euros;
- a charity which has an annual income of less than £6.5 million;
- a trustee of a trust which has a net asset value of less than £5 million;
- a “small business” – an enterprise other than a micro-enterprise which has an annual turnover of less than £6.5 million with fewer than 50 employees or a balance sheet total of less than £5 million; or
- a “guarantor” – an individual who is not a consumer and has given a guarantee or security in relation to an obligation or liability of a person which was a micro-enterprise or small business at the date the guarantee or security was given at the time that you refer the complaint to us.

A guarantor is an eligible complainant only to the extent that their complaint arises from matters relevant to the relationship with Blue Sky Digital

Blue Sky Digital, however, undertakes both regulated and unregulated business. Only customers with whom we undertake regulated business and who fall within the definition above will be eligible complainants. In practice, this means that you must fall within both the definition above and be a consumer.

A consumer is:

- a natural person; or
- a partnership consisting of two or three persons not all of whom are companies (this doesn’t include a limited liability partnership); or
- an unincorporated body of persons which is not made up entirely of companies and is not a partnership.

If you are not an eligible complainant you will not be able to refer your complaint to the Financial Ombudsman Service (“FOS”) if you are not satisfied with the way we have handled your complaint.

## **How can you make a complaint?**

You can make a complaint by any reasonable means – for example, letter, fax, email, telephone or in person. It is free of charge to complain.

## **What will we do once we receive your complaint?**

Your complaint will be referred to our Complaints Officer, Steve Jordan, as soon as possible. In the event that the Complaints Officer is involved in the subject matter of the complaint, your complaint will be referred to another director of Blue Sky Digital

We will promptly acknowledge your complaint in writing. In this acknowledgement we will provide the name and title of the person that is handling your complaint. We have given this individual the authority necessary to investigate and settle the complaint. We will also include a copy of this policy.

## **Investigating and resolving your complaint**

We will investigate your complaint fairly, consistently and promptly, determine whether the complaint should be upheld, and (if appropriate) determine remedial action and / or redress. We will set out our conclusions in a final response to you.

If we decide that redress is appropriate we will aim to provide you with fair compensation for any acts or omissions for which we are responsible. If you accept our offer we will promptly provide the compensation to you.

Where we have reasonable grounds to be satisfied that another party may be solely or jointly responsible for the alleged matter of a complaint, we may forward your complaint or relevant part of it, in writing to the other relevant party.

In these circumstances, we will:

- forward the complaint to the other party promptly;
- inform you promptly as to why we have forwarded the complaint to another party and include contact details of that party; and
- comply with the relevant FCA complaints handling rules in relation to the part of the complaint that has not been forwarded, where we are jointly responsible.

## **Our timetable for responding to you**

Once we have acknowledged your complaint we will keep you informed of our progress. Within eight weeks of us receiving your complaint, we will send you either a final response or a written response that explains why we are not in a position to make a final response to you and when we might be expected to provide one.

If you are an eligible complainant, our response will also:

- Inform you that you may refer the complaint to the FOS; and
- Enclose a copy of the FOS standard explanatory leaflet.

## **Financial Ombudsman Service**

If you are an eligible complainant, you are able to refer a complaint to the FOS if you are not satisfied with the outcome of your complaint. Your rights are set out in the FOS's leaflet Your Complaint and the Ombudsman, which we will provide to you as part of the complaints process. Please remember that if you wish to refer a complaint to the FOS, you must do so within 6 months of us sending you our Final Response.

We will fully cooperate with the FOS and will promptly comply with any settlements or awards made by it.

### **Closing complaints**

We will regard your complaint as closed in the following circumstances:

- Once we have sent you a final response; or
- Where you have told us in writing that you accept an earlier response that we have sent to you; or
- If you refer your complaint to the FOS, when the FOS informs us that the complaint has been closed.

### **Questions**

If you have any questions about our complaints process, you can contact our Complaints Officer, Steve Jordan, in one of the following ways:

Post: Innovation Centre 2, Ely Valley Business Park, Pontyclun, CF72 9DZ

Phone: 029 2022 2245