



Ministry
of Justice

Claims Management Regulation Unit

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www.gov.uk/moj/cmr

The Director
Complaints SOS Limited
10 High Street
Holywood
County Down
BT18 9AZ

Date: 21 September 2018

Dear Mr Bryans

Claims Management Regulation – Request for further information

Further to your application for authorisation under the Compensation Act 2006 please supply the following information:

- 1) Within previous correspondence, you stated an intention to hold a client account but were unable to secure banking facilities at that time. Wording contained within the supplied client documentation refers to “*in the event that the compensation amount is made payable to the Client....*” which implies that this may not always necessarily be the case, please clarify your position regarding this
- 2) I am unable to add SIPP-SOS.co.uk as a trading name until I am able to verify that it is in use as a trading name rather than simply a web URL. Please let me know as and when the business begins to use this trading style and let me have sight of relevant website content and/or marketing material in which this trading name is used
- 3) As per your response of 20 September 2018, please arrange to submit draft copies of all relevant paperwork, draft web and social media pages for all sectors as submitted on the application form:-
 - a) PPI
 - b) Investments
 - c) Mortgages

Please note that draft copies of websites should include all relevant headers and footers containing appropriate regulatory company information as required

4) As per The Conduct of Authorised Persons Rules 2018, Client Specific Rules, 11:-

e) Any charge the business makes. Where this is a percentage of compensation payable, the percentage must be indicated together with a typical example of the actual cost in pounds, or more than one example if the business makes differential charges.

Please arrange to add examples to your paperwork and provide revised documents

5) Documentation supplied refers to VAT; records indicate that you are not currently registered for VAT, please clarify and provide revised documents

6) No Win No Fee

Your website states that you operate on a 'no win, no fee' basis. Client Specific Rule 7 requires the use of this expression to be in accordance with the CAP HelpNote on "No Win No Fee claims". Therefore you must only make this statement without qualification if consumers will not incur any costs in using the services of your business. This includes instances where consumers cancel an agreement outside of the 'cooling off' period, and they are charged a fee that is reasonable in the circumstances, reflecting the work undertaken by the business, in accordance with Client Specific Rule 16. I refer you to the Committee of Advertising Practice's guidance notes for assistance. Please see the link below:-

<http://www.cap.org.uk/Advice-Training-on-the-rules/Help-Notes/No-win-no-fee-claims.aspx>

Please ensure that all your 'no win, no fee' statements are qualified in accordance with the guidance

7) Within the Letter of Authority 1 document supplied, please clarify the meaning of the wording "...*pension scheme operators as well as ceding schemes in relation to my complaint*"

8) Wording within the client documentation has not been suitably amended to reflect the fact that a client should make contact prior to signing any contract if they are not able to read or understand any element of the paperwork. Please arrange to amend this and provide a revised version

9) As per The Conduct of Authorised Persons Rules 2018, Client Specific Rule 18:-

A business, unless subject to regulation 8 of the Damages-Based Agreements Regulations 2013, must permit the client to withdraw from a contract at any time. Any charge to the client must be limited to what is reasonable and must reflect work undertaken by the business. If a contract relating to a financial products and services claim is cancelled, by either the client or business, no fees may be charged unless regulated claims management services (excluding advertising for, or otherwise seeking out) have been provided to the client

Please arrange to incorporate comprehensive details of all charges to be levied within the client paperwork and provide revised copies

10) As per The Conduct of Authorised Persons Rules 2018, Client Specific Rule 19:-

If a contract relating to a financial products and services claim is cancelled the business must provide an itemised bill for any cancellation fees that sets out the charges to the client before obtaining payment details and before any payment can be taken. The itemised bill must evidence the regulated claims management services provided and how the fees have been calculated.

Please arrange a draft copy of the Itemised invoice intended for use

11) The supplied Vulnerable Persons Policy contains a non-compliant regulatory statement and company name; please revise and provide a draft copy

12) The training material provided contains comprehensive plans regarding the intention for training, however, there is a requirement to demonstrate how and what specific claims management training will be given. This should include how this is to be demonstrated, monitored and complied with. Also, who will be responsible for this and how often observations will take place. It is noted that the current model provided does not reference The Conduct of Authorised Persons Rules 2018, complaint handling or vulnerable persons at all. Please revise and provide new training materials

13) Materials supplied refer to “*our Claims Management team will be able to manage inbound enquiries 24/7 through multiple channels of communication including email, web form, telephone and social media messaging services....*”

Social media has not been selected as an option for marketing within your application at section 8.9; please clarify and provide draft copies of all intended content in this channel is to be utilised

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Please respond to this email as soon as possible, but by no later than 28 September 2018 in order that we can continue processing your application.

May I remind you that it is a criminal offence to provide a regulated claims management service unless you have the authorisation to do so or you are exempt from the requirement to be authorised. Advertising regulated claims management services, including electronic advertising such as e-mails and websites is itself a regulated activity. As such please ensure that any websites that you operate are not made live until you have been authorised.

If you have any questions or would like further assistance I can be contacted on 0333 200 1321.

Yours sincerely

Donna M Critchley
Claims Management Officer
Claims Management Regulation Unit