

## **COMPLAINTS PROCEDURE**

### **PURPOSE AND SCOPE**

The purpose of this Procedure is to set out internal rules on the management of customer complaints to ensure that they are handed fairly and effectively, in a prompt and transparent manner and in accordance with applicable regulatory requirements (including, but not limited to, Article 26 of the MiFID Delegated Regulation on the organizational requirements for an investment firm<sup>1</sup>). In accordance with those requirements, this Procedure shall be published on the TriOptima website.

Great importance is placed on customer satisfaction and this Procedure provides an opportunity to investigate and improve services for all customers.

This Procedure applies to TriOptima AB.

### **COMPLAINTS MANAGEMENT**

The Compliance function is responsible for maintaining the complaints management process on behalf of TriOptima.

In accordance with this, the Compliance function has established and implemented a transparent complaints management procedure for the prompt and effective handling of complaints.

Communications with customers about complaints shall be made in a clear manner, in plain language that is easy to understand and shall ensure the complaint is replied to without undue delay.

### **DEFINITION OF A COMPLAINT**

A complaint is defined as:

*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 or a redress determination which alleges that the complainant has suffered (or may suffer) financial loss or material inconvenience.*

For a matter to be treated as a complaint, the dissatisfaction should relate to a specific aspect of the service being provided which would not include:

---

<sup>1</sup> COMMISSION DELEGATED REGULATION (EU) 2017/565 of 25 April 2016 supplementing Directive 2014/65/EU of the European Parliament and of the Council as regards organisational requirements and operating conditions for investment firms and defined terms for the purposes of that Directive

- A desire from the customer to see additional or supplementary features (e.g. service developments that are outside the scope of the existing agreement for services);
- Circumstances that are entirely out of the control of TriOptima e.g. relating to the acts (or failures to act) of one or more customers using the service in question.
- Challenges on the basis of existing and agreed fee structures.
- Dissatisfaction with general policies or with the exercise of discretion where no unprofessional or other misconduct, mistake, lack of care, unreasonable delay, bias or lack of integrity is alleged.
- Claims where the complainant is clearly not acting in good faith.

## COMPLAINTS PROCEDURE

All complaints shall be treated fairly and as promptly as possible.

### Initial Handling

The person receiving the complaint may attempt to resolve the issue to the satisfaction of the customer. If this is successful, then the details of the resolved complaint shall be sent to [Ostra.Compliance@cmegroup.com](mailto:Ostra.Compliance@cmegroup.com) for record keeping and reporting purposes.

If, however the dissatisfaction persists after initial efforts to resolve the matter, the complaint shall be passed to Compliance for further handling.

The person receiving the complaint should also make clear that customers may also direct their complaint, at any time, directly to the Compliance function at [Ostra.Compliance@cmegroup.com](mailto:Ostra.Compliance@cmegroup.com).

### Handling by Compliance

#### (a) Acknowledgment of receipt

Compliance will promptly acknowledge the receipt of the complaint by way of a written confirmation to the customer, indicating that the complaint is being investigated independently, and that a response will be provided in due course including findings and any corrective action. Compliance will also notify the senior manager of the relevant business line detailing the circumstances of the complaint.

#### (b) Investigation

The investigation of the complaint shall be led by Compliance. Any required information or explanation will be sought from relevant business or support functions, or directly from the

customer if necessary.

The investigation shall determine whether the complaint is upheld, and if so, what corrective actions may be appropriate in response to the issue.

Compliance shall conclude the investigation as quickly as possible and will ensure the complainant is kept informed of the progress of the measures being taken for the complaint's resolution.

#### (c) Response

The conclusions of the investigation shall be communicated promptly, and in clear language, to the customer. In the event that a complaint is partially or fully rejected, reasons shall be given with a reasonable level of detail.

In the event that the complainant is dissatisfied with the outcome, Compliance will inform the client about their options, including potential referral to an alternative dispute resolution body where appropriate. A list of such bodies is available via the link below:

<https://ec.europa.eu/consumers/odr/main/?event=main.adr.show2>.

#### (d) Reporting

Compliance shall report on a regular basis (and at least quarterly) to the Board or CEO of TriOptima concerning any complaints made in respect of its services.

Such reporting shall include an analysis of the root causes of any complaints and any measures deemed appropriate to remedy such root causes

## RECORD KEEPING

Compliance shall maintain a record of all complaints received and managed under this Procedure, including:

- The legal entity and service that is the subject of the complaint
- The customer who made the complaint (incl. name and any account number)
- The date on which the complaint was received
- The circumstances of the complaint
- The outcome and conclusions of the investigation
- The date on which a final response was given

- Any remedial actions taken as a result of the complaint
- Copies of any correspondence received from or sent to the customer in connection with the complaint

## **OVERSIGHT AND REVIEW OF PROCEDURE**

TriOptima will periodically audit and monitor compliance with this Procedure as necessary and appropriate. This Procedure is subject to review as needed but at least on an annual basis.