

# Complaints Policy

This document was last updated on 26<sup>th</sup> June 2019. The OrbyPay website is operated by Digital Capital Ltd.

This policy may be made available in a number of different languages; all versions are legally binding but in the event of any inconsistency between the English Language version and a translated version, the English Language version will prevail.

We reserve the right to amend this Policy at any time. When changes are made we will let you know on our website. You may check the OrbyPay website at any time for the most current version of this Policy. By continuing to use the service you consent to any such changes.

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### 1. Introduction

The OrbyPay.com website is provided by Digital Capital Ltd (“Digital”, “us”, “our” or “we”) a UK based Electronic Money Institution authorised (reference number 900710) by the UK’s Financial Conduct Authority (FCA).

We are committed to providing you with a high standard of service every time you use the site. Unfortunately, occasionally we may not always live up to your expectations. When this happens, we’d like to hear from you so that we can rectify the problem and continually improve the service we offer you. This document explains how you can ask a question or raise a complaint against any aspect of our service.

Your first point of contact should be with our Customer Support Team who will work with you to answer your question or try to resolve your complaint immediately.

We take your comments seriously. They allow us to improve our service to you and help us to improve our products and services for all our customers. If you think that we could have served you better, then please let us know.

### 2. Contact us with any questions you have

If you have any questions about the service, you can first try to answer them using the Help and FAQ section of our website [orbypay.com/help/](http://orbypay.com/help/).

If this does not answer your question, then please contact our Customer Support team, whose office hours are 09:00 to 17:30 GMT Monday to Friday. The easiest way to contact the team may be by email: [support@orbypay.com](mailto:support@orbypay.com)

If your query is urgent then you may contact us on the following phone number: +44 (0)203 290 4224.

### 3. Making a complaint

Hopefully the Customer Support team will be able to resolve any problems that you have, if they are

unable to help you or you are not satisfied with the help offered then you can make a complaint. There are a few ways you can do this.

You can let the customer services agent that you're talking to know that you want to complain. They will direct you to an online complaints form for you to complete. Once you've done this the complaints team will contact you directly.

You can email the complaints team directly at [complaints@orbypay.com](mailto:complaints@orbypay.com) – please make sure that you provide all the information described at section 4 in this form in your email. If you do not this could cause delays in the complaints process.

You can phone us on +44 (0)203 290 4224 between 09:00 and 17:30 GMT – please make sure that you have all the required information to hand.

If you prefer to write to us – you can do so at:

OrbyPay Complaints Team  
c/o Digital Capital Ltd  
26 – 28 Hammersmith Grove  
London  
W6 7BA

#### **4. Information you need to give us**

We will work with you to resolve any complaint you may have. In order to do so we need to understand exactly what the problem is. The more information you can give us the better we can help you. For each complaint you wish to make, you will need to provide the following information:

- Your name, address and account number,
- A clear description of your concern or complaint, including e.g. details of any transactions involved,
- Tell us what you would like us to do to put it right,
- Copies of any relevant documents (for example emails sent by or to you),
- An email address and a daytime telephone number where we can contact you.

If you use the online complaints form, you will be prompted to provide all of the information we need to resolve your complaint.

#### **5. What we will do**

We'll try to resolve your complaint immediately. If we can't we will do the following;

Send an email acknowledgement that your complaint has been received and passed on to the Complaints team, who will;

- Acknowledge your complaint by email within 2 business days,
- If further information is needed the team will request it from you and explain why it is needed,
- Let you know who will handle your complaint, and how you can contact them.

The complaints team will:

- Investigate your complaint impartially,
- Assess; the subject matter of the complaint, whether the complaint should be upheld, and
- What remedial action or redress (or both) may be appropriate.

Depending on the outcome of the investigation, we will:

- Explain to you in a clear way our assessment of the complaint and our decision as to what action we will take,

- Offer redress or remedial action if we decide this is appropriate.

## **6. Timescales**

For complaints involving ‘rights and obligations’ (anything associated with the terms and conditions that you acknowledged when opening your account) we will provide you with a full written response (a “final response”) to your complaint within 15 business days of receiving it. This will include details of actions that we are proposing to take or have taken.

In exceptional circumstances it may take longer to provide a final response. If this is the case, we will update you within 15 days on our progress as we continue to investigate your complaint. We will explain why there’s been a delay and let you know when we expect to resolve your complaint. In these circumstances we will send a final response no later than 35 business days after the complaint was received.

For all other complaints we will aim to provide you with a full written response within 15 days, but where the complaint is particularly difficult to resolve this may take up to 8 weeks. We will keep you informed of progress and let you know a date by which we will resolve your complaint.

## **7. Our complaints procedures**

If you would like more information about our Internal Complaints Handling Procedures, then please request a copy from [support@digi-capital.com](mailto:support@digi-capital.com). Please write “OrbyPay Complaints Procedures” in the subject line when emailing to request a copy.

## **8. Financial Ombudsman Service (FOS)**

If, at the completion of our complaints procedure, you are still unhappy then you may be able to request a review from the UK’s Financial Ombudsman Service (FOS).

If you want to know more about this, including whether you are eligible to complain to the FOS, you can visit their website at <http://www.financial-ombudsman.org.uk/consumer/complaints.htm> which tells you how you can complain to them and provides contact information.

You can email them at [complaint.info@financial-ombudsman.org.uk](mailto:complaint.info@financial-ombudsman.org.uk). You can complete an online FOS complaint form at: <https://help.financial-ombudsman.org.uk/help> or complete a complaint form at: [www.financial-ombudsman.org.uk/consumer/form/complaint\\_form.pdf](http://www.financial-ombudsman.org.uk/consumer/form/complaint_form.pdf)