

COMPLIANTS POLICY

1. INTRODUCTION

Section 27(1) of The Financial Advisory and Intermediary Services Act 2002 (FAIS) deals with the receipt, prescription, jurisdiction and investigation of Complaints. All Financial Service Providers (FSP's) are required to have the required systems and procedures in place for the purpose of timeous and efficient resolution of Complaints received within specified timeframes.

2. PURPOSE

This Policy defines what a Complaint is and sets out the procedures to be followed by the FSP within prescribed timelines to ensure the effective resolution of a Complaint.

3. DEFINITION OF A COMPLAINT

A Complaint means a specific complaint relating to a financial service rendered to a client alleging that the FSP:

- Contravened or failed to comply with a provision of FAIS and that, as a result, the client has suffered financial prejudice or damage; and/or.
- Wilfully or negligently rendered a financial service to the client that has caused prejudice or damage to the client or is likely to result in such prejudice or damage; and/or
- Treated the client unfairly.

4. DEFINITION OF A COMPLAINT

The following steps will be followed by the FSP when dealing with Complaints:

1. Log the date and contents of the complaint in the Complaints Register.
2. If a complaint is not in writing, ask the client to lodge the complaint in writing as per example in Annexure A (Complaints registration form).
3. Acknowledge receipt of the complaint in writing within 5 days of receipt and give the client the name(s) and contact details of the staff responsible for the resolution of the Complaint.
4. Investigate the complaint to ascertain whether the Complaint can be resolved immediately.
5. If the Complaint can be resolved immediately, take the necessary action and advise the client accordingly in writing.
6. If the Complaint cannot be resolved immediately, send the client a written summary of the steps to be taken to resolve the matter and the expected date of resolution.
7. If unable to resolve the Complaint within 3 weeks of logging the Complaint with the Complaints Register, notify the client by means of a written acknowledgement. This will outline the current status of the Complaint and the expected date of final resolution.
8. If unable to resolve the complaint within a further 3 weeks of the written acknowledgement (6 weeks since complaint logged), notify the client giving full written reasons as to why the outcome was not favourable, and advise the client of their right to seek legal redress by referring the Complaint to the Office of the Ombudsman.
9. Notify the client that he/she has 6 months of receipt of such notification to refer the matter to the FAIS Ombud. The Ombud's name, address and other contact details must be provided.
10. Update the Complaints register with all developments/activities.

5. COMPLAINTS PROCESS FLOW

Client lodges a complaint

If the complaint is not in writing, ask for a written complaint.

Complaint received, validated and logged as a new complaint on Complaint Register.

Acknowledge receipt of complaint in writing within 5 days.

Complaint assigned and investigated.
Resolve the complaint immediately or take the necessary action and advise the client of steps taken and expected date of resolution.
Update the Complaints Register with all developments/activities.
Inform client in writing of the resolution of the complaint and the outcome.
Notify the client if complaint is not resolved within 3 weeks – advise on status of the complaint.
Notify the client of final outcome and advise client of other options. This must be no later than 6 weeks since the Complaint was logged.

6. **THE COMPLAINTS REGISTER**

The register should contain the following fields:

Received: The receipt period starts its calculations here.	This field will reflect the date on which the letter was received.
Date captured:	The date of the day on which the complaint is captured.
Received from: It may be a client or a client's representative.	The name and designation of the person that submitted the complaint must be entered here.
Complaint reference number:	This field contains the clients' reference number linked to an internal system.
Client surname and initials:	Enter the surname of the client making the complaint.
Complaint description/type:	Short summary of the complaint.
Captured by:	The name of the person who captured the complaint.
Responsible person internally:	Who will deal with the complaint and ensure that it is resolved?
Activity update:	Log all developments and movements.
Outcome of complaint:	Summary of what decisions was taken.
Date of final communication to client:	Date of letter to the client.
Compliance officer final sign off:	Designated compliance officer to sign off a complaint as finalised.
Learnings:	This is a field where any possible lessons learned from the handling of this complaint can be entered.

ANNEXURE A

Complaints Registration Form

Client details:

Surname:		Title:	
First Name(s):			
Occupation:			
Identity Number:			
Address/Email to which we may communicate with you:			
Telephone (daytime)		Cell:	

Details of the person/s against whom you are complaining:

Name of Person:	
Position/Role e.g. Advisor/Admin	

Details about the product or service you are complaining:

Financial product Insurance/Retirement/Investment/Deposit etc.	
Reference/Account no	
Brief description of the complaint	
When did you first realise the problem	
Did you complain before? Give date and name of person	
Provide full details about the complaint or attach a letter providing the following: List in date order the phone calls meetings, or letters you have received or exchanged with the person against whom you are complaining.	
Reference of documents attached e.g. Annexures A, B etc. with description	

Client name and signature	
Date signed	