



## COMPLAINTS MANAGEMENT PROCEDURE

This document describes the process to be followed in order to manage complaints effectively. It furthermore documents the process to be followed when receiving a client query.

### BACKGROUND

We have introduced an updated complaints management process which is in line with the strategy of transparency and follows international and local practice to offer a formal process for dealing with client complaints. The process takes account of current legislation and Treating Customers Fairly requirements.

### COMPLAINTS OFFICER

The Complaints Officer (CO) will deal with formal complaints received from clients and official bodies such as Ombuds or Regulators, and complaints in terms of legislation.

### AUTHORITY OF A COMPLAINTS OFFICER

- The complaints officer has the authority to assess and categorise complaints.
- The complaints officer may at her discretion, delegate routine or simple complaints to appropriate persons.
- The complaints officer may call upon such professional expertise as he/she deems necessary to resolve a complaint.
- The complaints officer will at his/her discretion refer complaints to the appropriate authority to resolve.
- The appropriate authority will resolve the issue and copy the CO to advise that the matter is resolved.
- The complaints officer will liaise with any and all Regulators or Ombuds, in conjunction with compliance, where necessary.

### DUTIES OF COMPLAINTS OFFICER

- The complaints officer will acknowledge receipt of all complaints received, within 2 working days of receipt.
- A copy of the public document is to accompany the letter of acknowledgement.
- The complaints officer will log all complaints in the complaints register and categorise them according to the nature and source of the complaints.
- The complaints officer will monitor the progress of complaints to ensure that they are finalized within the specified period of 30 days.

### PROCEDURE:

Internal procedures shall address all stages of complaint handling:

1. receipt
2. acknowledgment
3. assessment
4. planning
5. investigation
6. response
7. review, and
8. consideration of systemic issues

### RECEIPT

#### Receipt in writing by a staff member:

Identify whether the matter is a query or complaint. If it is a query, forward to the relevant person. If the query relates to the staff member's role, address the matter as per internal service level agreements.

If it is a complaint, forward immediately to the complaints officer, and copy client in on forwarding mail.

#### Receipt via website:

Electronic complaint lodgement systems must be programmed to send an automatic response to reassure the client that the complaint was received. The response should give the client an e-mail address, or other contact particulars of the person managing the complaint and a complaint identification number to use in future contact.

All website correspondence must be checked daily, and complaints or potential complaints forwarded to the complaints officer. All queries must be forwarded to the correct person for actioning.

#### Receipt telephonically or verbally by a staff member:

Obtain client's name and contact details. Identify whether the matter is a query or complaint and what the matter relates to. If it is a query, forward to the relevant person.

If it is a complaint, forward contact details and time of call via email to the complaints officer immediately. Transfer the client to the complaints officer or tell the client that the matter will be forwarded to the complaints officer. Where the complaints officer is not available, tell the client that someone will contact them within 24 hours and ensure the complaints officer receives all details.

### Receipt by complaints officer:

1. Conduct an initial assessment and prioritisation of the complaint to establish whether it is a routine, simple complaint or one which is more complex.
2. Acknowledge receipt of the complaint as per the acknowledgement below. If possible, outline the following to the complainant:
  - a. Name of the person who will be dealing with the complaint.
  - b. Contact details of the person who will be dealing with the complaint.
  - c. Anticipated timeframes
  - d. Date on which the complainant will be contacted next
3. Open a complaint report form.
4. Log the complaint receipt in the complaints register.

## ACKNOWLEDGEMENT AND REGISTER UPDATE – WITHIN 2 WORKING DAYS OF RECEIPT

All complaints must be acknowledged quickly so as to reassure the client that their complaint is receiving attention. This acknowledgement is an important tool in managing the complainant's expectations.

The public document must be attached to the acknowledgement.

The acknowledgement must provide contact details and the name of a contact person. As far as possible, it should also note how long it is likely to take to resolve the complaint and when the complainant will next be contacted. If this is not possible, inform the complainant that they will be contacted within 2 working days with full details on who will be dealing with the complaint (if this is not the complaints officer) and anticipated timeframes for resolution, as well as any further details which may be required.

If the complaint was initially misdirected resulting in a delay, the acknowledgement shall include an apology for the delay and an assurance of prioritisation.

There are many variables that can affect a response time. This includes the complexity of the issue/s, the availability of evidence and the size and complaint handling/ investigative resources. Where there is a complaint which is likely to take longer to respond than what is reasonably expected this must be explained in the acknowledgement letter and ongoing correspondence with the complainant.

Other than for very simple complaints, appropriate investigation, assessment of the evidence, obtaining third party information, the drafting of a response and decision-making may take time and this must be clearly disclosed to the complainant.

## ASSESSMENT AND PRIORITISING – WITHIN 2 WORKING DAYS OF RECEIPT

The complaint must be analysed and assessed by the Complaints officer to determine whether it is simple, capable of delegation, or more complex. The motivation for this must be recorded on the complaints control sheet. Simple routine complaints must be resolved within 5 working days of receipt or be escalated.

The subject of a complaint might be apparent from the information a complainant provides, or a lengthy investigation might be needed to clarify disputed factual or legal matters. Many complaints are about administrative conduct, but some raise specialist legal or technical considerations. A complaint may raise several related but differing concerns that require separate handling or referral, so it is important to adequately analyse the complaint.

Some complaints can be resolved by means of an explanation or apology; others seek reconsideration of a decision or policy or financial compensation. The complainant might have an altruistic purpose, such as a desire to raise awareness of the problem or to ensure that other people will not find themselves in the same situation.

Assessment must identify whether a matter requires urgent or priority attention. This must be recorded on the control and where the matter is urgent or requires prioritisation, this must follow the priority process. The frequency of feedback must be communicated to the complainant as soon as the priority of the complaint is established.

The assessment must be regularly reviewed, as new developments such as media interest in a case or the uncovering of dishonest activity may require the re-assessment or re-allocation of a complaint.

## ADDITIONAL INFORMATION – WITHIN 3 WORKING DAYS OF RECEIPT AND ONGOING

Where the scope of a complaint is not clear initially, and clarification is needed, the complaints officer must request additional information from the complainant. The complainant should set out their desired outcome as part of the process of making a complaint. This must be followed up within 2 working days of receipt if the desired outcome is not described or is unlikely to be achieved through the complaint process.

## DELEGATION – WITHIN 2 WORKING DAYS OF RECEIPT

An assessment that identifies a simple issue likely to be resolved within the initial 5-day period must immediately be delegated to an appropriate person and deadlines for

resolution noted. Where the matter is delegated, the details of the person to whom the matter is delegated must be noted on the control. The Complaints Officer must then provide the complainant with the details of the person to which the complaint has been delegated, as well as the expected timeframes.

Complaints that appear simple on initial assessment are sometimes different or more complex than first thought. A complaint that has remained unresolved for 5 days shall be escalated in accordance with internal procedure.

### PLANNING – WITHIN 2 WORKING DAYS OF RECEIPT

Complaints that are straightforward can often be resolved on first contact. If this is not the case and the complaint requires investigation, a short, documented plan must be prepared. The plan must:

1. Define what is to be investigated
2. List the steps involved in investigating the complaint and state whether further information is required, either from the complainant or from another person or organization
3. Provide an estimate of the time it will take to resolve the complaint
4. Identify the remedy the complainant is seeking, whether the complainant's expectations are realistic or need to be managed, and other possible remedies
5. Note any special considerations that apply to the complaint—for example, if the complainant has asked for their identity to be withheld from others or if there is sensitive or confidential information that needs to be safeguarded.

Focus attention on what is to be investigated. This will ensure that important matters are not overlooked and that the investigation stays correctly focused.

### INVESTIGATION:

- **WITHIN 4 WORKING DAYS FOR ROUTINE, SIMPLE MATTERS**
- **WITHIN 20 WORKING DAYS FOR NON-PRIORITY COMPLEX MATTERS**
- **WITHIN 15 WORKING DAYS FOR PRIORITY COMPLEX MATTERS**

Principles of fair investigation must be followed:

- **Impartiality.** Each complaint should be approached with an open mind, and the facts and contentions in support of a complaint should be weighed objectively.
- **Confidentiality.** A complaint should be investigated in private, and care should be taken when disclosing to others any identifying details of a complaint.
- **Transparency.** A complainant should be regularly updated in the complaint process and be given an opportunity to comment on adverse information or before a complaint is dismissed.

There must be a full and objective evaluation of the facts or evidence provided in support of a complaint. All evidence must be documented, including oral evidence. Evidence obtained in response to complaints must be of a suitable quality and accuracy to enable a full and informed response to be issued.

An explanation should similarly be given if it has been decided not to investigate or to cease investigation of an issue raised by the complainant.

Ensure the complaints control sheet and register is updated.

### RESPONSE – WITHIN 2 DAYS OF DECISION

The complainant must be regularly updated as to the progress of the investigation, at least weekly for non-priority, and more frequently for priority matters. All correspondence must be in writing.

When the investigation of a complaint is completed, the complainant must be informed of the particulars of the investigation, including any findings or decision reached and reasons for this, within 2 days of a decision being reached. The complaints officer must provide this correspondence.

The decision correspondence must include a full response to each issue and substantiate decisions. If the complainant would like the actions or findings to be better explained, this should be provided by the person conducting the investigation.

### ESCALATION – WITHIN 5 WORKING DAYS OF RECEIPT OF REQUEST FOR ESCALATION

If a complainant is dissatisfied with an investigator's findings or decision, the matter must be escalated. Where a client wishes to escalate a complaint, this will be assigned to the relevant manager for resolution. An escalation of a complaint relates to complaints about the complaints process. The complainant should be asked to specify what exactly they would like reviewed and why they disagree with the investigator's view.

The escalation procedure entails a review of the complaint management process and finding, and a response to the complainant within 5 working days.

Alternatively, the complainant must be advised of his or her further options and the requirements in respect of this.

### REDRESS AND ACTION – AS SOON AS POSSIBLE OR WITHIN AGREED TIMEFRAMES

Where action is to be taken to redress a fault or a wrong suffered by the complainant, this must be described with anticipated timelines.

Actions that have been agreed with certain timelines must be followed up and confirmed complete. Where appropriate, actions that might have significant detrimental impact on the complainant must be deferred until the complaint has been finalised.

## COMPLAINTS MANAGEMENT PROCEDURE

This document describes the process to be followed in order to manage complaints effectively. It furthermore documents the process to be followed when receiving a client query.

The complaints form, control form and register must be completed during the process and be complete within 3 days of finalising the complaint.

### REFUNDS

Refunds may only be authorised by

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### COMPENSATION PAYMENTS

Compensation payments may be authorised by

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### GOODWILL PAYMENTS

Goodwill payments must be authorised by the governing body. Where a goodwill payment is done, it must be clearly communicated to the complainant that the payment is a goodwill payment and that there is no admission of liability.

### REVIEW – WITH FINDING

The complainant must be requested to review of how their complaint was handled and resolved. Contact details and an invitation to follow up can be provided when the complainant is notified of the outcome of the investigation. Responses to this must be added to the control sheet.

### ROOT CAUSE ANALYSIS – WITHIN 3 DAYS OF FINALISING THE COMPLAINT

The complaints officer is responsible for ensuring a root cause analysis is done and documented on the control. This may happen during the investigation or afterwards and if required, additional resources may be brought in to assist in this process.

### INTERNAL REPORTING – QUARTERLY

All complaints shall be reviewed quarterly for compliance and a report submitted to the Governing Authority and the Key Individual to confirm process integrity and provide appropriate management information.

The register must be reviewed for trend identification, critical areas requiring attention, areas requiring improvement and the complaints officer must provide the governing body with a report at the end of every quarter, containing the following information:

- complaints received and their classification
- complaints upheld.
- rejected complaints and reasons for the rejection.
- complaints escalated
- complaints referred to an Ombud and their outcome or status;
- number and amounts of compensation payments made.
- number and amounts of goodwill payments made.
- complaints outstanding.
- applicable new determinations

### EXTERNAL REPORTS

A "reportable complaint" means all complaints, except those which have been:

- upheld immediately by the person who initially received the complaint.
- upheld within the ordinary processes for handling client queries, provided that this does not take more than five business days from the date the complaint is received; or
- submitted to or brought to the attention of the provider in such a way that Atom Capital Pty Ltd does not have a reasonable opportunity to record the prescribed details of the complaint.

### The following information must be recorded in respect of reportable complaints:

- all relevant details of the complainant and the subject matter of the complaint.
- copies of all relevant evidence, correspondence, and decisions.
- the complaint categorization
- progress and status of the complaint, including whether such progress is within or outside any set timelines.

### ENGAGEMENT WITH OMBUDS AND REGULATORS

Any complaint received from an ombud will be treated with the same respect and care as any other complaint, and the complaints procedure followed. Any complaint received from a Regulator will be given priority status.

### BREACH MANAGEMENT

Incident identification: Where an incident of non-compliance is identified, notify the KI and the complaints officer.

Action: Remedial action to be taken by KI and complaints officer and noted in the risk register, and a risk mitigation report completed if necessary

### EXCEPTION MANAGEMENT PROCESS

This process may only be changed if approved in writing by the governing body after having assessed the impact of the proposed change, and finding the change to be beneficial to the business