



**COMPLAINTS HANDLING
AND DISPUTE RESOLUTION
POLICY AND PROCEDURES**

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1. Purpose

The purpose of this document is to set our policy and procedures for complaints handling and internal and external dispute resolution.

2. Our Obligations

2.1 Internal dispute resolution

Under the National Credit Act, we must have an internal dispute resolution (IDR) procedure that complies with standards and requirements made or approved by ASIC in accordance with the regulations, and which covers disputes in relation to the credit activities engaged in by us or our representatives.

ASIC requirements

ASIC's requirements for IDR procedures are that we:

- adopt the definition of 'complaint' in the Australian Standard for complaints handling (AS ISO 10002-2006);
- satisfy the Guiding Principles at Section 4 and follow Section 5.1—Commitment, Section 6.4—Resources, Section 8.1—Collection of Information, and Section 8.2—Analysis and evaluation of complaints in AS ISO 10002-2006; and
- have a system for informing complainants about the availability and accessibility of the relevant external dispute resolution (EDR) scheme.

The definition of “complaint” in the Australian Standard is: “An expression of dissatisfaction made to an organisation, related to its products or services, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.”

The National Credit Act talks about “disputes” rather than “complaints”. Where the Act refers to a dispute, ASIC considers this to have the same meaning as complaint.

Timeframes

Where the complaint or dispute is resolved to the customer's satisfaction by the end of the next business day, we don't have to follow the full IDR process (but ASIC encourages us to do so where possible).

ASIC says we should immediately acknowledge receipt of complaints or disputes and address them promptly.

The final IDR response must be provided within a maximum of 45 days. This timeframe does not apply in the case of a dispute about a default notice - instead, a 21 day limit applies here.

The right to go to EDR and the EDR's contact details must be included when the disputant is advised in writing of the outcome of the hardship or postponement request, or when the terms of approved hardship or postponement are confirmed in writing to the customer.

A disputant may lodge their dispute directly with the EDR where the dispute involves a default notice that has been issued after a request for hardship assistance or postponement of enforcement proceedings has been declined.

Other matters

IDR procedures must be documented. This must cover procedures and policies, remedies available and internal structures and reporting requirements.
If we outsource IDR procedures, we are still responsible for them.

2.1 External dispute resolution

Under the National Credit Act, we must also be a member of an ASIC approved EDR scheme.

3. Some Words Explained

In this document:

Board means our board of directors or sole director.

IDR means internal dispute resolution.

EDR means external dispute resolution.

National Credit Act means the National Consumer Credit Protection Act 2009 (Cth).

We, us and **ours** refers to the licensee named on the cover page of this compliance plan.

4. Our IDR Policy And Procedures

We have an internal process for handling customer complaints and disputes. This is set out in Appendix 1.

5. Our EDR Scheme

We are a member of the Australian Financial Complaints Authority (AFCA) is an EDR scheme approved by ASIC. Our membership number is 83546

This external and impartial service is available to customers free of charge. It has jurisdiction to hear and resolve any dispute that is not resolved by our IDR process.

The external and impartial process will apply the law and may take into account what is fair in all the circumstances to both the customer and us.

We have a guide for customers (see Appendix 2) which includes reference to the availability of this external dispute resolution mechanism.

6. How We Administer This Document

The Board is ultimately responsible for this document. This plan was adopted by the company on the date specified below. Any changes to this document must be approved by the Board.

The Compliance Officer is responsible for day-to-day administration of the policies and procedures in this document.

The table below is a record of changes made to this document. The table will be updated when changes are made. Each updated version of this document will replace the earlier version.

DOCUMENT VERSION CONTROL TABLE

Version	Description of change	Date approved by Board	Effective Date
1	Original Version		

7. Review and Audit

We review this document every year. After the review, if we think that changes should be made to the document, we will amend the document.

We can also review and amend the document at other times – for example, in response to audits or comments from ASIC.

8. Other Policies and Documents

This document is part of our compliance plan to comply with the credit legislation, our general conduct obligations under section 47 of the National Credit Act, and the conditions of our Australian Credit Licence. Our Compliance Plan document sets out the overall structure of this compliance plan.

This document is also part of our risk management system. Our Risk Management System document sets out the overall structure of our risk management system.

9. Appendices

Appendix 1 – Our complaints handling and dispute resolution policy and procedures

Appendix 2 – Complaints and dispute resolution guide

Appendix 3 – Complaints form

Appendix 4 – Complaints Register

APPENDIX 1

Our Complaints Handling and Dispute Resolution Policy and Procedures

What is a dispute?

We define a dispute as:

An expression of dissatisfaction made to us, related to our products, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.

This definition is the definition used in AS ISO 10002-2006.

A dispute includes a complaint. In this document, where we refer to a 'complaint' it also means a dispute.

Commitment

We are committed to dealing with complaints in an effective and efficient manner.

We will ensure that our register of complaints and disputes is regularly reviewed by our Board and that systemic and recurring problems will be identified and remedied.

We undertake to use our complaints and disputes recording system to assist in continuing to improve our customer services and training requirements.

Guiding Principles In Complaints Handling

In order to effectively handle customer complaints, we seek to follow these guiding principles:

- **Visibility** – information about how and where to complain should be well publicised to our customers.
- **Accessibility** – our complaints handling process should be easily accessible to all complainants.
- **Responsiveness** – complaints should be acknowledged immediately when received, and addressed promptly, with customers kept informed of the progress of the complaint through the process.
- **Objectivity** – complaints should be addressed in an equitable, objective and unbiased manner.
- **Charges** – access to our complaints handling process should be free.
- **Confidentiality** – personally identifiable information about complainants should only be available for the purpose of addressing the complaint and (unless the customer consents) actively protected from disclosure.

Visibility

Our Complaints and Disputes Resolution Guide sets out:

- What a customer must do to lodge a complaint;
- How we undertake to deal with the complaint; and
- Our external dispute resolution scheme.
- The guide will be available in all branches and on our website.
- The guide will also be given to all new customers.
- Customers will be offered a copy of the guide when registering telephone complaints or disputes. The guide may be faxed, posted, emailed, or downloaded from our website.
- Our credit guide will also contain information about our internal dispute resolution processes, including access to the process.

Accessibility

We will not restrict the way in which customers may lodge a complaint or dispute.

When they receive a verbal complaint or dispute, staff will offer the customer an opportunity to have their dispute or complaint recorded in our Complaints Register. Staff will complete the detail of the complaint in the register on behalf of the customer if so required. They will then read the register of complaint to the customer to confirm its accuracy.

A complaint can be made by:

- telephone;
- internet;
- letter;
- email;
- fax; or
- in person.

We will have a dedicated telephone number and where possible fax number, postal address and email address to accept and handle hardship applications.

Our website includes a complaints registration point which is available from our homepage.

Telephone complaints/disputes must be referred by the person taking the call to the relevant person (where required) or the member of staff answering the call may register the complaint/dispute in the Complaints Register and explain the internal process to the customer.

When required, our staff will assist customers wishing to register a complaint or dispute. Where a customer has limited English and wishes to enlist the assistance of a third party to register the complaint/dispute, we will accommodate them in doing this and make arrangements for a meeting to include the third party. If a member of staff is conversant in the customer's first language, that member of staff will be made available to assist the customer.

Wherever customers have difficulties accessing our dispute resolution system for any other reason, for example, physical disability, every effort will be made to ensure that the customer is assisted to ensure that they can have their complaint or dispute dealt with fairly.

Responsiveness

Wherever possible we will settle a customer's complaint/dispute at the time it is registered.

Where we cannot immediately settle the complaint/dispute, it will advise the customer within 2 working days of receipt of the complaint/dispute, in writing, of the procedures for investigating and handling the complaint/dispute.

Our staff will meet our established times for responses to customers and record all responses and dates in the Complaints Register.

Management will regularly review response times as recorded on the Complaints Register and observe that responses and dates are being recorded.

Decision Required in 21 – 45 Days

A dispute must be dealt with within 21 days. The investigating officer should report to the complainant within 14 days of receiving the complaint/dispute to ensure that the notification is received within 21 days.

If the investigating officer is unable to make a decision within 14 days and requires additional time, he/she must write to the complainant advising that a further period, not exceeding 24 days, will be required for investigation. This will extend the complaint/dispute handling time to a total of 45 days from the initial date of lodgement.

Disputes Continuing Beyond 45 Days

Where unresolved disputes exceed 45 days, the investigating officer must advise the complainant in writing and specify a date when a decision can be expected. Monthly updates are to be provided to the complainant including a date when a decision can be reasonably expected.

Disputes Continuing Beyond 60 Days

If a resolution is not available beyond 60 days, the investigating officer must advise the complainant in writing and specify a date when a decision can be expected. Updates every two months must be provided to the complainant including the date when a decision can be reasonably expected.

Express Procedure when Complainant is not Liable

Within 7 days of resolution of complaint, the complainant's accounts should be adjusted to give effect to the decision.

Special Provisions for Hardship and Default Matters

Disputes involving hardship applications or postponement of enforcement proceedings will be treated as urgent matters. There will be no extension of time beyond 21 days for resolution of a dispute relating to a default notice.

Where the customer seeks hardship relief or postponement of enforcement proceedings and the matter is not resolved within 21 days, the matter will be referred to external dispute resolution (**EDR**).

A customer may lodge their dispute directly with the EDR where the dispute involves a default notice that has been issued after a request for hardship assistance or postponement of enforcement proceedings has been declined.

Notice of Outcome

The investigating officer must advise the complainant in writing of the following:

- outcome of the investigation;
- reasons for the outcome including reference to relevant applicable statutory or code provisions; and
- further action the complainant can take in respect of the complaint, including the contact details of our external dispute resolution scheme, AFCA, or the Privacy Commissioner.

Objectivity

We will deal with complaints and disputes promptly in an equitable, objective and unbiased manner.

We recognise the need to be fair to:

- the customer reporting the complaint or dispute;
- all our customers; and
- the member of staff against whom the complaint is made (where relevant).

Parties to a dispute or complaint will be provided with an opportunity to make their case. All disputes and those complaints requiring investigation will be investigated by our complaints officer or by a manager not involved in the subject matter of the dispute or by the Board.

Where a complaint or dispute is not resolved immediately, we provide the customer with a written notice of the outcome. The written notice will include:

- the reasons for the outcome; and
- any further action the customer may take, such as referral to the relevant external dispute resolution scheme, AFCA, or the Privacy Commissioner.

Charges

There is no charge to a customer for lodgement or determination of a complaint or dispute in our internal dispute resolution process.

However, standard charges may apply for copies of past account statements or for retrieval of documents from archives, where requested by the customer.

Confidentiality

We will respect the privacy of our customers and ensure that complaints are dealt with in a confidential manner to the extent

Personally identifiable information about complainants should only be available for the purpose of addressing the complaint and (unless the customer consents) actively protected from disclosure.

Resources

Staffing

We will appoint a member of our staff as our Complaints Officer, who will have responsibility for ensuring that complaints and disputes are dealt with in accordance with this policy and procedures.

All members of staff will attempt to resolve complaints and disputes at the time they are registered.

All complaints must be reviewed by the manager of the relevant area, who must determine appropriate escalation of the matter where required to our Complaints Officer.

Where considered appropriate the Complaints Officer will notify the Board of the handling and progress of a complaint.

Staff training

We will train all our staff in our Complaints Handling and Dispute Resolution Policy and Procedures.

As part of their employment contract terms customer of staff will be required to successfully complete training in Complaints Handling and Dispute Resolution Policy and Procedures and to be continually assessed in these procedures. All staff will be provided with a copy of or online access to our Complaints Handling and Dispute Resolution Policy and Procedures.

All staff will be trained in how to complete a complaint form and on appropriate categorisation and prioritisation of complaints.

All managers of relevant areas and the Complaints Officer will be trained and assessed in interpersonal and negotiation skills.

Records of training for the above matters will be kept in our Training Register.

Authorisation levels

All members of staff are authorised to resolve a complaint or dispute to the value of our current dishonour fee. However, all such resolved complaints must be recorded and reviewed by the manager of the relevant area.

The Complaints Officer has full authority to resolve and settle complaints and disputes to the value of \$5,000 and has full authority to interview all members of staff.

Settlement of disputes to a value in excess of \$5,000 must be approved by the Board.

Complaints Register

We will provide a system for recording and tracking of complaints and disputes.

All complaint reports must be lodged with the Complaints Officer, who will compile and record all reports in a Complaints Register (see Appendix 4 for the form of the Complaints Register).

The Complaints Register will be submitted to the Board twice a year, or upon request as required.

The Complaints Register will be available for review by the Operations Manager as required. The Operations Manager will submit to the Compliance Officer a summary of training issues identified from his or her review of the Complaints Register.

Remedies

Remedies will be determined on the basis of what is fair and reasonable in the circumstances and each case will be decided on its own facts. The following table is a guide for remedies that may be appropriate for specific disputes and complaints:

Complaint/dispute	Available Remedies
Overcharging	refund, apology, compensation for interest and any costs to customer; gift, staff training
Fee incorrectly charged	refund, apology, compensation for interest and any costs to customer; gift, staff training
Delay in executing customer's instructions	apology, compensation, gift, investigation of procedures
Service	apology, gift, staff training
Inappropriate product recommendation	refund, apology, compensation, gift, substitution, referral, staff training
Lack of product/ service explanation	information, apology, compensation, staff training
Non disclosure	refund, apology, compensation, gift, staff training
Unauthorised account access	refund, compensation, apology

Data Collection and Analysis

Complaints and disputes will be properly categorised and prioritised. We will undertake regular analysis of the Complaints Register by category and by priority.

We must determine the minimum information to be collected to register a complaint/dispute. Where a customer has not provided the minimum required information we will follow up with the customer to obtain that information.

Personal information will be collected only to the extent necessary to deal with the complaint or dispute and will be kept confidential by any staff who have access to the Complaints Register.

Where there are electronic records (e.g. emails) pertaining to the dispute, we will preserve these (or a hard copy of them) so that they are not lost before the matter is resolved.

Details of complaints will be kept on the Complaints Register.

The register will be readily accessible to staff who are dealing with a complaint/dispute, so that the customer can be kept informed as to the progress of the complaint/dispute.

The Complaints Register will also be available for inspection by members of the Board, by senior management, and by ASIC or other regulators.

Data from the complaints register will not be disclosed externally, unless requested by our EDR scheme or regulators. Information disclosed will be non-personally identifiable unless otherwise required by law.

Systemic and recurring problems in the Complaints Register will be regularly identified by the Complaints Officer, the Compliance Officer and the HR Manager for remedial action by way of staff training, re-documentation, review of procedures, redesign of products and services, reassessment of customers' information needs, or staff disciplinary action.

Accountability

Reports summarising the Complaints Register and any compliance, HR or service issues arising from them will be prepared by the Compliance Officer for the Board and senior management no less than twice a year.

APPENDIX 2

Complaints and Dispute Resolution Guide

We do our best to provide a high level of service, but sometimes you may feel an issue has not been resolved to your satisfaction.

We have a free complaints and dispute resolution procedure that you can use.

What is a complaint?

A complaint is an expression of dissatisfaction made to us, related to our products, or the complaints-handling process itself, where a response or resolution is expected.

How the procedure works

Step 1 How to make a complaint

In most cases your complaint can be settled to your satisfaction simply by making us aware of it. You can raise these complaints with our staff in person or by telephone or in writing by letter, fax, memo, e-mail etc.

If the staff customer is unable by reasons of authority or experience to handle the matter they will refer your complaint to a more senior or experienced person. At this stage, in most cases your complaint will be dealt with promptly and to your satisfaction and you will not need additional assistance.

Step 2 Recording your complaint

All complaints and disputes will be recorded in our Complaints Register. Where a complaint cannot be resolved to your satisfaction immediately, you might have to answer some questions and complete a complaint form so that our management can properly investigate the complaint. If you need assistance completing the form, our staff can help you. When receiving a verbal complaint, the staff customer will complete the details of the complaint in the register on your behalf. The staff customer will then read the entry in the register to you and ask you to confirm that it is accurate.

Step 3 Notification

Where the staff member cannot immediately settle the complaint we will acknowledge receipt of it to you in writing within 2 working days. We will also advise you in writing of the procedures for investigating and handling your complaint.

Step 4 Investigation

Your dispute will then be fully investigated by our complaints officer and a decision made on the matter. You can contact our complaints officer as follows:

Name:
Address:
Phone:
Fax:
Email:

Step 5 How you will be informed of the outcome

In most cases we will tell you the outcome in writing

Step 6 External dispute resolution

If you are still not satisfied, you can go to our free external dispute resolution scheme. We are a member of AFCA, an external dispute resolution scheme approved by ASIC.

Details of how you can access these services will also be given to you when you are advised of the outcome of our investigation.

Step 7 After we respond

Our Complaints Register will be updated showing the result. Wherever appropriate, our policies, systems and procedures will be adjusted and staff counselled or provided with additional training.

Things you should Know

If your complaint involves EFT transactions or privacy issues, the procedures may vary if the complaint is not immediately resolved. This is because more specific legislation or codes of practice may apply.

You are not obliged to pursue a dispute with us using our internal complaints and dispute resolution procedure. If you use the procedure, you may commence legal proceedings before, after or at the same time.

Our participation in the procedure is not a waiver of any rights we may have under the law, or under any contract between you and us, and this guide is not a contract between you and us.

Charge

There is no charge for this guide or for you using our internal or external complaints and dispute resolution procedure.

However, our standard fees and charges may apply for making copies of documents or for retrieval of documents from archives, where requested by you.

APPENDIX 3

Complaint Form

Complaint form

Please complete all the details below to assist us to deal with your complaint. If you need assistance completing this form, please ask us for help. We can assist you.

Information about you

Your name	
Your address	
Your phone number	
Your email address	
If someone is acting on your behalf in this matter, please provide their name and contact details here	
Your loan account number	

Tell us about the problem

What happened?	
When did it happen?	
What do you want done to resolve this?	
If there are any relevant documents, please attach them to this form	

Your Signature

Date:

APPENDIX 4

Form of Complaints Register

[This is a form of the register only. We recommend that the actual Complaints Register be kept as a separate document. If you use landscape format for the page, you can widen the columns].

Number	Date received	Customer name	Account number	Details of complaint	Complaint category*	Complaint category*	Date of response	Status

*[*We suggest you develop a short list of common complaint types (e.g. no more than 10) to categorise each complaint. This will assist in classifying complaints and analysing complaints data.]*