



Complaints Resolution Policy

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COMPLAINTS HANDLING AND DISPUTE RESOLUTION

Key Information

Purpose:	<p>This policy sets out the Licensee's policy to ensure complaints arising in the course of its financial services business are resolved in a professional and timely manner. This policy applies to the activities of the Licensee, as well as any activities of a representative (or Authorised Representative) of the Licensee.</p> <p>This document sets out:</p> <ul style="list-style-type: none">• How a complaint is lodged with the licensee.• Who is responsible for resolving the complaint.• The complaints process.• If the complaint remains unresolved or complainant is not happy with the outcome of the complaint, the external dispute resolution process.
Prepared by:	Cowell Clarke
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Document History

Version	Summary of Amendments	Author	Date	Pages
1	New document	Cowell Clarke	July 2016	11
2	Amended	Cowell Clarke	April 2017	12
3	Amended	Cowell Clarke	April 2018	12
4	Amended	Cowell Clarke	December 2018	12
5	Reviewed	Cowell Clarke	May 2019	12

Key References

ASIC Regulatory Guides	ASIC RG 165: Licensing: Internal and external dispute resolution
Corporations Act	<i>Corporations Act 2001</i> (Cth) s912A(1)(g) [obligation to have a dispute resolution system] <i>Corporations Act 2001</i> (Cth) s912A(2) [requirements for dispute resolution system] <i>Corporations Act 2001</i> (Cth) s912B [compensation arrangement requirements]
Other	Australian/New Zealand Standard AS/NZS 10002-2014: Client satisfaction – Guidelines for complaints handling in organisations Complaints Form AFCA Register Complaints Register CPD Register

1. Overview

The Complaints Handling and Dispute Resolution Policy (**Policy**) sets out the Licensee's dispute resolution system and provides for the efficient and fair resolution of disputes and complaints.

The Licensee's dispute resolution system consists of:

- an internal dispute resolution procedure. This procedure is to be applied to any dispute or complaint received by the Licensee; and
- membership of the Australian Financial Complaints Authority (**AFCA**). In the event that a dispute or complaint cannot be resolved using the internal dispute resolution procedures or is not resolved within the prescribed timeframes, the client must be notified of their right to refer the complaint or dispute to AFCA.

The Licensee has arrangements in place for complaints handling and dispute resolution to meet the requirements under:

- *Corporations Act 2001* (Cth);
- ASIC's Regulatory Guide 165: Licensing: Internal & external dispute resolution (**RG 165**); and
- Australian/New Zealand Standard AS/NZS 10002-2014: Client satisfaction – Guidelines for complaints handling in organisations (**Australian Standard**).

The Licensee has adopted the following definition of "complaint" contained in the Australian Standard:

"An expression of dissatisfaction made to an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required."

The Licensee is committed to effective and efficient complaints handling which is demonstrated by:

- ensuring all staff (including all Authorised Representatives) who deal with clients are aware of, and educated about, the Licensee's dispute resolution procedures and are familiar with the current policy and procedures;
- encouraging staff to try to resolve client complaints when first raised so that a harmonious relationship is maintained between the client and Licensee;
- allocating adequate resources to all aspects relevant to internal dispute resolution;
- implementing management systems and reporting procedures to ensure timely and effective complaints handling and monitoring;
- addressing systemic issues that are the cause or contribute to the cause of the complaint; and

- the provision of adequate resources, including training.

The Licensee will at all times comply with the relevant legislation and industry codes in dealing with client complaints and disputes.

The Board is responsible for assessing and ensuring that the Licensee has at all times sufficient resources to maintain a robust complaints handling process. This includes:

- number and availability of staff;
- having sufficient complaints handling procedures in place;
- providing staff with access to reference material such as the Australian Standard;
- requiring staff to have an understanding of the Licensee's dispute resolution procedures; and
- ensuring complaints handling staff have sufficient support, training and competence to undertake their functions and authority to settle complaints, or providing those staff with access to someone who has the necessary authority.

2. **Internal Dispute Resolution**

- **Key principles**

To ensure effective handling of complaints and disputes, the Licensee's internal dispute resolution procedure incorporates the following key principles:

Visibility

- o For clients, the Licensee's complaint process is:
 - readily available to clients upon request; and
 - summarised in the Licensee's Financial Services Guide, Product Disclosure Statement and Terms and Conditions (as the case may be) for its financial services in the form set out in Annexure A.
- o All client facing staff have access to this Policy and receive complaints handling training in accordance with section 6.

Accessibility

- o Clients are able to make a complaint verbally (over the phone, or in person) or in writing (via email or letter).

Responsiveness

- o The Licensee's documented procedures for handling client complaints includes:

- acknowledging complaints immediately (or otherwise, as soon as practicable);
- resolving complaints promptly and within defined time frames;
- a written response where the complaint is not resolved to the client's satisfaction within 5 business days after receiving the complaint; and
- where the complaint cannot be resolved within 45 days from the date the complaint was first received, providing the client with an option to escalate the complaint to AFCA in accordance with this Policy.

Objectivity (Fairness)

- o Complaints are addressed in an equitable, objective and unbiased manner. Accordingly, the Licensee's internal dispute resolution procedures:
 - allow adequate opportunity for each party to make their case;
 - clients are not discouraged from lodging a complaint against the Licensee, however, to ensure the greatest levels of client service are provided at all times, every attempt is made to answer client concerns before the concerns escalate to a dispute;
 - wherever possible, a complaint will not be investigated by staff who are involved in the subject matter of the complaint (i.e. financial advisers who have provided advice); and
 - in responding to complaints, the Licensee will give written reasons for reaching a decision on the complaint and will adequately address the issues raised in the initial complaint. Decisions will reference all laws, procedures or practices relied upon in making the decision.

Charges

- o The Licensee's complaints handling process is free of charge to clients.

Confidentiality

- o Personally identifiable information concerning the complaint or dispute is not disclosed by the Licensee unless it is needed for the purposes of addressing the complaint or dispute, or if the client has expressly given their consent, or if disclosure is required by law.

Client-focused approach

- o In resolving complaints, the Licensee adopts a client-focused approach (including being helpful, user-friendly and communicating in plain English), and is open to feedback and shows commitment to resolving complaints by its actions.

Ensuring no detriment to complainant

- o The Licensee takes all reasonable steps to ensure that complainants are not adversely affected because of a complaint made by them or on their behalf.

Accountability

- o Reports about complaints are prepared for management which include the subject matter of the complaints and persons involved, actions taken and decisions made in respect of complaints.

Continual Improvement

- o The Licensee strives to continually improve its complaints handling process, as well as the quality of its products and services. This is achieved by reviewing this Policy on an annual basis and relevant complaints and incident reports from time to time.

Receipt of Complaints

- o All staff must immediately notify the Compliance Officer or a Responsible Manager by completing a Complaints Form (in the form contained in Annexure B or via the Compliance Portal) if they become aware of a client issue, area of dissatisfaction, dispute or complaint.
- o The Compliance Officer or Responsible Manager upon becoming aware of a client issue, area of dissatisfaction, dispute or complaint, will immediately provide the client with an acknowledgement of receipt of the complaint (or as soon as reasonably practicable after receiving the complaint) and record the complaint in the "Complaints Register" (refer to section 4) and address it promptly in accordance with the degree of urgency.

Resolution of Complaints

- o If the complaint is NOT resolved to the client's satisfaction by the end of the fifth business day after the complaint was received, the Compliance Officer or Responsible Manager will provide a final written response to the client within a maximum of 45 calendar days. The response will inform the client of:
 - the final outcome of their complaint;
 - their right to take their complaint to AFCA; and

- AFCA's contact details.
- o If the complaint has been resolved by the end of the fifth business day after the complaint was received AND the client requests a response in writing, the Compliance Officer or Responsible Manager must reply to the client advising him or her of the resolution in writing.
- o Where the Licensee is unable to respond to a complaint within 45 days, the Compliance Officer or Responsible Manager will write to the client before the end of that period which specifies:
 - the reasons for the delay;
 - their right take their complaint to AFCA; and
 - AFCA's contact details.
- **Investigating Complaints**
 - o The Licensee will investigate complaints, and may call upon other staff during the investigation.
 - o The Licensee will:
 - take a pro-active approach to obtaining the information needed to resolve the complaint;
 - consult with relevant parties, including members of staff, where necessary; and
 - obtain additional information from the client if necessary.
- **Resolution of complaints and disputes**
 - o The Licensee must provide the Compliance Officer or Responsible Managers with authority to resolve the complaints.
 - o The Compliance Officer or Responsible Managers will not have authority to deal with complaints where the complaint is significant or may negatively impact the Licensee's reputation. Any such complaints should be immediately referred to the Board.
 - o The Licensee expects that a client complaint will be resolved in 45 days. Where the complaint is not resolved within this timeframe, the complaint will be immediately referred to the Board.
 - o In resolving a dispute, the Licensee will develop proposed resolutions and communicate these to the client.

- **Types of Remedies**

- o Depending on the nature of the complaint or dispute, the remedies may (but need not) include:
 - an apology (written);
 - write-off of part of a fee charged to client; or
 - the cancellation or termination of any arrangement or services.
- o The Licensee must record the details about how the complaint was resolved in the "Complaints Register". If the complaint was referred to AFCA, details must also be included in the "AFCA Register".

3. **External Dispute Resolution**

The Licensee will at all times be a member of AFCA.

At all times the Licensee will work with the client in order to avoid a complaint being lodged with AFCA. Where a client indicates that they may lodge a dispute with AFCA, then that complaint should be escalated to the Board.

Should a complaint still remain unresolved, or if relevant time limits have expired, the Licensee will inform the client they can pursue the complaint with AFCA and will provide details of how to contact them.

4. **Collection of Information**

The Licensee will maintain the following registers:

- *AFCA Register*

All complaints referred to AFCA are to be recorded in this register. This register may be provided to external parties such as the external auditor or ASIC.

- *Complaints Register*

This register should include all relevant facts of a complaint and the manner in which the complaint was resolved. It is the responsibility of the Compliance Officer or Responsible Manager to record all complaints on this register.

5. **Periodic Analysis and Evaluation of Complaints and Disputes**

The Licensee will periodically:

- classify the complaints and disputes recorded in the "AFCA Register" and "Complaints Register" into categories such as, type of complaint, subject of complaint, complaint outcome and timeliness of response;
- analyse the classified complaints and disputes data to ascertain if there are any systemic or recurring issues.

If systemic or recurring issues are identified, the Compliance Officer or Responsible Manager, in conjunction with the Board, is responsible for preparing a plan to address the systemic or recurring issues by taking steps to eliminate the underlying cause of the complaint. This Policy, along with any recommendations to remedy such issues must be provided to the Board.

These complaints, as identified through the complaints management process, will be addressed at quarterly meetings (or more frequently if required) with the Compliance Officer or Responsible Managers and senior management. The goals are to:

- address client complaints and the underlying issues involved with those complaints as effectively as possible;
- increase client satisfaction; and
- enable client support with the tools needed to address issues effectively.

Any statistical, non-personally identifiable complaints data collected for the purposes above will not be disclosed to the public unless the Compliance Officer determines otherwise.

6. **Communication and Training**

The Licensee is responsible for ensuring that all client facing staff:

- at their induction training, are made aware of this Policy; and
- undertake refresher complaints handling training regularly.

The Licensee will maintain a record of the complaints handling training undertaken by all client facing staff.

7. **Outsourcing**

In the event that any procedures under this Policy are outsourced to a third party service provider, the Licensee is responsible for ensuring that the policies and procedures adopted by the third party service provider comply with this Policy.

ANNEXURE A

Complaint Process

Our commitment	<p>You have the right to make a complaint where you are dissatisfied with our services or the way that we have handled your enquiry or complaint.</p> <p>We are committed to ensuring that any concerns are resolved quickly and effectively. We treat every complaint seriously and fairly.</p> <p>Our complaint procedure is free of charge.</p>
How to make a complaint	<p>You can provide feedback or make a complaint in any of the following ways:</p> <ul style="list-style-type: none">• In person• By calling us on 07 4957 2572• By emailing us at office@alman.com.au• By writing to us at: Alman Partners PO Box 1699, Mackay Qld 4740
How your complaint will be dealt with	<p>We will acknowledge receipt of your complaint immediately when you are speaking to one of our staff or, in all other cases, as soon as reasonably practicable.</p> <p>We will aim to resolve your complaint in 5 business days. If your complaint requires further investigation it may take up to 45 days for us to provide you with a final written response. We will notify you prior to the end of the 45 day period if we will not be able to provide you with a response within this timeframe.</p> <p>If you would like written confirmation of the resolution to your complaint, you may request this after the complaint has been resolved.</p>

If you are still dissatisfied

If you are dissatisfied with our response to your complaint or your complaint has not been resolved within the timeframes set out above, you may refer your complaint to the Australian Financial Complaints Authority (AFCA). Complaints may be made via the AFCA website.

Postal address Australian Financial Complaints Authority
GPO Box 3
Melbourne, VIC 3001

Telephone 1800 931 678

Fax (03) 9613 6399

Email info@afca.org.au

Website www.afca.org.au