



Complaints Resolution Policy

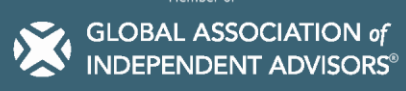
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Complaints Handling and Dispute Resolution

Key Information

Prepared by:	Cowell Clarke
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Person responsible for review:	Compliance Officer

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	April 2019	14
6	Reviewed	Cowell Clarke	October 2020	13
7	Reviewed	Cowell Clarke	July 2021	10

<p>1. Requirement</p> <p>Licensees are obliged to have a dispute resolution system consisting of both internal dispute resolution procedures and membership of the Australian Financial Complaints Authority. They must also have arrangements for compensation that meet s 912B of the Corporations Act, including professional indemnity insurance.</p> <p>2. Purpose</p> <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. <p>This document also contains the internal complaints form, and external complaints process documents.</p> <p>3. Relevant guidance</p> <p>ASIC RG 271: Internal dispute resolution – comes into effect 5 October 2021</p> <p>ASIC RG 267: Oversight of the Australian Financial Complaints Authority</p> <p>Australian/New Zealand Standard AS/NZS 10002:2014: Client satisfaction – Guidelines for complaints handling in organisations</p>

Complaints Handling and Dispute Resolution

1. Overview

This 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 is committed to a client-focussed complaints process.

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 271: Internal dispute resolution (RG 271); 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 or about 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, including the FASEA Code of Ethics.

The board of directors of the Licensee ("**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.

The Licensee takes a proactive approach to identifying complaints. In addition to the 'normal' avenues in which the Licensee receives complaints, it also considers the following expressions of dissatisfaction as complaints:

- posts on a social media channel or on an account owned or controlled by the financial firm that is the subject of the post (only in the circumstances where the author is both identifiable and contactable);
- complaints about a matter that is subject of an existing remediation program or about the remediation program itself (for example in relation to lack of communication or delays)

1. **Licensee's Key Principles for Internal Dispute Resolution**

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

Accessibility

To ensure the complaints process is accessible to all clients, all staff members of the Licensee who communicate with clients have access to this policy and receive complaints handling training. In order to ensure clients are aware of the complaints process, the Licensee's has made information relating to the complaints process:

- readily available to clients upon request; and
- summarised in the Licensee's Financial Services Guide and Terms and Conditions (as the case may be) for its financial services.

The Licensee ensures that it is able to receive complaints from clients either verbally, or in writing. This provides multiple avenues for receiving complaints. To further ensure clients are not discouraged from expressing dissatisfaction, the Licensee's complaints handling process is free of charge to clients.

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

An example of the information contained within the Complaints process documentation can be found at Annexure A.

Responsiveness

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.

Fairness

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.

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

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. But to ensure the Licensee's complaints handling process remains fit-for-purpose, this Policy is reviewed on an annual basis.

2. Internal Dispute Resolution process



Summary of process

Acknowledging the complaint

Once a complaint is received, notification of the complaint must be provided to the Complaints Manager (or the Compliance Officer if the Licensee has not nominated a Complaints Manager). This notification is undertaken by completing a Complaints Form (in the form contained in Annexure B or via the Compliance Portal). All Licensee staff and representatives must follow this process.

The Complaints Manager will acknowledge receipt of the complaint within at least one business day after receiving it. This receipt should be given in the method used to lodge the complaint, so it may be either verbally, in writing, or directly responding to a social media post. However, the Licensee's policy is to routinely acknowledge receipt of all complaints in writing wherever possible, regardless of the method used to lodge the complaint, for record-keeping purposes.

The Complaints Manager will also record the complaint in any relevant registers and evaluate the complaint with the appropriate degree of urgency.

Investigating the complaint

In the process of investigating the complaint, the Complaints Manager 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.

If necessary to the investigation process, the Licensee may also call upon other staff during the investigation.

Resolving the complaint

If the Licensee resolves the complaint to the complainant's satisfaction within 5 business days of receipt of the complaint, the Licensee is not required to provide a written response to the complainant unless requested in writing or the complaint is about hardship, a declined insurance claim, the value of an insurance claim or the decision of a

superannuation trustee. However, the Licensee's general policy is to respond to/resolve all complaints in writing for record-keeping.

The Licensee must provide a written response to a client by no later than 30 calendar days after it receives the complaint, explaining how it has resolved the complaint.

The Licensee is not required to provide a response within 30 days only if resolution of the complaint is particularly complex or the delay is due to circumstances beyond the Licensee's control.

If the Licensee has not resolved the complaint within 30 calendar days, it must write to the complainant setting out:

- the reasons for the delay;
- the complainant's right to complain to AFCA; and
- AFCA's contact details.

The Complaints Manager must record the details about how the complaint was resolved in the Complaints Register.

Notifying the client of the outcome of the complaint

The Licensee will, where required, provide a response to the client detailing the findings from its investigation into the complaint ("**IDR response**") The level of information contained within the IDR response will depend on the complexity of the complaint.

There are also circumstances where the licensee is not required to provide a response to clients following the investigation of an IDR complaint.

3. **External Dispute Resolution**

The Licensee will at all times be a member of AFCA. The Licensee will ensure it works with the client to avoid a complaint being lodged with AFCA. Where a client indicates that they may lodge a dispute with AFCA, then the complaint should be escalated to the Board.

Where a complaint is lodged with AFCA, the Licensee will continue to endeavour to resolve the complaint by settlement with the client, rather than by AFCA determination.

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 a Complaints Register which includes all relevant facts of a complaint and the manner in which the complaint was resolved.

It is the responsibility of the Complaints 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 Complaints Register into categories such as, type of complaint, subject of complaint, complaint outcome and timeliness of response as set out in the Complaints Feedback Form in Annexure A;
- 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 Complaints 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 Complaints Manager 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.

Unless required by law, the Licensee will not disclose personally identifiable complaints data collected for the purposes above to the public.

6. **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.⁷Complaints in Relation to Financial Products

The Licensee is a distributor of financial products under the Design and Distribution Obligations regime. The Licensee must provide reports to the product issuer about the number of complaints the Licensee received complaints in relation to the financial product during the reporting period set out in the financial product's Target Market Determination.

The Licensee is required to report this information to the product issuer within 10 business days after the end of the relevant reporting period contained in the Target Market Determination. The Compliance Officer is responsible for ensuring that the Licensee reports to product issuers within the relevant time frames.

The Complaints Manager will record any complaints in relation to a financial product on the complaints register.

ANNEXURE A

Complaints 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 within 5 days. You can request a written confirmation of the resolution of your complaint.</p> <p>If we cannot resolve your complaint within 5 days, we are required to provide a final response to your complaint within 30 days, except where there is no reasonable opportunity for us to respond because the complaint is particularly complex or because of circumstances beyond our control. If we cannot provide a response within 30 days, we will write to you with the reasons for our delay in resolving the complaint.</p>										
If you are still dissatisfied	<p>If you are dissatisfied with our response to your complaint or your complaint has not been resolved within 30 days, you may refer your complaint to the Australian Financial Complaints Authority (AFCA). AFCA can be contacted at:</p> <table><tr><td>Postal address</td><td>Australian Financial Complaints Authority GPO Box 3 Melbourne, VIC 3001</td></tr><tr><td>Telephone</td><td>1800 931 678</td></tr><tr><td>Fax</td><td>(03) 9613 6399</td></tr><tr><td>Email</td><td>info@afca.org.au</td></tr><tr><td>Website</td><td>www.afca.org.au</td></tr></table>	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
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