



COMPLAINTS POLICY

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| Policy Owner | BERNADETTE DE SOUSA |

PLAN STATEMENT

- Any reference to the "organisation" shall be interpreted to include the "plan owner".
- The organisation's governing body, its employees, volunteers, contractors, suppliers and any other persons acting on behalf of the organisation are required to familiarise themselves with the plan's requirements and undertake to comply with the stated processes and procedures.

PLAN ADOPTION

By signing this document, I authorise the organisation's approval and adoption of the processes and procedures outlined herein.


| | |
|----------------|---|
| Name & Surname | DAAN HUGO |
| Capacity | MANAGING DIRECTOR |
| Signature |  |
| Date | 2019/09/13 |

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COMPLAINTS RESOLUTION POLICY

1. Introduction and Objective

CertiSure is committed to a high service standard, rendering financial services with integrity, the speedy resolve of complaints and the overall improvement of processes even in the instance where a complaint may be viewed as 'invalid' in terms of the relevant policy wording. In this regard each and every concern counts as valuable feedback that requires addressing in a meaningful manner.

The object of this complaints resolution policy is to formalize the process in which dissatisfaction is lodged, acknowledged, investigated, resolved and leads to overall improvement/s.

It is furthermore important that each and every staff member receives extensive training in this regard, that this complaints resolution policy is made easily accessible to all policyholders, that this complaints resolution policy is continuously reassessed by senior management and that overall improvement/s are actioned as a consequence of feedback received from policyholders.

Please note that TCF and PPR (especially with regards to complaints) form part of each and every employee's annual performance evaluation report, which is to be completed prior to any potential salary increase and/ or promotion.

Important and guiding material/ bodies include all six Treating Customers Fairly (TCF) Outcomes, the Financial Sector Conduct Authority (FSCA) and the Policyholder Protection Rules (PPR).

2. The Definition of a Complaint

A Complaint in terms of the Policyholder Protection Rules (PPR) means an expression of dissatisfaction by a person to an insurer or, to the knowledge of the insurer, to the insurer's service provider relating to a policy or service provided or offered by that insurer which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a policyholder query, that -

- (a) the insurer or its service provider has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the insurer or to which it subscribes;
- (b) the insurer or its service provider's maladministration or willful or negligent action or failure to act, has caused the person harm, prejudice, distress or substantial inconvenience; or
- (c) the insurer or its service provider has treated the person unfairly;
- Regardless whether submitted together with or in relation to a policyholder query.

All complaints lodged with the Ombudsman/ FAIS/ FSCA is to be dealt with by Guardrisk exclusively. All documents and information relating to such a complaint, must be sent to Guardrisk within 24hours of receipt of the complaint.

Note that there is no service fee charged for registering a complaint.

The Treating Customers Fairly (TCF) Outcomes include:

1. Customers need to feel confident that TCF is central to our culture;
2. Products are designed, marketed and sold to the right customer, meeting their needs;
3. Customers receive clear information that is timely and relevant to them;
4. Customers receive suitable product/ sales advice that takes their circumstances into account;
5. Products and services perform as expected and the service is of an acceptable standard;
6. There are no unreasonable barriers for customers to change or switch products, claim or complain.

3. The definition of a Complainant – who may complain?

A complainant is a person who has a direct interest in the policy/ service or someone acting on behalf of a person with a direct interest in the policy/ service.

For example: a policyholder/ a person that pays a premium, his/ her beneficiary, a policyholder's spouse or registered dependents, a potential policyholder whose satisfaction relates to the relevant application, approach, solicitation, advertising or marketing material.

4. Outcomes of a Complaint

1. **Rejected:** complaint was rejected, and FSP regards the complaint as **finalized** after advising the complainant that FSP does not intend to take any further action to resolve the complaint. A formal repudiation letter with all complaint details will be sent. There are two variations of a rejected complaint:

- a) **Invalid:** the complainant does not accept or respond to proposals to resolve the complaint within 7 days. This includes sending relevant documentation, acting upon the advice of FSP as well as not being able to reach the complainant via telephone, SMS and E-mail (if applicable);
- b) **Unjustified:** the policy has been met, complainant has been treated fairly as far as possible, there is no legal leg to stand on to assist complainant, complainant refuses to accept outcome of merit assessment and nothing further can be done to assist complainant.

2. **Upheld:** complaint was successful either

- i. **Wholly** (complainant got exactly what he/ she was looking for);
- ii. **Partially** (complainant and FSP found middle ground).

There are also two variations of a wholly or an upheld complaint:

- a) **Compensation Payment:** to compensate a complainant for a proven or estimated financial loss incurred as a result of the FSP's wrongdoing. This is either:
 - i. **Payment Contractually due:** the complainant should have received the assistance and help from the start, a justified complaint;
 - ii. **Payment not Contractually due:** the complainant does not have legal standing or a legal argument, however, due to the poor handling by FSP in the form of negligence, FSP for example refunds the complainant his/ her premiums and cancels the complainant.
- b) **Goodwill Payment:** the complainant is not covered in terms of the policy, but FSP is willing and able to sponsor the matter due to extraordinary circumstances.

5. **The Category/ Categories of Complaints**

- a) The design of a policy or related service;
- b) Information provided to the policyholders or lack of information and feedback provided to a policyholder;
- c) Advice provided by the sales representative;
- d) Policy performance and/ or servicing including negligence;
- e) Admin services such as premium collection;
- f) Policy accessibility, ability to change or switch;
- g) Complaints handling (complaint of a complaint);
- h) Complaints relating to insurance claims, such as a rejection of a merit assessment for litigation (in-Court) cover;
- i) Other complaints.

6. **How to lodge a complaint should you feel that any or all of the above, in terms of the above categories and TCF Outcomes, could have been better handled by CertiSure. How to lodge a complaint should you feel dissatisfied with any aspect of your dealings with CertiSure:**

You may e-mail your complaint to Ms Bernadette de Sousa at bernadette.desousa@certisure.co.za or send it by fax to 086 505 1724. Alternatively, you may deliver it by hand to our office at 1 Charel de Klerk Avenue, Klerksdorp or contact us telephonically on 018 464 7393.

- a. When logging the complaint ensure that you include all the relevant information for a speedy resolution; this includes the staff member/s involved, your case or product details, any supporting documents and the relevant dates/ times relevant to your dissatisfaction. The reason for your dissatisfaction must be clear in order for FSP to investigate diligently;
- b. You may send your complaint to company details provided. Note that complaints logged using a **telephone** will be reduced to writing by the officer assigned to attend to your complaint;
- c. You will **receive confirmation** that your complaint has been received; the name of the person dealing with your complaint and confirmation that the relevant assigned staff member will contact you telephonically within **2 working days**.

7. **The Internal Complaints Handling Process**

- d. Upon contacting you telephonically, the person dealing with your complaint will introduce him/ herself and:
 - i) Ask you what your **preferred outcome** of the complaint would be? Please refer to the outcomes of a complaint mentioned in clause 4 but do not be discouraged by the terminology, the person dealing with your complaint will listen to whatever reason you have for your dissatisfaction;
 - ii) Answer any and all **questions** to the best of his/ her ability;
 - iii) Request your availability/ preferred times for follow-up calls and preferred communications medium for feedback (e-mail/ phone call/ SMS/ etc.);
 - iv) Advise you to kindly **expect feedback within 7 days, alternatively 3 days** where time is of the essence such as where a Court date is involved;

- v) Diarize the file for 7 or 3 days to provide feedback to you but commence investigation immediately;
- vi) It is important that you cooperate by providing copies of all relevant evidence and correspondence;
- vii) Should the matter remain unresolved after 7 or 3 days have passed and feedback has been provided, to diarize the complaints file in order to give feedback every 14 days;
- viii) You may escalate the matter internally and change the person dealing with your complaint where he/she did not attend to your complaint as per the 3/7/14 day diary period (to receive feedback/ assistance) as mentioned above. Simply follow the same steps as per clause 6 and advise that you wish to escalate the matter;
- ix) Should the matter be rejected as per clause 4, you will be provided with all reference numbers/ information and contact numbers of the Ombud/ Regulatory Body to take the matter further against us.

8. Complaints Escalation and Review Process

In the event that the complainant is dissatisfied with the outcome of their complaint, the matter may be referred to our Insurer. The insurer details have been noted in the policy terms & conditions and will be provided at the complaint handling stage.

Should your complaint be against CertiSure / the insurer, please lodge your complaint with the relevant Ombudsman.

When the complaint is pertaining to a Short-term (non-life) product; the matter will be referred to the **Ombud for Short-term Insurance**. The procedure for lodging a complaint may be found on the website for the Ombud for Short-term Insurance (www.osti.co.za) or you may obtain it directly from the Ombud at the following contact details:

Tel: (011) 726 8900 | Share call: 0860 726 890

Fax: (011) 726 5501

E-mail address: info@osti.co.za

Address: Sunnyside Office Park, 5th Floor, Building D, 32 Princess of Wales Terrace, Parktown

Postal Address: P O Box 32334 Braamfontein, 2017

When the complaint is pertaining to a Long-term (life) product; the matter will be referred to the **Ombud for Long-term Insurance**. The procedure for lodging a complaint may be found on the website for the Ombud for Long-term Insurance (www.ombud.co.za) or you may obtain it directly from the Ombud at the following contact details:

Tel: (021) 657 5000 | Share call: 0860 103 236

Fax: (021) 674 0951

E-mail address: info@ombud.co.za

Address: 3rd Floor Sunclare Building, 21 Dreyer Street, Claremont, Cape Town, 7700

Postal Address: Private Bag X45, Claremont, 7735

Should you have a complaint against the intermediary (e.g. a broker/ sales person selling you the product) the complaint may be lodged with FSCA (Financial Sector Conduct Authority) online via www.fsca.co.za/Pages/Contact-Us

Alternatively, a complaint may be logged with the FAIS Ombud. A complaint form needs to be completed, which can be downloaded from the FAIS Ombud's website (www.faisombud.co.za). The complaints registration form is also available from the FAIS Ombud at the following contact numbers:

Telephone: (012) 762 5000 / (012) 470 9080

Fax: (086) 764 1422 / (012) 348 3447

E-mail address: info@faisombud.co.za

Address: Sussex Office Park; Ground Floor, Block B; 473 Lynnwood Road Cnr Lynnwood Road & Sussex Ave, Lynnwood, 0081

Postal address: PO Box 74571, Lynnwood Ridge, 0040

GUIDANCE NOTES

2019.01 COMPLAINANT PROCEDURE COMMUNICATION (v.2)

- Part XI the General Code of Conduct for Authorised Financial Services Providers and Representatives ("the General Code of Conduct") stipulates the complaints management requirements which an FSP must comply with.
- In terms of section 17(8)(e) of the General Code of Conduct, a provider must disclose to the client –
 - The type of information required from a complainant;
 - Where, how and to whom a complaint and related information must be submitted;
 - Expected turnaround times in relation to complaints; and
 - Any other relevant responsibilities of a complainant.
- Section 17(8)(f) of the General Code of Conduct stipulates that a provider must within a reasonable time after receipt of a complaint acknowledge receipt thereof and promptly inform a complainant of the process to be followed in handling the complaint, including –
 - Contact details of the person or department that will be handling the complaint;
 - Indicative and, where applicable, prescribed timelines for addressing the complaint;
 - Details of the internal complaints escalation and review process if the complainant is not satisfied with the outcome of the complaint.
 - Details of escalation of complaints to the office of a relevant Ombud and any applicable timeline; and
 - Details of the duties of the provider and rights of the complainant as set out in the rules applicable to the relevant Ombud.
- This document must be provided to a complainant **within 1 (one) working day** as soon as the FSP receives a complaint from same (whether written or not).
- **Disclaimer:** This document is generic in nature and was compiled giving due consideration to pertinent regulatory requirements. This document is provided as a guideline only and any reliance by the user to achieve desired behaviour will be at the user's own risk. Moonstone Compliance (Pty) Ltd. accepts no liability for any damages suffered or losses incurred arising from the use of this document.
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COMPLAINANT PROCEDURE

PURPOSE OF THIS DOCUMENT

The organisation is an authorised Financial Services Provider, and as such we have certain specific duties towards you – our valued client. One of these duties is the establishment of a formal complaint management and resolution framework, which will enable you to exercise your rights as provide for in the Financial Advisory and Intermediary Services Act.

The purpose of this document is to inform you of the procedure which will be followed in order to provide a resolution for the complaint which you have submitted.

COMPLAINT MUST BE RELEVANT

In terms of the FAIS Act, a “complaint” means, a specific complaint relating to a financial service rendered by a financial services provider or representative to the complainant on or after the date of commencement of this Act, and in which complaint it is alleged that the provider or representative -

- has contravened or failed to comply with a provision of this Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
- has wilfully or negligently rendered a financial service to the complainant which has caused prejudice or damage to the complainant or which is likely to result in such prejudice or damage; or
- has treated the complainant unfairly;

The financial services environment is complex. We will endeavour to address all reasonable requests from our clients, but may also refer you to a more appropriate facility. Where the complaint relates to any aspect of our service, or any disclosures that ought to be made by us, we will endeavour to address those complaints in writing, within seven working days.

In instances where the complaint relates to any matter that is not within our control, such as product information or investment performance, we will forward the complaint to the product supplier concerned. Please be advised that we reserve the right to recover costs or damages that we may suffer as a result of clients making frivolous, vexatious or unreasonable claims.

PROCEDURE

Our internal complaints resolution process is intended to provide for the fair and effective resolution of complaints. The time periods set out in this procedure will be adhered to as strictly as possible but may be varied if necessary. The following step by step guideline sets out the procedures we will adopt and demonstrates how a complaint will be dealt with, once received by us:

- Your complaint and all communications in connection with your complaint must be in writing. All verbal communications made in connection with the complaint must be confirmed in writing within three days of the communication.
- Please indicate the following information:
 - Your name, surname and contact details;
 - A complete description of your complaint and the date on which the financial service which led to your complaint was rendered;

- The name of the person who furnished the financial advice or rendered the intermediary service that led to your complaint; and
 - How you would prefer to receive future communications regarding your complaint (i.e. via fax or e-mail).
- The complaint will be entered into our Complaints Register on the same day that it is made and written confirmation of receipt will be forwarded to you. We will keep record of the complaint, and maintain such record for 5 years as required by legislation. Please take into consideration that the method of communication chosen by you will determine how quickly we will respond to your complaint.
 - The complaint will immediately be brought to the attention of the senior manager in charge of the relevant department for allocation to a trained and skilled person who is able to properly respond to your complaint (i.e. the Complaint Dispute Facilitator).
 - The complaint will be investigated and we will revert to you with our preliminary findings **within 7 (seven) working days** from the date of receipt of the complaint. In all instances we will advise you of the reasons for our decisions.
 - The preliminary findings will be discussed with all internal parties concerned, and a proposed solution will be communicated to you within a **further 7 (seven) working days**. In all instances we will advise you of the reasons for our decisions.
 - If you are not satisfied with our solution, you may refer the complaint to the Managing Director of our Business. The Managing Director may amend the solution or confirm it. Please be informed that certain decisions may have to be approved by the management committee of the FSP. In such a case we will communicate that fact to you, as well as the date on which a decision relating to your complaint will be taken.
 - If, after having referred the complaint to the Managing Director, you are still not satisfied with the outcome, we will regard the complaint as being unsatisfactorily resolved. In such a case, you may approach the office of the Ombud for Financial Services Providers or take such other steps as may be advised by your legal representatives.
 - The Ombud is appointed by the Financial Services Conduct Authority (the "FSCA") to act as an adjudicator in disputes between clients and financial services providers. The referral to the offices of the Ombud must be done in accordance with the provisions of section 27 of the Financial Advisory and Intermediary Services Act 2002 and the rules promulgated in terms of that section.
 - In instances where we have not been able to arrive at a resolution **within 6 (six) weeks** after you have submitted your complaint, the matter will automatically be referred to the Ombud. The Ombud acts independently and objectively and has jurisdiction in respect of complaints relating to advice or intermediary services, which has arisen after 15 November 2002.
 - You must, if you wish to refer the matter to the Ombud, do so **within 6 (six) months** from the date of the notice in which we inform you that we are unable to resolve your complaint to your satisfaction. The Ombud will not adjudicate in matters exceeding a value of R800 000.
 - The Ombud – Mr. Naresh Tulsie – may be contacted at his offices in Pretoria at the following address:
Physical Address:
Kasteel Park Office Park
Orange Building
2nd Floor
Cnr of Nossob and Jochemus Street

Erasmuskloof

Pretoria

Telephone: +27 12 762 5000 / +27 12 470 9080

Facsimile: +27 12 470 9097 / +27 12 348 3447

Postal Address: P.O. Box 74571, Lynwood Ridge, 0040

E-mail Address: info@faisombud.co.za

Website: www.faisombud.co.za

