

<Insert your business logo>

Complaints Handling and Disputes Resolution

MODULE 2.9 – COMPLAINTS HANDLING

READ THIS FIRST!

- **What's this document for?** It describes how you manage complaints and disputes and how you use these to improve your business methods
- **Why do I need this?** The National Consumer Credit Protection Act 2009, at section 47, requires you have complaints measures in place. The Australian Securities and Investments Commission, in their Regulatory Guide 205 requires you to have a written procedure and recommends one like this.
- **What do I need to do now?**
 1. Read the document carefully, right through
 2. Text in *<red italics>* is either instructive, suggestive or a part where you need to write your own material about **your** business
 3. Go through the document again and replace all the *<red italic>* text with your own material
 4. **Delete** any remaining *<red italic>* text
 5. If you haven't already, ensure you implement this policy in your business by training all staff

Leverage your opportunities

- The number one reason you are completing this document is because ASIC require you to do it.
- But you can turn this into an opportunity to improve your business
- A documented complaints procedure, including how you analyse and investigate complaints, helps you to take full advantage of the information that your complainants are providing you for free – feedback is a gift!

Delete this box and the instructions box when you have finished

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1. Introduction

1.1. Purpose and Scope

The purpose of this document is to describe our business approach to the management of complaints and the framework within the business that supports this.

In addition to promoting a culture of fair customer treatment, these procedures also assist our business in complying with:

- a. ASIC Regulatory Guide RG165 (on dispute resolution);
- b. *<Name of external disputes resolution scheme that your business is a member of, eg Credit Ombudsman Service Limited> (<abbreviation for your scheme eg COSL>)* scheme rules;
- c. International Standards Organisation standard ISO10002 (on complaints handling); and
- d. The National Consumer Credit Protection Act 2009 and associated Regulations.

This document applies to all employees, agents and representatives of our business (“staff”) and to all our products. The document clearly sets out the procedures Staff must follow on becoming aware of a complaint (see definition below).

1.2. Company Culture

<Describe your existing business policies with regard to “fair customer treatment” and how your business expects client concerns to be addressed>

<Commitment must begin at Director level. Describe the methods in your business of cascading this commitment down to staff>

1.3. Annual Review

This document will be reviewed annually by *<who>*. The review will ensure continuing compliance with applicable laws, the requirements of any Licence issued to our business and relevant industry standards. The review will also ensure the guidance remains applicable to our business and continues to achieve its purpose.

1.4. Amendment

<How are changes made to this policy, by whom and with what level of approval? How are amendments communicated to all staff?>

2. Complaints Overview

2.1. What is a Complaint?

A COMPLAINT IS ANY EXPRESSION OF DISSATISFACTION IN RELATION TO A COMPANY PRODUCT OR SERVICE, WHERE A RESPONSE OR RESOLUTION IS EXPLICITLY OR IMPLICITLY EXPECTED.

Complaints can be made in writing (letter or email) or verbally (telephone or personal representation). Complaints might be made by any person, not necessarily only actual customers of the Company. Complaints must be resolved as expeditiously as possible.

Complainants must be:-

- a. treated with respect and provided with all documentation and evidence in support of their concerns;
- b. informed of the complaints handling process, including the avenues for further review of decisions such as an External Dispute Resolution Scheme (EDRS); and
- c. informed of decisions and the reasons for those decisions.

The EDRS that the Company belongs to is the *<insert EDRS>*.

2.2. Complaints handling officer

<Describe the nominated person in your business who is responsible for the day-to-day management of complaints and the skill set that your business expects their complaints officer will possess.>

Complaints are investigated and managed through to closure by the *<Describe who manages complaints through to conclusion. It might be a single person, for example a dedicated complaints manager. Or, in a larger business, you might make the department responsible for the complaint also responsible for the investigation.>*

3. General procedures

3.1. Summary

<Briefly describe the procedure by which complaints are actually handled within your business, including any compulsory forms that are used to record complaints, who can take complaints and how the complaints are funnelled into the complaints officer for handling. What does the person responsible for complaints do with them?>

3.2. Registers

<A vital part of any compliant complaints system is to record all details of complaints in a central register. Registers are designed to facilitate the recording and resolution of incidents and to prevent future occurrences. They are also used for identifying systemic risks – this is called “root cause analysis”. Describe your business’ complaints register, who controls it and how it is administered.>

4. Complaints

If a person (not necessarily a customer) contacts our business and expresses dissatisfaction with a product or service and expects a response or resolution, the incident must be recorded as a complaint.

4.1. Complaint handling procedure

The procedure can be summarised as follows:

[For the remainder of this helpful document, please purchase the Australian Credit Licensing Kit