



## COMPLAINTS RESOLUTION POLICY

### SCOPE

The purpose of this policy is to formalize the process in which dissatisfaction is lodged, acknowledged, investigated, resolved and leads to overall improvement/s within our organisation.

### 1. INTRODUCTION

PrestGroup 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.

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).

PrestGroup confirms that Treating Customers fairly is a cornerstone of its organisation and always strive to meet the following six outcomes:

1. Customers must feel confident in that TCF is central to PrestGroup's culture;
2. Products are designed, marketed and sold to the right customers, 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

### 2. DEFINITIONS

**"Complaint":** 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, 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 providers maladministration or wilful 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.



**“Complainant”:** A person who submits a complaint and includes a –

- (a) A policyholder or the policyholders successor in title;
- (b) Beneficiary or the beneficiary’s successor in title;
- (c) Potential policyholder whose dissatisfaction relates to the relevant application, approach, solicitation, or advertising or marketing material;

Who has a direct interest in the agreement, policy or service to which the complaint relates, or a person acting on behalf of a person referred to in (a) (b) (c).

**“Policyholder”** Is defined as a-

- (a) Natural person or
- (b) Juristic person, whose asset value or annual turnover is less than the threshold value as determined by the Minister of the Department of Trade and Industry in terms of section 6 of the Consumer Protection Act 2008 ( Act 68 of 2008).

**“Redress”** is any monetary award made as a result of a complaint. This is any amount paid, or cost borne, where a cash value can be readily identified, and should include the following :

- (a) Amounts paid for distress of inconvenience
- (b) A free transfer of cover to another provider which would otherwise normally be paid for
- (c) Goodwill of payments and goodwill gestures
- (d) Interest on delayed settlements
- (e) Waiver of an excess on an insurance policy
- (f) Payments to put the consumer back into the position they would have been in had the act or omission not occurred( including claim payments).

**“Internal complaint resolution system and procedures”** in relation to an FSP and a client, means the system and procedures established and maintained by the FSP in accordance with the General Code of Conduct for the resolution of complaints by clients.

**“Ombud”** means the Ombud for Financial Services Providers, commonly referred to as the FAIS Ombud, or the Ombud for Short Term Insurance, commonly referred to as the OSTI.

**“Resolution” or “Internal resolution”** in relation to a complaint and an FSP means the process of resolving of a complaint through and in accordance with the internal complaint resolution system and procedures of the provider.

**“Rules”** means the Rules on Proceedings of the Office of the Ombud.

### 3. PROCESS TO SUBMIT A COMPLAINT

We, PrestGroup (Pty) Ltd, have the following processes in place when attending to a complaint:

- Request that the client submit such complaint which fulfils the above local definition of a complaint, against us or one or more of our Representatives, in writing to our offices. We also request that the client submit any supporting documentation with the written complaint.
- All complaints will be entered into our formal Complaints Register.
- We will promptly acknowledge (usually within 24hours but no longer than 48hours), in writing, to the client receipt of such complaint and furnish the client with details of the contact person at our organization who will be involved with the investigation and resolution of the complaint.
- All complaints received from clients will be handled in a timely and fair manner, with each complaint receiving proper consideration in a process that is managed appropriately and effectively.
- We undertake to inform the client of the outcome of the investigation relating to the complaint within seven (7) days of receipt of the initial written complaint unless such complaint requires further extensive investigation in which case this will be communicated to the client within a maximum period of 6 weeks.
- In a case where the complaint is resolved in favor of and to the satisfaction of the client, we ensure that a full and appropriate level of redress is offered to the client without any further delays.
- In a case where the complaint is not resolved to the client’s satisfaction, we will ensure that the client is made aware of their rights in terms of the FAIS Act, or any other law. This includes giving the client a full written report regarding the investigation of the complaint and the findings thereof, as well as contact details (physical and postal address, contact numbers, fax numbers and e-mail addresses) for the Ombud where the client will have six (6) months, from date of notification from us regarding the resolution/dismissal of the complaint, within which to pursue further action at the Ombud’s office.
- We undertake to maintain a record of complaints received for a period of five (5) years, together with an indication of whether or not such complaints were resolved.



In any particular case, before the Ombud enjoys jurisdiction, an aggrieved client must first resort to an internal complaint resolution system and procedure, such as the one we have outlined above.

#### 4. PROCESS OF NOTIFYING THE RELEVANT INSURER OF COMPLAINTS

- We at PrestGroup take responsibility to handle all complaints received appropriately and ensure that we are compliant with all relevant rules and regulations. This includes any requirements to acknowledge complaints, provide information to the complainant and meet applicable time limits.
- We undertake to notify the relevant insurer within 14 days of receipt of the complaint by using the processes and procedures as determined by the applicable insurer.
- We undertake to send a copy of all formal and serious matters regarding complaints and their responses, as well as the original complaint to the relevant insurer within 2 days of the response being issued.

The client may also at any time, lodge a complaint with the relevant insurer. Details of the insurer, the policy and contact details are disclosed on all policy documents as required by law.

#### 5. BASIC PRINCIPLES OF OUR INTERNAL COMPLAINTS RESOLUTION SYSTEM

Our internal complaints resolution system is based on the following basic principles:

- The maintenance of a Complaints Policy Manual which outlines our commitment to, and the systems and procedures we employ for the, internal resolution of any complaint submitted by a client against us or one or more of our Representatives.
- Our procedures for the resolution of any complaint are transparent and visible to all clients ensuring that the client has full knowledge thereof.
- Clients are easily able to access such procedure through our offices which are open to clients or through the postal system, fax, telephone and/or electronic means, including our website.
- Ensure that the resolution of the complaint is done so in a fair manner giving equal opportunities to all parties to make their submissions regarding the complaint.
- Ensure adequate training of all relevant staff on the procedure to follow when a complaint has been submitted by a client, including full knowledge of the FAIS Act and subordinate legislation.
- All complaints will be followed-up at an operational level to ensure avoidance of similar occurrences that might give rise to complaints and to improve services, systems and procedures where necessary.
- Complaints records will be maintained for a minimum period of 5 years together with an indication of whether or not such complaint was resolved and all cases of non-compliance with the legislation and the reasons for such non-compliance.

#### 6. REFERRAL TO THE OMBUD

- If a complaint has not been resolved within 6 weeks or where the complaint has been dismissed or where the client is not satisfied with the results of the investigation into the complaint; the client may, within 6 months of such feedback from PrestGroup, refer the complaint to the Ombud for Financial Services Providers (FAIS Ombud) or the Ombudsman for Short Term Insurance (OSTI) or the Financial Services Conduct Authority (the FSCA) with details below. Please note that there is no fee charged for registering a complaint.
- For complaints against the intermediary (e.g. PrestGroup as broker/ sales person selling the product), please lodge complaint with the FAIS Ombud.

##### **FAIS Ombud details:**

- Physical address: Baobab House, Eastwood Office Park, Lynnwood Road, Pretoria
- Postal address: PO Box 74571, Lynnwood Ridge, 0040
- Contact number: Tell: +(0) 12 470 9080
- Fax no: 012 348 3447
- Website: [www.faisombud.co.za](http://www.faisombud.co.za)

- For complaints against the insurer, please lodge complaint with the Ombud for Short Term Insurance.

**OSTI details:**

- Physical address: 1 Sturdee Avenue, 1st Floor, Block A, Rosebank, Johannesburg, 2196
- Postal address: PO Box 32334 , Braamfontein, 2017
- Contact number: Tel: +27 (0) 11 726 8900 / Share Call: 0860 726 890
- Fax no: +27 (0) 11 726 5501
- Website: [www.osti.co.za](http://www.osti.co.za)

- You may also contact the **Financial Services Conduct Authority** online [www.fsca.co.za/Pages/Contact-Us](http://www.fsca.co.za/Pages/Contact-Us)
- Please note the following regarding the office of the Ombud:
  - The Ombud will generally decline to investigate a complaint if a period of more than 3 years has expired since the act or omission which resulted in the complaint.
  - The Ombud will generally decline to investigate a complaint, if proceedings have been instituted by the complainant in any court relating to the complaint
  - Should the complainant not lodge the complaint with the Ombud, the complainant may pursue any other avenue of law which is available to it.
  - The Ombud will generally only investigate a complaint where the financial loss suffered by the complainant is equal to or less than the regulated monetary limits as per legislation. This amount is subject to review from time to time.
  - The Ombud may decline to investigate a complaint if there is reasonable grounds to believe that a more appropriate dispute resolution process is available or in cases where it will be more appropriate to deal with the complaint in Court.
  - The Ombud will only proceed to investigate a complaint if it has informed every other interested party of the receipt of such complaint, has provided particulars of such complaint to those parties and has provided those parties with the opportunity to respond.
  - The Ombud may follow and implement any procedure which it deems fit and may allow any party the right of legal representation.
- The Ombud may make recommendations to the parties and if accepted by the parties, such recommendation will have the effect of a final determination.
- The Ombud will in any case, where a matter has not been settled or a recommendation has not been accepted by the parties, make a final determination which may include dismissal of the complaint or upholding of the complaint. If a complaint is upheld:
  - The complainant may be awarded compensation; or
  - PrestGroup/Insurer may be ordered to take certain steps; or
  - The Ombud may make any other order which a Court may make.



## ROLES, RESPONSIBILITIES AND CONTACT DETAILS

ROLE	RESPONSIBILITY	EMAIL ADDRESS
<b>General</b>		<a href="mailto:complaints@prestgroup.co.za">complaints@prestgroup.co.za</a>
<b>Managing Director</b>	Riaan Grobbelaar	<a href="mailto:riaan@prestgroup.co.za">riaan@prestgroup.co.za</a>
<b>Marine Department</b>		
Marine Director	Leonie van Rooyen	<a href="mailto:leonie@prestgroup.co.za">leonie@prestgroup.co.za</a>
Marine Divisional Director	Susan Duvenage	<a href="mailto:susan@prestgroup.co.za">susan@prestgroup.co.za</a>
Marine Divisional Director	Jean Roos	<a href="mailto:jean@prestgroup.co.za">jean@prestgroup.co.za</a>
<b>Commercial Department</b>		
Commercial Director	Herman Grobbelaar	<a href="mailto:herman@prestgroup.co.za">herman@prestgroup.co.za</a>
Commercial Divisional Director	Cecile Myburgh	<a href="mailto:cecile@prestgroup.co.za">cecile@prestgroup.co.za</a>
<b>Financial Department</b>		
Financial Director	Gawie Badenhorst	<a href="mailto:gawie@prestgroup.co.za">gawie@prestgroup.co.za</a>
<b>Legal and Compliance</b>	Leonette Kruger	<a href="mailto:leonette@prestgroup.co.za">leonette@prestgroup.co.za</a>

**Leonette Kruger**  
Legal and Compliance



## POLICY DETAILS

<b>Policy Name</b>	Complaints Resolution Policy
<b>Effective Date</b>	01/10/2019
<b>Date of Last Revision</b>	01/10/2019
<b>Administrator Responsible</b>	Leonette Kruger
<b>Contact Information</b>	<a href="mailto:leonette@prestgroup.co.za">leonette@prestgroup.co.za</a>
<b>Applies to</b>	All Departments and staff
	Management
<b>Version</b>	1
<b>Author</b>	Leonette Kruger