



i capital Risk Services (Pty) Ltd

Complaints Policy and Procedures in terms of the  
Protection of Personal Information Act, No 4 of 2013

For

Associated Insurance Brokers  
FSP # : 19819

Prepared by Associated insurance Brokers  
Date : 25/08/2017

Copyright

**Compliance Consulting**

## TABLE OF CONTENTS

1. INTRODUCTION .....	2
2. COMPLAINTS POLICY .....	2
3. DEFINITION OF COMPLAINT .....	2
4. PROCEDURE FOR LODGING A COMPLAINT .....	3
5. INTERNAL COMPLAINT RESOLUTION SYSTEM .....	3

### 1. INTRODUCTION

This document constitutes the complaints policy and internal complaint resolution system and procedures of the FSP as required by the FAIS Act.

### 2. COMPLAINTS POLICY

The FSP is committed to an internal complaint resolution system and procedures based on the following principles:

- 2.1 to maintain and remain committed to an efficient internal complaint resolution system with adequate resources;
- 2.2 transparency and visibility by ensuring that clients have full knowledge of the procedures for resolution of their complaints;
- 2.3 accessibility of facilities by ensuring the existence of easy access to such procedures at any of the FSP's business premises open to clients, and through ancillary postal, fax, telephone and/or electronic means;
- 2.4 fairness by ensuring that resolution of a complaint will be effected in a manner which is fair to both clients, the FSP and staff; and
- 2.5 adequate training of all relevant staff including imparting and ensuring full knowledge of the provisions of the legislation with regard to the resolution of complaints.

### 3. DEFINITION OF COMPLAINT

“Complaint” means a specific complaint relating to a financial service rendered by the FSP or a representative to the complainant on or after the date of commencement of the FAIS Act and in which complaint it is alleged that the FSP or representative:

- 3.1 has contravened or failed to comply with a provision of the FAIS Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
- 3.2 has willfully 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
- 3.3 has treated the complainant unfairly.

### 4. PROCEDURE FOR LODGING A COMPLAINT

- 4.1 Any client who wishes to lodge a complaint against the FSP or any employee must lodge such complaint in writing.
- 4.2 The complaint must provide full details and be accompanied by supporting documentation.
- 4.3 All complaints must be addressed to:
  - FSP name: i capital Risk Services (Pty) Ltd
  - postal address: P O Box 785063, Sandton, 2146
  - fax no: 011 7833664
  - e-mail address: info@aib.za.com
  - for the attention of: Mr Neil Graham  
(*name of contact person*).
- 4.4 The FSP will acknowledge receipt of the complaint in writing.
- 4.5 The FSP will respond promptly to any complaint.
- 4.6 The FSP will notify the complainant in writing of the outcome of the resolution of the complaint within 6 weeks of receipt thereof.
- 4.7 Should the complaint not be resolved to the complainant's satisfaction within 6 weeks of lodging such complaint, the complainant may lodge the complaint with the Ombud of Financial Services Providers within 6 months of receiving notification from the FSP regarding the resolution/dismissal of the complaint.
- 4.8 Should the complainant not lodge the complaint with the Ombud, the complainant may pursue any other avenue of law which is available to it.
- 4.9 Contact details of the Ombud:
  - name: Charles Pillai
  - postal address: P.O. Box 74571  
Lynwood Ridge  
0040
  - tel no: 012-470-9080/99
  - fax: 012-348-3447

## **5. INTERNAL COMPLAINT RESOLUTION SYSTEM**

- 5.1 The FSP must nominate a contact person responsible for managing and overseeing the effective resolution of complaints and compliance with this complaints policy and procedures ("the contact person").
- 5.2 All clients must be advised in writing that the FSP has a complaints policy and procedures which communication must contain the FSP's contact details.
- 5.3 Clients must be provided access to this complaints policy and procedures at all business premises as well as through ancillary postal, fax, telephone and/or electronic means.

- 5.4 Any employee who receives a complaint from a client must request the client to lodge such complaint in writing and simultaneously provide the client with the communication particulars of the contact person.
- 5.5 Upon receipt, the contact person must enter the complaint in the complaints register which is held by the contact person.
- 5.6 If the complaint is received by any employee other than the contact person, the complaint should be handed to the contact person immediately.
- 5.7 The contact person may delegate resolution of the complaint to an appropriate person.
- 5.8 Complaints must be investigated and responded to promptly.
- 5.9 Complaints must be handled in a timely and fair manner.
- 5.10 Non-routine serious complaints must be handled at an appropriate level and by staff with adequate expertise.
- 5.11 All complaints must be resolved within 6 weeks of receipt thereof.
- 5.12 Should a complaint not be resolved to the satisfaction of the complainant, the complainant must be notified thereof within 6 weeks of receipt of the complaint and be advised of its right to lodge such complaint with the Ombud within 6 months of receipt of such notification, as well as be advised of any other legal remedies it may have.
- 5.13 The notification after dismissal of a complaint must include the name, address and other contact particulars of the Ombud.
- 5.14 If an outcome is not favourable to the client, full written reasons must be furnished to the client.
- 5.15 Where the complaint is resolved in the favour of the client, a full and appropriate level of redress must be offered to the client without any delay.
- 5.16 All complaints must be followed-up to ensure avoidance of occurrences giving rise to complaints and/or to improve services and systems and procedures, where necessary.
- 5.17 The complaints register must regularly be completed and inspected by the contact person who will exercise management control to ensure effective control and supervision of the complaints process.
- 5.18 The Compliance Officer will inspect the complaints register from time to time and monitor effective complaint resolution and compliance with the complaints process.
- 5.19 Records must be kept for a minimum period of 5 years together with an indication whether or not such complaint has been resolved, cases of non-compliance with the legislation and the reasons for such non-compliance.

# COMPLAINTS PROCESS

