



## Complaints Management Policy

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### 1. PURPOSE

The purpose of this policy is to document our commitment to establishing and maintaining a complaints management framework that ensures the effective resolution of complaints.

Our objective is to ensure that complaints are handled fairly, effectively, consistently and at the earliest possible opportunity and in the best interests of our clients.

This policy applies to all employees, contractors, service suppliers (if applicable) and juristic and mandated representatives (if applicable) of Network Trust.

It is the responsibility of the Key Individual(s) to ensure that the requirements of this policy are communicated to all relevant parties and that the requirements are adhered to.

This policy will be made available at [www.networktrust.co.za](http://www.networktrust.co.za)

### 2. DEFINITIONS

The following definitions are detailed in the General Code of Conduct for Authorised Financial Services Providers and specifically relate to the Complaints Management Framework requirements.

**Compensation payment:** A payment whether in monetary form or in the form of a benefit or service, by or on behalf of Network Trust to a complainant to compensate the complainant for a proven or estimated financial loss incurred as a result of our contravention, non-compliance, action, failure to act, or unfair treatment which forms the basis of the complaint and where we accept liability for having caused the loss concerned. It excludes goodwill payments, payment contractually due to the complainant in terms of a financial product or service and a refund of an amount paid by or on behalf of the complainant to us where such payment was not contractually due.

**Goodwill payment:** A payment, whether in monetary form or in the form of a benefit or service, by or on behalf of Network Trust to a complainant as an expression of goodwill aimed at resolving the complaint but where we do not accept liability for any financial loss to the complainant as a result of the matter complained about.

**Client query:** A request to us or our service supplier by or on behalf of a client, for information regarding financial products, financial services or to carry out a transaction or action in relation to any such product or service.

**Reportable complaint:** All complaints except for complaints that are handled in accordance with our normal process for handling client queries in relation to the type of financial product or financial service complained about and provided that such process does not take more than 5 business days from the date that the complaint is received. It also excludes complaints submitted to or brought to our attention in such a manner that we do not have a reasonable opportunity to record such details of the complaint.

**Service supplier:** Means any person (whether or not that person is an agent of Network Trust), other than a representative, with whom we have an arrangement relating to the marketing, distribution, administration or provision of financial products, financial services or related services.



### **3. WHAT IS A COMPLAINT?**

A complaint means an expression of dissatisfaction by a person to Network Trust or, with our knowledge, to one of our service suppliers relating to a financial product or financial service provided or offered by Network Trust which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a client query, that:

- a) Network Trust or our service supplier has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on Network Trust or to which we subscribe;
- b) Network Trust or our service supplier's maladministration or wilful or negligent action or failure to act, has caused the person harm, prejudice, distress, or substantial inconvenience; or
- c) Network Trust or our service supplier has treated the person unfairly.

### **4. WHO CAN SUBMIT A COMPLAINT?**

A complainant is a person who submits a complaint and includes

- a) A Client
- b) A Person nominated as the person in respect of whom a product supplier should meet financial product benefits or that person's successor in title;
- c) A Person whose life is insured under a financial product that is an insurance policy;
- d) A Person that pays a premium or an investment amount in respect of a financial product;
- e) A Member;
- f) A Person whose dissatisfaction relates to the approach, solicitation marketing or advertising material or an advertisement in respect of a financial product, financial service or related service.

### **5. OUR COMMITMENT**

Network Trust is committed to the establishment and maintenance of an effective complaints management framework which includes robust complaints handling procedures for the internal resolution of complaints.

- We are fully committed to addressing and resolving any complaints received from complainants in a timely and fair manner and in strict accordance with the provisions of the FAIS Act and any other South African law which may be applicable from time to time.
- We are fully committed to applying the basic values of transparency and visibility and will ensure at all times that complainants have full knowledge of the procedures for the resolution of their complaints and the status of their complaints.
- We will ensure that adequate manpower and other resources will be available at all times for the timely, effective and fair resolution of all complaints received.
- We will ensure the adequate training of all relevant staff, including imparting and ensuring full knowledge of the provisions of the FAIS Act, the FAIS Rules and the General Code of Conduct for Authorised Financial Services Providers and Representatives with regard to the resolution of complaints.

### **6. COMPLAINTS PROCEDURE**

Complaints should be made in writing with sufficient detail to enable us to investigate the complaint thoroughly. All complaints received whether verbally or in writing will be dealt with in accordance with the complaint's procedure.



## Contact details for the submission of complaints

### Complaints may be sent to:

Name: Andreas Christoforou  
Email: andreas@networktrust.co.za  
Telephone: 0114777777  
Postal Address: PO Box 151 Bergbron 1712

## 7. ALLOCATION TO A RESPONSIBLE PERSON

On receipt of a complaint, it will either be handled by the above person or allocated to another responsible person within the business.

The responsible person must:

- a) Acknowledge receipt of the complaint in writing within 2 business days. The acknowledgement must include the responsible person's contact details and advise the complainant that the complaint is being investigated.
- b) Enter the details of the complaint and the complainant in the Complaints Register using the information provided by the complainant.
- c) The responsible person must attempt to resolve the complaint as efficiently as possible without unnecessary delays.
- d) If a complaint is resolved within 5 business days after receipt of the complaint, it must still be entered into the Complaints Register but will not be regarded as a reportable complaint and must be recorded as such in the Complaints Register.
- e) Within 2 weeks (10 business days) following receipt of the complaint, the responsible person must have investigated the complaint in a consistent, fair, and effective manner giving proper consideration to the complaint.
- f) If after 2 weeks (10 business days) after receipt of the complaint, the complaint has not been resolved, the responsible person must provide the complainant with an update as to the status of the complaint and reasons for the delay. This must be done in writing and a copy of the correspondence retained in the complainant's file.
- g) The responsible person must attempt to resolve the dispute in a fair and effective manner within 30 days of receiving the complaint by giving due consideration to the nature and cause of the complaint.

## 8. ACKNOWLEDGEMENT OF COMPLAINT

The responsible person must ensure that an acknowledgement of the complaint is sent to the complainant in writing within 2 business days following receipt of the complaint.

The acknowledgement must include the following:

- a) The name and contact details of the person responsible for resolving the complaint;
- b) The timeframes applicable for the resolution of the complaint so that the complainant has a clear expectation as to how long it may take to resolve his/her complaint;
- c) Details of the complainant's right to escalate his/her complaint to the Key Individual if the complaint has not been resolved by the responsible person to the complainant's satisfaction;
- d) Details of the complainant's right to escalate his/her complaint to the FAIS Ombud within 6 months of receiving final notification from us;
- e) Details of our complaints policy and procedure and its availability via our website or on request.



## **9. COMPLAINANTS MUST BE KEPT INFORMED**

The responsible person must ensure that the complainant is kept informed as to the progress made in resolving his/her complaint.

If there are any delays in resolving the complaint, this must be communicated to the complainant in writing. If revised timeframes for the resolution of the complaint are required, this must be communicated to the complainant.

If any additional information is required from the complainant in order to resolve the complaint, this must be requested in writing without delay.

As a minimum, if the complaint hasn't been resolved within 2 weeks (10 business days) following receipt of the complaint, an update must be provided to the complainant. Similarly, if after 30 days the complaint still hasn't been resolved, a further update must be provided.

## **10. ESCALATION OF COMPLAINTS**

If after 30 days, the responsible person is unable to resolve the complaint, it must be escalated to the Key Individual for consideration.

Escalation to the Key Individual may be required where complaint is complex or unusual or the responsible person lacks the authority or technical knowledge to resolve the complaint and requires additional input from the Key Individual. In this instance, the responsible person should not wait to escalate the complaint to the Key Individual after 30 days.

If the responsible person is the only Key Individual, due consideration must be given to all available options to resolve the complaint in a fair and effective manner. This may include the option of a compensation payment or goodwill payment where such options are appropriate taking into consideration the circumstances that gave rise to the complaint.

Where appropriate or deemed necessary by the Key Individual, complaints should be referred to an impartial function such as the compliance officer for input.

## **11. REFERRAL FROM THIRD PARTIES**

In the event that a complaint is referred to Network Trust by a third party such as a product supplier, the complaint must be treated as if the complaint was received directly from the complainant. This may arise for instance where a complainant has lodged a complaint relating to us with an insurer or an Ombud.

Service suppliers (if applicable) and juristic representatives (if applicable) must ensure that any complaints relating to Network Trust must be referred to the Key Individual without delay.

The process for the resolution of such complaints must adhere to this policy and must be recorded in the Complaints Register.

## **12. THIRD PARTY COMPLAINTS**

- a) Where a complaint has been received by Network Trust but relates to a third party, for instance an insurer's decision to reject a claim, such complaints must be recorded in the Complaints Register and noted as a third-party complaint.
- b) The complaint must be acknowledged by the responsible person within two days and the complainant must be advised that the complaint has been referred to the third party for resolution.
- c) The Complaints Register must include the date that the complaint was referred to the third party.
- d) The Complaints Register must reflect that it is a third-party complaint.

### **13. COMPLAINTS REGISTER**

Accurate and complete records of all complaints received including the categorisation of the complaint (as detailed below), the action taken to investigate and resolve the complaint, the time taken to resolve a complaint and outcome must be maintained.

The responsible person is responsible for ensuring that following receipt of a complaint, the details are entered in the Complaints Register and is updated to reflect the action taken and status of the complaint.

### **14. COMPLAINT CATEGORISATION**

All reportable complaints received are categorised based on the cause or nature of the complaint. This assists in identifying trends and conduct risk. Complaint categories are included in the Complaints Register and must be consistently applied. Complaint categories include:

- a) Complaints relating to the design of a financial product, financial service or related service, fees, premiums or other charges relating to that financial product or service;
- b) Complaints relating to information provided to clients;
- c) Complaints relating to advice;
- d) Complaints relating to financial product or financial service performance;
- e) Complaints relating to a service to clients, including complaints relating to premium or investment contribution collection or lapsing of a financial product;
- f) Complaints relating to financial product accessibility, changes or switches, including complaints relating to redemptions of investments;
- g) Complaints relating to complaints handling;
- h) Complaints relating to insurance risk claims, including non-payment of claims; and
- i) Other complaints.

### **15. DECISIONS RELATING TO COMPLAINTS**

If the complaint still cannot be resolved after 6 weeks, the complainant must be advised of his/her right to refer the complaint to the FAIS Ombud within 6 months following receipt of the notification. The contact details for the FAIS Ombud must be provided.

Once a decision has been made to either uphold or dismiss a complaint, this must be communicated to the complainant within six weeks following receipt of the complaint.

Where a decision has been made to make a compensation payment, goodwill payment or to take any other action, we must ensure that this is actioned without undue delay and within any agreed timeframe.

Where we have decided to reject a complaint, we must provide the complainant with clear and transparent reasons for the decision and must inform the complainant of his/her right to refer the complaint to the FAIS Ombud within 6 months following notification of our rejection. The FAIS Ombud's contact details must be provided.

### **16. INTERNAL COMPLAINTS ESCALATION**

Once the responsible person has made a decision whether to uphold or reject a complaint, the decision must be communicated to the complainant without delay.

If the complainant is dissatisfied with the decision taken, the complainant may escalate the complaint by requesting in writing that the Key Individual reviews the complaint. Details of the option to escalate the complaint to the Key Individual must be included in the final response letter sent to the complainant.

Where the Key Individual was the responsible person dealing with the complaint, referral to a different Key Individual may apply. In the absence of an alternate Key Individual, the option to escalate the complaint will not apply.



## **17. RECORD KEEPING**

The responsible person must ensure that all relevant details relating to the complaint are saved in the client file. This must include copies of all correspondence, evidence and a detailed explanation for any decisions taken in relation to the complaint.

## **18. MONITORING AND ANALYSIS OF COMPLAINTS**

The Key Individual is responsible for reviewing the effectiveness of the complaints management framework on at least a bi-annual basis and to amend the process detailed in this policy to achieve a process that protects the legitimate interests of all parties.

This should be achieved by extracting management from the Complaints Register to identify any potential conduct risk or TCF concerns and to ensure that complaints are handled consistently and fairly. Corrective action must be taken where risks or trends are identified that could be detrimental to our customers.

Management information in respect of reportable complaints must include:

- a) The number of complaints received;
- b) The number of complaints upheld;
- c) The number of rejected complaints and reasons for the rejection;
- d) The number of complaints escalated by complainants to the internal complaint's escalation process;
- e) The number of complaints referred to an Ombud and their outcome;
- f) The number and amounts of compensation payments made;
- g) The number and amounts of goodwill payments made; and
- h) Total number of complaints outstanding.

Management information may further be used to report on the conduct of the business to the Financial Sector Conduct Authority.

## **19. ENGAGEMENT WITH OMBUDS**

All complaints reported to an Ombud must be escalated to the Key Individual. All correspondence received from an Ombud in relation to a complaint against Network Trust must be sent to the Key Individual.

Ombud contact details must be provided to complainants at the start of the relationship in our Disclosure Document and when a complaint is received. Contact details must be clear and accurate.

Network Trust will monitor determinations, publications and any guidance issued by any relevant Ombud to identify failings and risks in our own policies, services, and procedures.

Network Trust will maintain open and honest communication with any Ombud dealing with a complaint and will endeavour to resolve all complaints without the need for intervention or determination of any Ombud in such a way that does not impede a complainant's access to an Ombud.



## COMPLAINTS RESOLUTION PROCEDURE

