
Complaints Handling Manual

Review Date January 2019

Guardian Securities Limited

ACN 106 187 731

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Complaints Handling Manual

Dated 1 November 2018

Participants

Company	Guardian Securities Limited ACN 106 187 731 (Guardian)
Authorised representatives and employees	Various Authorised representatives (ARs) and employees
External disputes resolution scheme (EDRS)	Australian Financial Complaints Authority (AFCA)

Background

- A The Company has created a complaints handling manual to ensure all complaints are handled in accordance with its obligations under its Australian financial services licence.
- B Authorised representatives and employees appointed under Guardian's licence must adhere to be processes and requirements contained within the complaints handling manual.
- C Guardian is obliged to maintain membership to an external disputes' resolution scheme. Guardian is a member of the AFCA scheme

1 Definitions and interpretations

1.1 Definitions

In this document:

Term	Definition
AFSL	means the Australian Financial Services Licence held by Guardian.
ASIC	means the Australian Securities and Investments Commission.
AFCA	Australian Financial Complaints Authority.
Complainant	person, organization or its representative, making a complaint.
Complaint	expression of dissatisfaction made to Guardian, related to its products, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.
Complaints Officer	means an appointed person who has the experience and necessary training to carry out the role.
Corporations Act	means the <i>Corporations Act 2001 (Cth)</i> and includes the <i>Corporations Regulations 2001</i> .

Term	Definition
Representative	<p>means:</p> <ul style="list-style-type: none"> (a) an authorised representative, as that term is defined in section 761A of the Corporations Act, of the Company; (b) an employee or director of the Company who provides financial services on behalf of the Company; and (c) any other person acting on behalf of the Company and provision of financial services.

1.2 Interpretation

In this document:

- (a) a singular word includes the plural and vice versa;
- (b) a word which suggests one gender includes the other gender;
- (c) a reference to a clause, schedule, annexure or party is a reference to a clause of, and a schedule, annexure or party to, this document and references to this document include any schedules or annexures;
- (d) a reference to a party to this document or any other document or agreement includes the party's successors, permitted substitutes and permitted assigns;
- (e) if a word or phrase is defined, its other grammatical forms have a corresponding meaning;
- (f) a reference to a document or agreement (including a reference to this document) is to that document or agreement as amended, supplemented, varied or replaced;
- (g) a reference to this document includes the agreement recorded by this document;
- (h) a reference to legislation or to a provision of legislation (including subordinate legislation) is to that legislation as amended, re-enacted or replaced, and includes any subordinate legislation issued under it;
- (i) if any day on or by which a person must do something under this document is not a Business Day, then the person must do it on or by the next Business Day;
- (j) a reference to a person includes a corporation, trust, partnership, unincorporated body, government and local authority or agency, or other entity whether or not it comprises a separate legal entity;
- (k) a reference to 'month' means calendar month; and
- (l) a term used in this document which has a corresponding meaning in the Corporations Act will have the same meaning.

2 Purpose and use of this manual

2.1 Purpose

This guide explains what Guardian must do when managing disputes with customers in order to meet ASIC's AFSL requirements.

2.2 ASIC's requirements

- AFS licensees are required by ASIC to have in place a dispute resolution system that consists of:
 - internal dispute resolution (IDR) procedures that meet the standards or requirements made or approved by ASIC; and
 - membership of one or more ASIC approved external dispute resolution (EDR) scheme/s.

3 External disputes resolution membership (EDRS)

- (a) Australian financial services licence holders must be a member of an external dispute resolution scheme (EDRS). Guardian is a member of the Australian Financial Complaints Authority (AFCA) which handles external disputes not satisfied by internal dispute resolution procedures.
- (b) Guardian maintains an annual membership with AFCA.
- (c) Contact Details:
 - Online: www.afca.org.au
 - Email: info@afca.org.au
 - Phone: 1800 931 678
 - Mail: Australian Financial Complaints Authority
GPO Box 3
Melbourne VIC 3001

4 Internal disputes resolution policy (IDR)

- (a) The purpose of this section is to outline Guardian's IDR policy in relation to the process of resolving complaints. This document is to be used as a guideline for authorised representatives, staff and management when handling problems, grievances and disputes. In doing so Guardian will:
 - (i) achieve increased satisfaction in the delivery of Guardian products and services for their members, agents, providers and third parties;
 - (ii) recognise, promote and protect its member's rights including the right to comment and complain to Guardian;
 - (iii) ensure that the framework for resolving complaints is effective, fair and easily accessible both internally and externally;
 - (iv) provide relevant, timely and accurate information on Guardian's complaints handling process;

- (v) monitor and report on all complaints with the intention of improving the quality of their products and services delivery.

5 Legislation applying to complaints handling

- (a) Corporations Act 2001
- (b) ASIC Regulatory Guide 165
- (c) AFSL license terms and conditions
- (d) Anti-discrimination Act 1991 (Queensland)
- (e) Competition and consumer Act 2010
- (f) Privacy Act 1988
- (g) International standard AS ISO 10002 – 2006 customer satisfaction – guidelines for complaints handling in organisations
- (h) Anti-money laundering and counterterrorism Act 2006
- (i) Any other relevant legislation/regulation

6 Scope

6.1 Management of complaints

Without limiting any role or responsibility to adequately manage member/investors complaints each staff member or authorised representative of Guardian understands that any complaint must be taken seriously and managed by the appropriate complaints handling officer. As such the scope of the complaints handling process is as follows:

- (a) the policy has application to all employees and authorised representatives working with Guardian including senior management and the board of directors;
- (b) the policy has application to all problems, grievances, and disputes received from members, investors, agents, providers and other third parties.

7 Guiding principles

7.1 Commitment

Guardian's is committed to ensuring adequate complaints handling procedures are in place at all times to manage any complaint received. Guardian is committed to the efficient and fair resolution of all complaints. All levels of staff within the business will acknowledge a complainant's right to comment and complain. Complaints provide Guardian with an opportunity to improve the quality of their products, services and processes. With this in mind, all levels of staff including authorised representatives will actively seek feedback during team interactions with members or investors and agents and other third parties when a complaint is received.

7.2 Visibility of Guardian's commitment to customer complaint

Guardian's policy for the resolution of complaints will be publicised in such a way that people are encouraged to make complaints and provide feedback to the business if they feel aggrieved in any way. This policy will be promoted internally for authorised representatives and all staff including senior management and also externally for investors, agents, providers, and other third parties. The policy will be reflected prominently in Guardian's printed material such as product disclosure statements, brochures and website publications and where applicable, member satisfaction surveys which are conducted from time to time.

7.3 Accessibility

Individuals or groups wanting to make a complaint will have access to all levels of staff within the scheme. In the first instance a complainant will have contact with a member service officer either by telephone, e-mail or online member services, post, fax or face to face interaction. The member services officer will attempt to resolve the complaint immediately. If the complaint cannot be resolved at this point the member service officer will refer the complaint to the complaint's officer. If the complaint is still unresolved at this point, the complainant shall be made aware of the right to access the external dispute resolution service to whom Guardian is required to be a member under the conditions of its Australian financial services licence. However, all contact should first be made with Guardian with the intention to seek resolution promptly and satisfactorily.

Complaints may be submitted in a format that is most appropriate and comfortable for the complaining member or investor. As an example, Guardian will accept complaints in a format such as a letter, fax, e-mail, face-to-face or by telephone.

Guardian recognises the diversity of its membership and investor base and endeavours to resolve complaints by appropriately addressing everyone's needs. Guardian will engage specialised services appropriate to the individual to achieve a satisfactory resolution for all parties (as an example: language or interpretative services).

7.4 Responsiveness

Guardian respond to complaints in a timely manner following the guidelines below:

- (a) All complaints – remembering that a complaint is an expression of dissatisfaction – must be logged in our complaint registers as soon as received.
- (b) If the complaint is a minor expression of dissatisfaction and it can be resolved to the member's complete satisfaction by the end of the 5th business day it not necessary to record it into the register.
- (c) If it is a complaint that needs action/follow up etc then log it in the register the day you get it, or if the phone call was of the type that you feel needs to be registered then do so and mark it resolved.
- (d) The comments must be a very short clear summary of the problem.

Priority

- (e) Complaints will be treated in accordance with their degree of urgency. Complaints which are considered of an urgent nature include:
 - (i) Where a complainant threatens self harm;

- (ii) Where a complainant threatens to harm another;
- (iii) Complaints which have the potential for reputational damage; or
- (iv) Complaints that are made to the MD.

Timeframes

- (f) Acknowledge of the complaint can be oral or in writing and must be actioned immediately, or if it is not possible to respond immediately as soon as practicable, advising that the complaint has been acknowledged and is being reviewed and responded to as soon as possible and no later than 45 days.
- (g) Our aim is to have a first response to the complainant within 5 days either orally or in writing or at the latest 21 days.
- (h) If the complaint is not resolved to the customer's satisfaction within 5 business days, the complaint must be responded to as soon as possible in writing.
- (i) The final response must be in writing within 45 days and set out:
 - (i) The final outcome of the complaint at IDR level;
 - (ii) The member's right to take their complaint to the EDR; and
 - (iii) The name and contact details of the EDR.
- (j) Should there be any reason that the complaint is not resolved within 45 days follow up and keep in regular contact with the member. If delays are created by third parties, you must escalate the complaint to the complaints officer well before the 45 days.
- (k) The target resolved maximum 45 days is a very serious timeframe. If for any reason this is not met the complaints officer must be notified prior to that time when it becomes apparent; the complaints officer will need to do a breach report – ie we breached our Complaints policy. This goes to the Compliance Committee and is discussed at the meeting, if there are a number of breaches it has to be decided if it is systemic (ongoing) in nature, and if so, it may be required to notify ASIC, depending on the seriousness of the complaints.
- (l) Complaints are very heavily regulated with compliance time lines, ensure when you place on the complaints register you take note of the date that this must be completed by.
- (m) Reference all relevant documents attached to the complaint.

7.5 Response in writing

A response in writing, including EDR options, must be provided to the customer in the following instances when an expression of dissatisfaction occurs:

- (i) Customer requests the outcome in writing;
- (ii) Complaint is regarding financial hardship;
- (iii) Complaint is resolved more than five business days after it was first received; or

- (iv) Complaint is resolved in less than five business days but the complainant is not completely satisfied.
- (b) A written response can be:
 - (i) In the form of an email or an attachment to an email; otherwise
 - (ii) By post or facsimile if requested by the Complainant.

7.6 Charges or Fees

Any individual or group may register a complaint with Guardian free of charge.

7.7 Confidentiality

Personally identifiable information concerning the complainant will be used for the purposes of addressing and resolving the complaint only.

7.8 Customer focused approach and continual improvement

Guardian will adopt a customer focused approach, recognising that complaints and feedback provide the business with an opportunity for improvement.

7.9 Accountability

Each Guardian authorised representative or employee accepts responsibility for effective complaints handling. The authorised representative or employee with whom the complainant first has contact with has limited authority to resolve a complaint. All complaints must be referred to the compliance officer.

7.10 Objectivity

This policy recognises the need to be fair to the individual or group raising the complaint, the business and also the person against whom the complaint is raised. Each complaint will be addressed in an equitable and unbiased manner through the complaints handling process. The complainant has the right to:

- (a) be heard;
- (b) know whether Guardian's relevant product and service guidelines have been followed;
- (c) request all relevant material to support the complaint where this does not breach privacy regulations;
- (d) be informed of the response to their complaint; and
- (e) be informed of Guardian's decision and the reason for this decision.

8 Complaints handling framework

8.1 Responsibility and authority.

- (a) Guardian's employees or authorised representatives will:
 - (i) be trained in complaints handling;

- (ii) comply with any complaints handling reporting requirements determined by Guardian;
- (iii) treat customers in a courteous manner and promptly respond to their complaints or direct them to the appropriate individual to handle their complaint;
- (iv) show good interpersonal and communication skills;
- (v) be aware of their roles, responsibilities and authorities in respect of complaints;
- (vi) be aware of what procedures to follow and what information to give to a complainant; and
- (vii) notify Complaints Officer of any complaints written or verbal irrespective of the level of complaint.

9 Planning and design

9.1 Objectives

Guardian has established the following complaints handling objectives:

- (a) complaints are resolved by appointed employees at the first point of contact in the majority of cases wherever possible;
- (b) the need for the escalation of complaint is kept to a minimum and done on an as needed basis;
- (c) when the complainant requested separation by management representatives this must be a mandatory referral requirement;
- (d) complainants are responded to in a timely manner in accordance with this policy manual; and
- (e) a target of zero complaints relating to a staff member is the Guardian's goal.

9.2 Resources

Guardian recognises that employees or authorised representatives are the most valuable resource in the complaints handling process. Guardian will ensure that staff and authorised representatives are adequately trained and provided with sufficient support to handle complaints appropriately.

Training will be provided at the induction stage for authorised representatives and employees, and training will be updated and reinforced as necessary. All authorised representatives and employees will also receive training at the implementation of this policy or upon subsequent reviews of this policy manual.

Authorised representatives or employees will be given authority, relevant to their knowledge, experience and capabilities, to make decisions in the complaints handling processes. Authorised representatives or employees, subject always to the authority given to them to manage a level of complaint, will take ownership of the complaint when it is received by Guardian.

Guardian will maintain a comprehensive system that will allow for the efficient recording, tracking, monitoring and reporting of all complaints. Authorised representatives and employees will also use this policy as a resource to follow when handling complaints.

Guardian will assess the need for other resources such as computer hardware and software, specialist support and finances as required.

10 Operation of complaints handling processes

10.1 Communication

Information relating to the complaints handling process, will be made available to all complainants in plain language and, as much is possible, in formats accessible to all. The information will include:

- (a) where and how complaints can be made (that is at Guardian's offices or at an agent office);
- (b) the information required from the complainant (i.e. details of the complaint);
- (c) process for handling complaints as stated in this policy;
- (d) time periods associated with various stages of the complaint (i.e. our commitment to acknowledge complaints then respond in accordance with section 7.4 until resolved);
- (e) the complainant's options for remedy such as:
 - (i) adjustment – complainant has an adjustment made to a claim that was previously processed in error when adjustment to a contribution payment;
 - (ii) apologies – complainant is tendered an apology due to an error or lack of service, however no compensation/adjustment is required. The apology may be oral or in writing. If an adjustment or other action is taken this will take precedence in coding the action step;
 - (iii) compensation – complainant is offered compensation for wrongdoing by Guardian;
 - (iv) other assistance – complainant is offered non-financial assistance;
 - (v) information – complainant is provided with information that satisfies the request e.g. brochure/clarify a product or benefit/entitlement;
 - (vi) referral – complainant is referred to the EDR scheme AFCA; or
 - (vii) other – any other remedy that is not covered above.

10.2 Receipt of complaints

Complaints will be immediately recorded by the compliance officer in complaints register and thereby given an identify code. The record will include the following information:

- (a) date of the complaint;
- (b) description and reason for the complaint
- (c) requested remedy;
- (d) the reason for the complaint;

- (e) due date for a response;
- (f) data relating to the complaint (this information is covered elsewhere in the manual);
- (g) any immediate action that has been taken; and
- (h) date to complete the complaint.

10.3 Acknowledgement and initial assessment of complaints

Complaints will be acknowledged within one business day, or as soon as practicable, of receipt. At this point an initial assessment of the complaint will be made to determine its severity taking into account factors such as the impact on the business, safety implications and the need for immediate action. The employee or authorised representative will:

- (a) identify themselves;
- (b) actively listen (if by telephone or face to face);
- (c) record details of the complaint in the complaints register;
- (d) determine what the complainant wants;
- (e) show empathy and be courteous without laying blame on any individual, group or the business; and
- (f) explain the proposed course of action and seek agreement.

10.4 Tracking complaints

A complaint is tracked through the complaints register from the initial receipt to a final resolution. The complainant may contact Guardian at any time to obtain an update as to the status of their complaint.

10.5 Agents

Agents will keep a register of all complaints including minor complaints that have been resolved within 5 days to the customer's complete satisfaction. On a monthly basis the Agent will make it register available to Guardian. Guardian will enter the complaint into its complaints register.

The Agent will inform the Compliance Officer of any complaint that requires a formal response or cannot be resolved within 5 days.

10.6 Investigation of Complaints

- (a) All complaints are taken seriously and will be investigated thoroughly.
- (b) The Complaints Officer will obtain legal advice, if necessary.

10.7 Response to Complaints

Following investigation of the complaint, Guardian will provide the complainant response and remedy as outlined in this manual. The authorised representative or employee is responsible for

providing response within the agreed timeframe between themselves and the complainant and subject to delegation of authority in dealing with the complaint.

10.8 Final Response

When determining Guardian's Final Response, the Complaints Officer must consider the complaint in an objective and fair manner. When considering the appropriate remedy, the Complaints Officer will consider:

- (a) relevant legal principles;
- (b) relevant codes of conduct;
- (c) fairness; and
- (d) industry best practice.

Within 45 days of receiving the complaint the Complaints Officer will ensure that the complainant is provided with a written Final Response.

- (a) This will consist of one of the following:
 - (i) accept the complaint and, where appropriate, offer redress;
 - (ii) offer redress without accepting the complaint; or
 - (iii) reject the complaint, giving reasons.
- (b) The Final Response must state
 - (i) Guardian's internal dispute resolution process has concluded and the final decision about the complaint has been made;
 - (ii) Guardian's decision is final, with the word "**final**" given prominence;
 - (iii) the complainant has the right to take the complaint to AFCA provide the external dispute resolution scheme's contact details; and
 - (iv) if the complainant wishes to lodge a dispute with AFCA, the complainant must do so within two years of the date of the Final Response.

If a final response is not possible within 45 days the written response will include the status of the complaint, the reasons for the delay, the right to escalate to the EDR scheme and the name and contact details of the EDR scheme.

10.9 Compensation

Where appropriate, the Complaints Officer will provide the client with a remedy, which may include:

- (a) rectification;
- (b) apology;
- (c) refund;
- (d) compensation;

- (e) replacement; and/or
- (f) action to ensure that other clients have not or will not be affected.

10.10 Closing the Complaint

If the complainant accepts Guardian's decision, the agreed action will be carried out and the customer's complaints register records updated. Otherwise the complainant does not accept Guardian's decision and the complaint will remain open and the complainant will be made aware of their right to go to AFCA.

11 Maintenance and improvement

11.1 Collection of Information

Guardian collects and captures information about the interaction with customers, agents, providers and any other third parties including complaints.

11.2 Analysis and evaluation of complaints

Guardian uses the complaints data for regular monitoring and reporting. The data is review on a regular basis and to assist in the identification of improvement initiatives.

11.3 Satisfaction with the complaints handling process

Depending upon the number of complaints received, the customer complaints satisfaction results be reviewed annually in order to determine if complaints are being handled satisfactory within the terms of this policy.

11.4 Monitoring the complaints handling procedures

Guardian's complaints handling procedures will be reviewed on an annual basis as part of the standard annual compliance plan review program.

11.5 Review of this complaints handling manual

Management will, at least every two years, review this complaints handling manual to provide information about conformity with the guidelines set out in this manual and the ability of Guardian to achieve its objectives.

11.6 Management review to consider

The input to management review should include information on:

- (a) internal factors such as changes in the policy, objectives, organisational structure, resources available, and products offered;
- (b) external factors such as changes in legislation, competitive practices or technological innovation;
- (c) the overall performance of the complaint process, including customer satisfaction and the results of the continual monitoring of the process;
- (d) the results of audits, if any;

- (e) the status of corrective and preventive actions;
- (f) follow up action from previous management reviews; and
- (g) recommendations for improvement.

11.7 Output from management review

The output from the management review should include:

- (a) decisions and actions related to improvement of the effectiveness and efficiency of the complaints handling process;
- (b) proposals on product improvement;
- (c) decisions and actions relating to identified resource needs (e.g. training programs); and
- (d) records from management review should be maintained and used to identify opportunities for improvement and resource requirements.

11.8 Review of the complaints handling process

Guardian will review the complaints handling process on a regular basis and at least annually to:

- (a) ensure its continuing suitability, adequacy, effectiveness and efficiency
- (b) identify and address instances of nonconformity with health, safety, environmental, customer, regulatory and other legal requirement;
- (c) identify and correct product, process and service deficiencies;
- (d) assess the opportunities for improvement and the need for changes to the complaints handling process;
- (e) evaluate potential changes to the complaints handling policy and objectives; and
- (f) report to the board and compliance committee as set out in the compliance plan.

Appendix 1

Acknowledgement template

Complaints will be acknowledged within one business day or as soon as practicable of receipt.

*** note this does not include complaints received outside normal working hours.*

Below can be sent via email/fax/post – utilise the format that the customer/member has used or requested.

Date

Dear ###

Customer no:

Thank you for your contact. Guardian appreciates receiving feedback from all customers.

We advise that your concerns are being investigated in accordance with our Internal Complaint Resolution Policy.

Normal complaint response

Guardian Securities Limited acknowledges receipt of your complaint and will endeavour to respond within 5 days or at the latest a final response 45 days.

Hardship response

Guardian Securities Limited acknowledges receipt of your request for hardship and will endeavour to respond within 5 days or as follows:

- (i) If no more information is required 21 days;
- (ii) if requested information is not received within 21 days 30 days; and
- (iii) 21 days from the date the requested information has been received.

We understand the you [***insert brief explanation about complaint***]

Yours truly,

Signed by staff member

Final template

Within 45 days of receiving the complaint the complainant is provided with a written Final Response unless it is hardship 21 days.

If a final response is not possible within 45 days the written response will include the status of the complaint, the reasons for the delay, the right to escalate to the EDR scheme and the name and contact details of the EDR scheme

Below can be sent via email/fax/post – utilise the format that the customer/member has used or requested. *note the response should be done in a letter format -> PDF document prior to attaching to email if email is used.

Guardian letter head

Date

Dear ###

Customer no:

Final Response

Content of response – investigation outcome

Possible outcomes

- (iv) accept the complaint and, where appropriate, offer redress;
- (v) offer redress without accepting the complaint; or
- (vi) reject the complaint, giving reasons.

Future Holiday Finance's dispute resolution process has now concluded and the **final** decision above has been made.

if your complaint is still not resolved to your satisfaction then you may lodge a complaint with the Australian Finance Complaints Authority

Online: www.afca.org.au

Email: info@afca.org.au

Phone 1800 931 678 (free call)

Mail: Australian Financial Complaints Authority

GPO Box 3, Melbourne, VIC, 3001

Yours faithfully

(g)