



**choice**  
AGGREGATION

*Better advice through better listening*

## **For Choice Aggregation Staff & Choice Members and their Loan Consultants Only – Not For Public Distribution**

**Section One: Choice's Complaint handling process, for reference by Choice staff and for the information of Choice Members and their Loan Consultants. These are the steps that must be followed by a Choice staff member and Choice members and their Loan Consultants if a dispute arises.**

## **Complaints: Dispute Resolution Procedures**

Choice is committed to the effective handling of complaints and resolution of disputes and sees this as a key means of ensuring that the services offered by Choice and its brokers are provided efficiently, honestly and fairly.

Choice's complaints and disputes resolution procedures have been created to meet key principles and the requirements of the Australian Financial Complaints Authority (AFCA), ASIC, MFAA Code of Practice, Australian Standards and relevant laws.

Every staff member and finance broker member needs to understand and follow these procedures.

The procedures outlined in section 2 of this document are also published on the Choice Aggregation website for client reference and the Podium document library for Choice Brokers and their Loan Consultant's reference.

### **Who is Choice?**

Pennley Pty Ltd (Choice Aggregation) ACN 071 979 498, as trustee for the Pennley Unit Trust trading as 'Choice Aggregation'. Pennley Pty Ltd is a Credit Representative (No. 392528) of BLSSA Pty Ltd ACN 117 651 760, Australian Credit Licence 391237. BLSSA may assist us in the investigation and resolution of your complaint.

### **What is a complaint?**

A complaint is defined in AS ISO 10002-2006 as:

*An expression of dissatisfaction made to an organisation, related to its products or services, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.*

Complaints may be made against one of Choice's finance brokers, Choice itself, against a Choice finance broker who is also a Credit Representative of BLSSA Pty Ltd, or against a Choice finance broker who is a Credit Representative of another Australian Credit License holder.

### **Procedures**

For complaints against Choice or against one of Choice's finance brokers, a client may make a complaint in any format, for example by telephone, letter, e-mail or in person and may lodge the complaint with their Choice finance broker, or Choice directly by contacting the Choice Complaints Officers:

1 <sup>st</sup> point of contact at Choice Aggregation:	2 <sup>nd</sup> point of contact at Choice Aggregation:
Complaints Officer:	Deputy Complaints Officer:
Name: Grant Sutherland	Name: Sean Reid
Phone: 0459 886 218	Phone: 1300 135 389
Email: <a href="mailto:grant.sutherland@caservices.net.au">grant.sutherland@caservices.net.au</a>	Email: <a href="mailto:Sean.Reid@caservices.net.au">Sean.Reid@caservices.net.au</a>
Mail: Choice Complaints Officer, Level 10/700 Bourke Street, Docklands, VIC 3008	

For complaints against one of Choice 's finance brokers who is also a Credit Representative of BLSSA Pty Ltd, a client may make a complaint in any format, for example by telephone, letter, e-mail or in person and may lodge the complaint with you or BLSSA directly by contacting the BLSSA Complaints Officers:

1 <sup>st</sup> point of contact at BLSSA:	2 <sup>nd</sup> point of contact at BLSSA:
Complaints Officer	Deputy Complaints Officer
Phone: (03) 8616 1443	Phone: (03) 8616 1443
Fax: (03) 8616 1918	Fax: (03) 8616 1918
Email: <a href="mailto:resolutions@BLSSA.com.au">resolutions@BLSSA.com.au</a>	Email: <a href="mailto:resolutions@BLSSA.com.au">resolutions@BLSSA.com.au</a>
Mail: BLSSA Advice Complaints, PO Box 626, Collins Street West VIC 8007	

For complaints against one of Choice's finance brokers who is a Credit Representative of another Australian Credit License (ACL) holder, a client may make a complaint direct to the ACL holder and these details can be obtained from their finance broker or documentation supplied.

### What to do if you receive a complaint?

If you receive a complaint directly from a client about a credit service you have provided, you should make an assessment of the matter to determine whether it is a **minor grievance** or a **formal complaint**.

A **minor grievance** is a complaint that you may be able to resolve within five business days by:

- Calling the client to advise them of the status of their loan application. These types of complaints may relate to settlement delays, errors or delays with loan documentation or service issues.
- Calling the client to apologise and/or provide an explanation in relation to any misunderstanding of the application and settlement process or applicable fees and charges, or about service or privacy issues.

For more information about the procedures required to be followed when dealing with a minor grievance, please refer to *Dealing with minor grievances* below.

A **formal complaint** includes:

- Any matter which you will not be able to resolve in five business days.
- Any matter involving compensation, refund of fees and/or interest.
- Any complaint from a lawyer, regulatory body, consumer advocacy centre, Tribunal Ombudsman or EDR Scheme.
- Any allegations of fraud or misleading or deceptive conduct.
- Any allegation of irresponsible lending, maladministration or negligence.

- Any allegation of a breach of legislation or common law.

For more information about the procedures required to be followed when you receive a formal complaint, please refer to *Dealing with formal complaints* below.

### **Dealing with minor grievances**

As a Choice finance broker, if you are able to deal with a complaint or grievance within five business days of receiving it, you should investigate the matter and respond to your client. Please note that you should always acknowledge the grievance as soon as possible.

If you identify that there are steps required in the resolution of the matter or amendments required to your processes to correct any issues, you should complete those actions as soon as possible.

If the client is happy with your resolution and the matter is resolved within five business days, you are not required to notify Choice or BLSSA and you are not required to send a final response in writing to the client.

Note that you are required to input details into a complaints register. This can be helpful if you need to provide relevant information about the complaint if called to do so in the future.

If the client is not happy with your resolution or the matter is not resolved within five business days, you **must** report the matter to the Choice or BLSSA Complaints Officers for their ongoing management. The matter is considered to be a formal complaint – please refer to *Dealing with formal complaints* below.

If you require assistance with managing a minor grievance, please contact the Choice or BLSSA Complaints Officers for guidance.

### **Dealing with formal complaints**

As soon as you receive a formal complaint, or it becomes apparent that you are not able to resolve a minor grievance to the client's satisfaction within five business days, you must immediately notify the Choice or BLSSA Complaints Officers via the contact details noted above. Referral of the complaint may be made by forwarding a copy of the original complaint and the following information (if not contained within the body of the complaint):

- Client's name and contact details.
- Date the complaint was received by you.
- Description of the transaction and/or product to which the complaint relates.
- Description of the complaint.
- Letters, emails or documents received from the complainant that relate to the complaint.

A Choice or BLSSA Complaints Officer will contact you to discuss the complaint and may require additional information such as file notes and other records. If additional information is requested, this should be provided by you to the Choice or BLSSA Complaints Officer as soon as possible to ensure that a timely investigation can occur.

The Choice or BLSSA Complaints Officer will forward acknowledgement of receipt of the complaint to the client, will liaise with you during their investigation of the matter, and once complete, will ensure a final response is provided to the client within 21, 30 or 45 calendar days from receipt of the complaint, depending on the nature of the complaint.

If Choice or BLSSA is unable to deal with the complaint as it relates to a third party (for example, a lender), Choice or BLSSA may ask the client to contact the relevant third party.

Final responses involving "default notices" or urgent disputes such as "applications for hardship" must be provided within 21 days of receiving a complaint.

Final responses to privacy complaints should be received by the client within 30 days of the date the

client first lodged the complaint. The final response must detail:

- the final outcome of the complaint using internal dispute resolution procedures;
- The client's right to take the complaint to the external dispute resolution (EDR) scheme of which you are a member or, for privacy complaints, the Australian Information Commissioner, if the client is not happy with the resolution; and
- the contact details of that EDR Scheme and of the Australian Information Commissioner.

Final responses to complaints not involving financial hardship or privacy issues should be received by the client within 45 days.

If a formal complaint is lodged directly to Choice or BLSSA by your client, a Choice or BLSSA Complaints Officer will contact you as soon as practicable to discuss the next steps.

### **Complaints Register**

Choice encourages the implementation of best practices by its staff and finance brokers, including adopting a recommendation by ASIC that all complaints, including those resolved within 5 business days, are **recorded** in a Complaints Register.

Where a complaint is received directly by Choice, we will record the matter in our Choice Complaints Register.

Where a complaint is received directly by you and you determine that it is a minor grievance and have resolved it to the client's satisfaction within 5 business days, you are not required to advise Choice of the matter, however you should record the matter in your Complaints Register.

**Section Two:** The following template is for use by Choice Staff and for the information of Choice Members and their Loan Consultants. A copy of the below procedures are also published on the Choice Aggregation website for Choice reference and the Podium document library for Choice Members and their Loan Consultants' reference.

**Pennley Pty Ltd (Choice Aggregation) ACN 071 979 498, as trustee for the Pennley Unit Trust trading as 'Choice Aggregation'**

### INTERNAL DISPUTE RESOLUTION PROCEDURES

We aim to provide the very best service for our clients. In the event that you are unhappy regarding any part of our service, our internal resolution process provides that your complaint will be handled efficiently, honestly and fairly.

Pennley Pty Ltd (Choice Aggregation) ACN 071 979 498, as trustee for the Pennley Unit Trust trading as 'Choice Aggregation'. Pennley Pty Ltd is a Credit Representative (No. 392528) of BLSSA Pty Ltd ACN 117 651 760, Australian Credit Licence 391237. BLSSA may assist us in the investigation and resolution of your complaint. Each is a member of the National Australia Bank Limited Group

#### Complaints about Choice

If you have a complaint about our services or the manner in which we have handled personal information about you, please contact:

<b>1st point of contact at Choice Aggregation:</b>	<b>2nd point of contact at Choice Aggregation:</b>
Complaints Officer:	Deputy Complaints Officer:
Name: Grant Sutherland	Name: Sean Reid
Phone: 0459 886 218	Phone: 1300 135 389
Email: <a href="mailto:grant.sutherland@caservices.net.au">grant.sutherland@caservices.net.au</a>	Email: <a href="mailto:Sean.Reid@caservices.net.au">Sean.Reid@caservices.net.au</a>
Mail: Choice Complaints Officer, Level 10/700 Bourke Street, Docklands, VIC 3008	

#### Complaints about Choice

For complaints against one of Choice's finance brokers, who is also a credit representative of BLSSA Pty Ltd. please contact:

<b>1<sup>st</sup> point of contact at BLSSA:</b>	<b>2<sup>nd</sup> point of contact at BLSSA:</b>
Complaints Officer	Deputy Complaints Officer
Phone: (03) 8616 1443	Phone: (03) 8616 1443
Fax: (03) 8616 1918	Fax: (03) 8616 1918
Email: <a href="mailto:resolutions@BLSSA.com.au">resolutions@BLSSA.com.au</a>	Email: <a href="mailto:resolutions@BLSSA.com.au">resolutions@BLSSA.com.au</a>
Mail: BLSSA Advice Complaints, PO Box 626, Collins Street West VIC 8007	

For complaints against one of Choice's finance brokers who is a Credit Representative of another Australian Credit License (ACL) holder, you may make a complaint direct to the ACL holder and these details can be obtained from their finance broker or documentation supplied.

The Complaints Officers are senior personnel in our organisation and have the necessary experience and authority to handle complaints and make relevant decisions on outcomes.

The complaint need not be in writing and may be presented to us by any reasonable means, for example letter, e-mail, telephone or in person. Please ensure you give us full particulars of your complaint.

If you are not satisfied with our response to your complaint, you may contact the Australian Financial Complaints Authority (AFCA) (of which Choice Aggregation and BLSSA Pty Ltd. are members) to consider the complaint on:

Freecall: 1800 931 678  
Email: [info@afca.org.au](mailto:info@afca.org.au)

If the complaint is about privacy and you are not satisfied with the outcome of our investigations, you may ask the Office of the Australian Information Commissioner to consider the complaint. The Information Commissioner can be contacted online at <http://www.oaic.gov.au/privacy/making-a-privacy-complaint> or on 1300 363 992.

## **AWARENESS**

All staff and consultants who deal with (or are likely to deal with) clients, are aware of the names, titles and telephone numbers of our Complaints Officer and Deputy Complaints Officer.

Each staff member and consultant is also instructed in how to transfer a client who has a complaint to our Complaints Officer or Deputy Complaints Officer; and what client details to record if the Complaints Officer and Deputy Complaints Officer are for any reason unavailable (this information will include a minimum of the name, telephone number, and description of the product or transaction to which the complaint relates). We do not charge a fee in respect to any complaint.

## **TIMELINESS**

We will provide a written acknowledgement of receipt of your complaint as soon as possible, unless the complaint is otherwise resolved in the meantime.

We will ensure that a final response is given to your complaint as soon as possible, but within twenty one (21), thirty (30) or forty five (45) days of receipt of your complaint.

If Choice or BLSSA is unable to deal with the complaint as it relates to a third party (for example, a lender), we may ask you to contact the relevant third party.

For certain types of complaints, involving “default notices” or urgent disputes such as “applications for hardship”, a final response must be provided within twenty one (21) days.

For privacy complaints, we are required to give you a final response within thirty (30) days.

Final responses to complaints not involving financial hardship or privacy issues should be received by you within forty five (45) days.

If we cannot respond to your complaint within the relevant timeframes, Choice will inform you of the reasons for the delay and of your right to refer the complaint to the Australian Financial Complaints Authority (AFCA) or, in the case of privacy complaints, to the Australian Information Commissioner.

We will have provided a final response to you if we:

- (a) Accept the complaint and, if appropriate, offer redress, or
- (b) Offer redress without accepting the complaint; or
- (c) Reject the complaint.

## **WRITTEN RESPONSE TO A CUSTOMER**

We will give you a written response to your complaint and the reasons for reaching a particular decision on the complaint. We will adequately address the issues that are raised in the complaint.

Where practicable, our response will refer to applicable provisions in legislation, Codes, Standards or Procedures.

We will inform you of the contact particulars of our EDR Scheme and, for privacy complaints, the Australian Information Commissioner if you are not satisfied with the outcome of our investigating the complaint.

## **REMEDIES**

If we accept the complaint and are of the view that it is appropriate to offer redress to you, that redress may be non-financial as well as, or instead of, financial. If we consider that a financial remedy is appropriate then we will provide compensation for any direct loss or damage caused.

We will, when determining an appropriate remedy, take into consideration the extent of loss or damage suffered by you, relevant legal principles, EDR Scheme Rules, the MFAA Code of Practice and other relevant codes of conduct and concepts of fairness and relevant industry best practice.

## **DATA COLLECTION**

We will keep data concerning the complaint in such form and manner as we think fit and will enable analysis according to:

- a. Type of complaint;
- b. Subject of complaint;
- c. Outcome of complaint;
- d. Timeliness of response;

So that we can identify any systematically recurring problems, we will classify complaints accordingly.

Subject to legal constraints including our privacy obligations, we may make available data collected in respect of the complaint upon request to the EDR Scheme, of which we are a member, and the Australian Securities and Investments Commission.

## **REVIEW**

We will review our Internal Dispute Resolution Procedures at least every three (3) years to ensure that our complaints systems are operating effectively. *This document was reviewed on 23rd November 2017 (Contact details of Grant Sutherland were updated on the 21/05/2018)*