

FSCL'S COMPLAINTS PROCESS

EARLY ASSISTANCE, INVESTIGATION, RESOLUTION

PROCESS OVERVIEW

There are three stages to our process

- > our Early Assistance team refer your complaint to the internal complaints process of the person or company you have a complaint about (participant)
- > if the complaint is not resolved by the participant, we investigate your complaint to help you find a resolution
- > if we cannot find a resolution, our Financial Ombudsman and Chief Executive Officer will review your complaint and give you her decision.

Please be aware that every case we investigate is different. While this is our usual approach, we may occasionally apply a different process for your individual circumstances.

If you have any questions, at any stage of the process, please ask the Early Assistance team or your case manager.

EARLY ASSISTANCE TEAM REFER YOUR COMPLAINT

Our Early Assistance team refer your complaint to the participant's internal complaints process

- > we will email your complaint to the participant's internal complaints process to give them the opportunity to resolve your complaint.
- > you should hear from the participant within 2-3 working days and the participant should give you a final response within 20 working days.
- > we will check in with you during this time to make sure the resolution is progressing. Our first check in is after 10 working days, but you can contact us if there are any updates before then.
- > if your complaint is resolved through the participant's internal complaints process, that is good, we will close your file at our end.
- > there are some complaints we cannot help with. If we cannot help you, we will explain why.
- > if the participant says your complaint is deadlocked, this means they are unable to resolve your complaint with you. We will start our investigation.
- > even if the participant has not said your complaint is deadlocked, if your complaint is still unresolved after 40 working days, we will start our investigation.
- > we will ask you to complete a Permission to Release Information form, allowing the participant to give us information about you so that we can investigate your complaint.

INVESTIGATION, INCLUDING NEGOTIATION AND CONCILIATION

We investigate your complaint to help you find a resolution

- > we will assign a case manager to your complaint.
- > your case manager will ask the participant to give us a report on your complaint and all the information they have about the complaint within 10 working days.

- > when we receive the participant's response, we will send it to you and ask for your comments.
- > we will review all the information we have and talk to you and the participant about how the complaint might be resolved.
- > we may meet with you and the participant, either in person or by video conference, to see if we can reach a settlement. We call this a conciliation.
- > if your complaint is settled, we will ask you to sign a settlement agreement in final resolution of your complaint.
- > if your complaint is not resolved, you can ask our Financial Ombudsman and Chief Executive Officer for her decision.

DECISION

Our Financial Ombudsman and Chief Executive Officer will review your complaint and give you her decision

- > our Financial Ombudsman and Chief Executive Officer, who is the decision maker on complaints, will review your complaint and give you either her **preliminary decision**, explaining how she thinks your complaint should be resolved, or her **preliminary view**, explaining why she thinks your complaint is unlikely to succeed or falls outside our rules. Our Financial Ombudsman and Chief Executive Officer takes into consideration the law, industry practice, and what is fair and reasonable in the circumstances of your complaint.
- > if you and the participant accept the preliminary decision or view, the matter ends there.
- > if the preliminary decision involves payment of compensation, we will ask you to sign a settlement agreement.
- > if either you, or the participant, do not accept the preliminary decision or view, we will ask for the reasons why the decision or view is not accepted.
- > our Financial Ombudsman and Chief Executive Officer will consider those reasons before issuing her **recommendation**. The recommendation is the final decision in our process.
- > if you accept the recommendation, the participant must also accept it. However, you may decline the recommendation and pursue your complaint through any other avenue that may be open to you, such as court or the disputes tribunal.

YOUR INFORMATION AND PRIVACY

Our general practice is to pass all information you provide us about your complaint to the participant. This includes emails that you send us and details that you provide over the phone. This is so the participant has all the relevant information to fully consider your complaint and provide a response. **Please let us know if there is any information you want to keep confidential.**

We will also ask you for demographic information to help us make sure we are reaching all the people who need us most. We collect this information for the purpose of compiling statistics about the complaints we investigate. You may decline to answer these demographic questions. We will never use this information when investigating your complaint.

If you would like more information about the collection and storage of your private information, you can view our [Privacy Policy on our website](#).