

DISPUTE RESOLUTION POLICY

1. Purpose of policy

1.1 This document sets out the policy and procedures for the handling of complaints received by us and the use of internal and external dispute resolution. It is intended that this document will set out the internal dispute resolution procedure so that it will comply with the requirements of ASIC.

1.2 This document is drawn having in mind the provisions of Regulatory Guide 165 as issued by ASIC. The Regulatory Guide is available from the ASIC website at: <http://www.asic.gov.au/rg>

2. Board Approval and Review

2.1 This policy was approved by the board with the intention that it shall operate immediately. The board will, from time to time but no less frequently than annually, review this policy, the Complaints Register and training procedures to determine whether or not amendments should be made to it in accordance with historical information provided to it by the Complaints Officer. If necessary, changes will be made to this policy.

2.2 This policy forms part of the Compliance Plan required by the *National Consumer Credit Protection Act 2009* and the conditions of the licence granted by ASIC. It also forms part of the general operational requirements of the business.

3. ASIC requirements.

3.1 Section 47 of the *National Consumer Credit Protection Act 2009* ("NCCP Act") requires that the dispute resolution system must consist of:

- a) Internal dispute resolution procedure that complies with standards made or approved by ASIC which cover disputes in relation to credit activities in which we or our representatives are engaged, and
- b) Membership of an EDR scheme approved by ASIC

INTERNAL DISPUTE RESOLUTION PROCESS

1. What is a dispute?

1.1 The National Consumer Credit Protection Act refers to the necessity for a credit provider to have processes for dealing with "disputes". In RG 165 the words "complaint" and "dispute" are used interchangeably and for that reason for the purposes of this policy, we will take "dispute" and "complaint" as meaning the same thing.

1.2 To adopt the definition of "dispute" from The Australian Standard ISO 10002-2006, we define "dispute" as:

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

1.3 For the purposes of this document "dispute" also includes a "complaint", and the terms are used interchangeably, although generally a "dispute" is considered to occur when a "complaint" from a customer has not been resolved to the customer's satisfaction.

2. Commitment

2.1 Although we aim to provide customers with the highest standards of products and service, there may be occasions when our service does not meet the expectations of our customers. If such an event occurs, we are committed to dealing with any complaint or dispute arising therefrom in an efficient and effective manner ensuring at all times that any complaint is recorded to assist customer service development and internal training.

2.2 This record of complaints and disputes will be reviewed regularly by management so that systemic problems can be identified and, where necessary, remedied.

3. Guiding Principles

3.1 Provision of information

- a) Information about making complaints or disputes will be made freely available to consumers. It will contain information about:
 - i. How a complaint or dispute is to be lodged;

- ii. How the complaint or dispute will be dealt with by us, and
- iii. Details about our external dispute resolution scheme.

3.2 Accessibility

- a) Complaints and disputes may be made in any reasonable way. We prefer complaints to be made in writing by email or through our website and encourage the use of those methods. However, a complaint or dispute may be made by:
 - i. E-mail.
 - ii. Registration on an Internet site, when available.
 - iii. Letter.
 - iv. Telephone.
 - v. In person.

3.3 Assistance

- a) We will provide a local call facility for reporting of complaints or disputes, and our website will have the facility to record a complaint or dispute through it.
- b) Where the complaint or dispute is made orally, the staff member taking the complaint will fill out a complaint form on behalf of the complainant.
- c) If requested, staff will assist customers wishing to register a complaint or dispute.
- d) We will, where possible, provide multilingual assistance to persons with non-English-speaking backgrounds and who have limited grasp of the English language, if necessary, with the assistance of a translating service.

3.4 Response

- a) Every endeavour will be made to immediately settle a complaint or dispute with a customer.
- b) Where the complaint or dispute cannot immediately be settled, we will advise the customer in writing within 2 working days that the complaint or dispute has been received and the procedures which we will undertake to investigate and handle the complaint or dispute.
- c) Records of every step taken in response to a complaint or dispute will be maintained and will be reviewed by senior management on a regular basis to ensure that all necessary details are being recorded.
- d) A complaint or dispute must be dealt with within 21 days. As a result, the investigating officer should, within 14 days of receipt of the complaint or dispute, deal with the complaint or dispute. This will enable the investigating officer to have sufficient time to ensure that the result of the dispute is delivered to the complainant within 21 days.
- e) If it is not possible to make a decision within the 14 day period, the investigating officer must write to the complainant advising that a further period is required, but such further period must not extend the period during which the decision must be made to more than 45 days from the date of lodgment of the complaint or dispute.

- f) Where a complaint or dispute remains unresolved for a period in excess of 45 days from the date of the lodgment of the complaint or dispute, the investigating officer must advise the complainant in writing when a decision is expected to be made. Regular updates, at no less frequent intervals than monthly, should be made to the complainant during this period of time.
- g) Immediately on a complaint or dispute being resolved, the investigating officer must ensure that the agreed action is put into place.
- h) The investigating officer must advise the complainant in writing:
 - i. Of the outcome of the investigation;
 - ii. The reasons for the outcome including, where appropriate, reference to statutory or other provisions, and
 - iii. Details of what further steps the complainant can take in respect of the complaint including the contact details of AFCA and, where appropriate, the office of the Information Commissioner (encompassing the office of the Privacy Commissioner).

3.5 Fairness and Objectivity

- a) All complaints and disputes will be dealt with in an equitable, objective and unbiased manner. We acknowledge that it is necessary to weigh the competing interests of, and be fair to, the complainant, our customers at large, and, in relevant cases, the staff member against whom the complaint was made.
- b) We will ensure that, so far as is possible, the investigating officer will be a person who was not involved in the initial matter giving rise to the complaint and will be a person with sufficient seniority and authority within the organisation to deal with the matter.

3.6 Charges

- a) There will be no charge levied on the complainant for the determination of a complaint or dispute through the internal dispute resolution process.
- b) However, if there is a request by the complainant for the production or retrieval of documents, and if it is our usual practice to charge for such documents, we will request the complainant to pay that fee.

3.7 Confidentiality

- a) All complaints or disputes must be dealt with in a confidential manner. Except where necessary for the determination of the dispute, confidential information which includes personally identifiable information, will be removed.

4. Staff

- 4.1 A Complaints Officer will be appointed. The Complaints Officer will have the responsibility to ensure that all complaints and disputes are dealt with in accordance with this policy.
- 4.2 Each staff member will have the responsibility of attempting to resolve all complaints or disputes as soon as they are made or registered.
- 4.3 All complaints or disputes, whether settled or not, must be reviewed by the manager of the staff member who originally dealt with the complaint or dispute. The manager will make a determination as to whether the complaint or dispute is one which, if unresolved, should be referred to the Complaints Officer.
- 4.4 The Complaints Officer will, from time to time, but no less frequently than twice in each year, report to the Board as to the handling and progress of complaints or disputes.
- 4.5 All staff will be provided with a copy of, or access to, this policy and it will be a condition precedent to the commencement of their employment that they are aware of the operation of the dispute resolution policy. In addition, staff will be trained in how to complete a complaint form, and how to recognise matters which need to be dealt with priority.
- 4.6 Authority to settle.
- a) All staff have the authority to resolve any complaint or dispute which does not involve alteration of the amount owing by a customer to the company. Examples of disputes which may be settled by all staff include providing an apology, agreeing to send a document or letter or agreeing to bring a matter to the attention of senior managers.
 - b) Other than the Complaints Officer, a director, the general manager or a person specifically authorised by the Complaints Officer, a director or the general manager, no staff member has the authority to resolve any complaint or dispute which involves adjustment to a customer's loan account or payment to a customer.
 - c) The Complaints Officer has the authority to resolve any complaint or dispute which involves payment by way of adjustment to a customer's account up to the amount of \$2000.
 - d) Settlement of a complaint or a dispute involving an amount greater than that referred to in paragraph 8.6.3 hereof, or where a refund is required other than by way of an adjustment to a customer's account must be approved by a director or the general manager.

5. Disputes Register

5.1 A Disputes Register will be maintained by the company for recording and tracking of complaints and disputes which are not resolved to the satisfaction of the customer within 24 hours of lodging of the complaint or dispute.

5.2 The officer responsible for ensuring that the Disputes Register is properly maintained is the Complaints Officer.

5.3 The Register will contain records of all complaints and disputes including the following:

- a) Index number of the complaint or dispute (by which the complaint will be identified);
- b) Date the complaint or dispute was notified.
- c) Name of the complainant.
- d) Account/loan number.
- e) Details of the complaint or dispute.
- f) Category of dispute.
- g) Date of first response.
- h) Person responsible for management of the complaint or dispute.
- i) Action taken.
- j) Terms of resolution (if any), and
- k) Date resolved.

5.2. The Disputes Register will be reviewed by the Board from time to time but no less frequently than twice in each calendar year.

5.3. The Complaints Officer will ensure that all complaints or disputes are categorised properly so that it is possible for a review to be undertaken of the type of complaints or disputes made and a determination made as to whether or not there are systemic issues which need to be addressed.

5.4. The Register will be made available to members of the board, senior management, ASIC and other appropriate regulatory authorities with appropriate authority to view the register.

5.5. The Complaints Officer will ensure that sufficient information is retained so that adequate review can be made from time to time. This includes retention of documents (whether in hard copy or electronic form) to ensure that they are available at all times during which the matter is considered whether internally or by later referral to EDR.

5.6. All information on the Register shall be maintained in the strictest confidence and will not be made available to others except AFCA, ASIC or other regulatory authorities, except where required by law.

6. Remedies to be Considered

6.1. All complaints or disputes will be determined on the facts and, as a result, it is not possible to allocate specific remedies to specific disputes. However, in determining a dispute, the relevant staff member shall consider the following possible remedies, or any combination of them:

- a) Apology (verbally, in writing, or both).
- b) Refund.
- c) Compensation (by credit to account, refund or gift).
- d) Staff training, and
- e) Review of internal procedures.

6.2. Where the remedy involves staff training or review of internal procedures, the Complaints Officer will ensure that proper procedures are undertaken accordingly.

INFORMATION FOR CUSTOMERS

Although we aim to provide you with the highest standards of products and service, there may be occasions when our service does not meet your expectations. If such an event occurs, we are committed to dealing with any complaint or dispute arising in an efficient and effective manner. We have a system for dealing with complaints and disputes, at no cost to you. This document sets out how it works and what is required to lodge a complaint or a dispute.

Where you are dissatisfied with our products, services or in the handling of a complaint, and you expect a response or resolution from us, you can use this process. The steps in the process are as follows:

1. Notify us of the complaint.

- 1.1 We cannot deal with the complaint unless we know about it. Whilst we would prefer that you advise us by email or through our website, you can let us know any way you find convenient, whether by personally advising us, telephoning us, writing a letter, sending a fax, e-mailing or lodging it on our website.

- 1.2 Generally, we will be in a position to deal with the matter immediately. If we are unable to do so immediately, the matter will be referred to a more senior person. It is our intention to deal with all matters of complaint as quickly and as efficiently as possible.

2. Complete complaint documentation.

- 2.1 Where the matter cannot be resolved to your satisfaction within 24 hours of you making a complaint, details of it will be recorded in our Complaints Register. If we do not have enough information, we will seek it from you. We may ask you to complete a complaint form, a copy of which is attached to this document. Where your complaint is made orally, the staff member will fill out the complaint form on your behalf.

3. Notification

3.1 We will acknowledge the receipt of your complaint within 2 business days of its receipt. We will also notify you of the procedures we will undertake as a result of your complaint.

4. Investigation

4.1 Your complaint will be investigated. The person with the ultimate responsibility for its investigation is our Complaints Officer who may be contacted using the following contact details:

- a) Name:
- b) Email:
- c) Phone:

7. Outcome

7.1 Our aim is to have the matter resolved within 21 days of receiving your complaint. It may be as a result of the complexity or other reasons, that we may require more time to properly consider your complaint. If we require additional time beyond 21 days, we will notify you. We expect that no complaint will take more than 45 days to resolve.

8. Referral to our External Dispute Resolution Scheme.

If you are not satisfied with the resolution proposed by us, you can take the matter further. If the complaint relates to a financial service, you can refer it to our External Dispute Resolution Scheme. We are a member of the Australian Financial Complaints Authority. External dispute resolution is a free service established to provide you with an independent mechanism to resolve specific complaints.

The contact details for AFCA are as follows:

Australian Financial Complaints Authority
Phone 1800 931 678
Mail GPO Box 3, MELBOURNE VIC 3001
E-Mail info@afca.org.au
Website www.afca.org.au

If the matter relates to privacy, you may take the matter up with the Privacy Commissioner.

The contact details for the Privacy Commissioner, in the Office of the Australian Information Commissioner, are as follows:

Privacy Commissioner
Phone 1300 363 992
Fax 02 9284 9666
Mail GPO box 5218, Sydney NSW 2001
E-Mail enquiries@oaic.gov.au
Website www.oaic.gov.au

There is no charge to you (except for the provision of documents where you request them from us) for the use of this procedure. The services of AFCA and the Privacy Commissioner are made available at no charge to you.