



COMPLAINTS MANAGEMENT FRAMEWORK

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1. Introduction

Atlas Funerals (Pty) Ltd is committed to providing high-quality funeral financial services to its clients while adhering to the highest standards of client service and business conduct. To ensure compliance with the Financial Advisory and Intermediary Services Act, 2002 (FAIS Act) and other relevant legislation, this Complaints Management Policy and Framework is designed to provide a structured and transparent process for the management of client complaints.

This framework is in alignment with Part XI of the General Code of Conduct for Authorized Financial Services Providers (FSPs) and their Representatives and aims to resolve complaints in a fair, efficient, and prompt manner, fostering stronger relationships with clients and continuously improving service delivery.

2. Definition

“customer query”	means a request to the provider or the provider`s service supplier by or on behalf of a customer, for information regarding the provider`s financial products, financial services or related processes, or to carry out a transaction or action in relation to any such product or services;
“complaint”	means an expression of dissatisfaction by a person to a provider or, to the knowledge of the provider, to the provider`s service supplier relating to a financial product or financial service provided or offered by that provider which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a customer query, that – (a) The provider or its service supplier has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the provider or to which is subscribes; (b) The provider or its 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) The provider or its service suppliers has treated the person unfairly;
“complainant”	– means a person who submits a complaint and includes a: (a) customer; (b) person nominated as the person in respect of whom a product supplier should meet financial product benefits or that persons` successor in title; (c) person whose life is insured under a financial product that is an insurance policy; (d) person that pays a premium or an investment amount in respect of a financial product; (e) member; (f) 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 of the provider, who has a direct interest in the agreement, financial product or financial service to which the complaint relates, or a person acting on behalf of a person referred to in (a) to (f);
Compensation payment –	means a payment, whether in monetary form or in the form of a benefit or service, by or on behalf of a provider to a complainant to compensate the complainant for a proven or estimated financial loss incurred as a result of the provider`s contravention, no-compliance, action, failure to act, or unfair treatment forming the basis of the complaint, where the provider accepts liability for having caused the loss concerned, but excludes and – (a) Goodwill payment;

	<p>(b) Payment contractually due to the complainant in terms of the financial product or financial service concerned; or</p> <p>(c) Refund of an amount paid by or on behalf of the complainant to the provider where such payment was not contractually due; and</p> <p>(d) Includes any interest on late payment of any amount referred to in (b) or (c);</p>
“customer”	means a specific person or group of persons, excluding the general public who is or may become the subject to, or to whom a financial service is rendered intentionally, or is the successor in title of such person or the beneficiary of such service;
“financial service”	means the furnishing of advice, the rendering of intermediary services, or both, in relation to a financial product;
“goodwill payment”	means a payment by a provider to a complainant as an expression of goodwill aimed at resolving a complaint, where the provider does not accept liability for any financial loss to the customer as a result of basis of the complaint;
“Ombud”	means the Ombud for Financial Services Providers, commonly referred to as the FAIS Ombud, referred to in section 20(2) of the FAIS Act;
“rejected”	in relation to a complaint means that a complaint was not upheld – the provider regards the complaint as finalised after advising the complainant that it does not intend to take any further action to resolve the complaint and including complaints regarded by the provider as unjustified or invalid/where the complainant does not accept or respond to proposals to resolve the complaint;
“reportable complaint”	<p>– means any complaint other than a complaint that has been:</p> <p>(a) Upheld immediately by the person who initially received the complaint;</p> <p>(b) Upheld within the provider’s ordinary processes for handling customer`s queries in relation to the type of financial product or financial service complained about, provided that such process does not take more than five business days from the date of the complaint is received; or</p> <p>(c) Submitted to or brought to the attention of the provider in such a manner that the provider does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints;</p>
“rules”	means the Rules on Proceedings of the Office of the Ombud for Financial Services Providers, 2002;
“service provider”	means another person with whom the administrator has an arrangement in relation to the marketing, distribution, administration, provision of professional services or who provides any products or services to the administrator, regardless of whether or not such other person is the agent of the administrator
“upheld”	<p>in relation to a complaint means that the complaint has been resolved in favour of the complainant and the complainant has accepted this in that –</p> <p>(a) the complainant has explicitly accepted that the matter is fully resolved;</p> <p>(b) it is reasonable for the administrator to assume that the complainant has accepted the outcome of the complaint; or</p> <p>(c) all undertakings made by the administrator to resolve the complaint, have been met.</p>

3. Purpose

The purpose of this framework is to:

- Ensure that Atlas Funerals adopts a client-focused approach to handling complaints.
- Facilitate effective resolution of complaints in a fair, transparent, and timely manner.
- Comply with regulatory requirements set out by the FAIS Act, the Financial Sector Conduct Authority (FSCA), and related legislation.

4. Scope

This policy applies to all complaints related to financial services and products offered by Attlas Funeral, including but not limited to:

- Complaints regarding the service or advice provided.
- Allegations of non-compliance with the FAIS Act, the Long-Term Insurance Act, and other regulatory frameworks.
- Complaints related to the handling of funeral policies, premiums, or claims.

5. Responsibilities and Accountability

5.1 Management and Key Individual Responsibilities

- **Approval and Oversight:** The Board of Directors and Key Individuals are responsible for approving and overseeing the Complaints Management Framework, ensuring its effectiveness and compliance.
- **Monitoring:** They will review the framework regularly to identify areas for improvement and to ensure regulatory alignment.
- **Resource Allocation:** Adequate resources must be provided for complaints management, including trained personnel and necessary technological tools.

5.2 Training and Competency

All individuals involved in complaints handling will undergo regular training to stay updated on regulatory changes and Atlas Funerals' internal policies.

5.3 Conflict of Interest

Complaints handlers must declare any conflicts of interest that could compromise impartial decision-making and take steps to mitigate such conflicts.

6. Complaints Categories

Atlas Funerals classifies reportable complaints into the following nine categories:

- Complaints related to the **design of a financial product or service**, including associated fees, premiums, or other charges.
- Complaints regarding the **information provided to clients** about financial products or services.
- Complaints concerning the **advice** given to clients.
- Complaints related to the **performance of financial products or services**.

- Complaints about **client service**, including issues related to premium or investment contribution collection, or the lapsing of financial products.
- Complaints related to **financial product accessibility**, changes, or switches, including issues with the redemption of investments.
- Complaints regarding the **handling of complaints** by the organization.
- Complaints concerning **insurance risk claims**, including non-payment of claims.
- **Other complaints** not classified in the above categories.

7. Complaints Management Process

7.1 Complaint Submission

Complaints may be submitted in writing through various channels:

- **Email:** info@atlasfunerals.co.za.
- **Postal Address:** 37a Berg Street, Rustenburg, 0300.
- **Walk-in:** 37a Berg Street, Rustenburg, 0300.

Complaints must include:

- Full details of the complainant (name, contact information, policy number, etc).
- A detailed description of the issue and relevant supporting documents.
- The financial service and representative involved.

7.2 Acknowledgement of Complaints

Upon receipt, Atlas Funerals will :

- a. **Receipt Confirmation:** Confirm receipt of the complaint in writing within a specified timeframe, usually within 5 business days, via email or a formal letter.
- b. **Details of the Complaint:** Summarise the key details of the complaint to ensure accuracy and show that you have understood the issue.
- c. **Investigation Process:** Inform the complainant about the next steps in the investigation process, including timelines and how they will be updated on the progress.
- d. **Contact Information:** Provide a point of contact for any further inquiries or additional information the complainant may wish to provide.
- e. **Assurance of Fair Treatment:** Reassure the complainant that their complaint will be handled fairly and impartially, in line with the FAIS requirements.

7.3 Complaint Investigation

- **Assigning Responsibility:** The agent will investigate the complaint by reviewing relevant documentation and liaising with the involved representatives.
- **Gather Information:** the agent will collect all relevant documentation related to the complaint, including correspondence, contracts, and any other supporting materials.
- **Interview Involved Parties:** the agent will engage with the complainant and any relevant staff or third parties to capture their perspectives and any pertinent details.
- **Analyse Findings:** Evaluate the information collected to identify any breaches of duty, miscommunication, or service failures.
- **Communicate Results:** Inform the complainant about the investigation's outcome, including any actions taken or proposed.
- **Timeline:** Atlas Funerals will aim to resolve complaints within **30 business days** from the date of receipt.
- **Escalation:** If a complaint requires further attention or specialist input, it may be escalated to senior management or external experts.

7.4 Resolution and Response

- **Outcome Notification:** Once the investigation is complete, the complainant will be informed of the outcome in writing. This will include:
 - Details of the investigation.
 - The resolution offered (if any).
 - Steps taken to prevent similar issues in the future.
- **Prepare a Report:** Document the investigation's findings, conclusions, and recommendations clearly and concisely. The report should outline the facts, any identified issues, and proposed resolutions.
- **No Resolution:** If Atlas Funerals is unable to resolve the complaint within 30 business days, the complainant will be notified of the reasons for the delay and expected timelines for resolution.

8. Escalation of Unresolved Complaints

Office of the FAIS Ombud

If the complainant is dissatisfied with the resolution, they may refer the complaint to the **Office of the FAIS Ombud** within six months of receiving Atlas Funerals final response:

- The complaint must fall within the scope of the FAIS Act and the rules governing the FAIS Ombud.

- The complaint must be made against a person or entity (referred to as “the respondent”) who is subject to the FAIS Act.
- The act or omission being complained about must have occurred while the applicable rules were in force.
- The respondent must have failed to resolve the complaint satisfactorily within six weeks of receiving notice of the complaint from the FAIS Ombud.
- A complainant may seek relief related to the subject matter of the complaint, but any monetary claim must relate to financial prejudice or damage suffered or likely to be suffered by the complainant.
- The complaint cannot involve a monetary claim exceeding R3,500,000 for a single incident of financial loss or damage, unless Atlas Funerals or the person against whom the complaint is made has provided written consent for the FAIS Ombud to consider a complaint that exceeds this limit.
- The complaint must not relate to the investment performance of a financial product unless such performance was guaranteed, or unless the performance is so poor as to suggest misrepresentation, negligence, or maladministration by the respondent.
- The determination made by the FAIS Ombud is binding and enforceable as though it were a court judgment.
- Complaints must be submitted to the FAIS Ombud within six months from the date of the final rejection letter from the service provider.

Contact Details:

- **Sharecall:** 086 066 3247
- **Telephone:** 012 470 9080
- **Email:** info@faisombud.co.za
- **Website:** www.faisombud.co.za

Office of the Ombudsman for Long-term Insurance (Long-term Ombud)

If your Long-term Insurer is unable to resolve your complaint, you can approach the Office of the Ombudsman for Long-term Insurance. The Ombud will assist in mediating disputes related to life insurance, funeral cover, disability, critical illness, credit life, and similar insurance products.

Contact Information

- Sharecall: 0860 103 236
- Phone: 021 657 5000
- Fax: 021 674 0951
- Email: info@ombud.co.za
- Website: <https://www.ombud.co>

Further function of the FAIS Ombud -Financial Services Ombud Schemes Act “ FSOS Act”

To resolve complaints in terms of the Financial Services Ombud Schemes Act (Act No. 37 of 2004) that are not covered by any of the other voluntary Ombud schemes or where there is uncertainty over jurisdiction. In terms of the FSOS Act a “complaint” alludes to:

“a complaint by a client relating to any agreement with, or a financial service or product of, a financial institution, and in which it is alleged that the client has suffered or is likely to suffer financial prejudice or damage as a result of the financial institution –

- Having contravened or failed to comply with a provision of any agreement or the law or of a code of conduct subscribed to by the financial institution;
- Having wilfully or negligently supplied, or failed to supply, a financial service or a product to the client;
- Having treated the client unreasonably or inequitably; or
- Having mal-administered the implementation of an agreement with, or the supply of a financial service or a product to, the client.”

The Ombud may not investigate complaints where the complainant has a net asset value, annual turnover, or annual income of more than R8 million.

9. Record Keeping and Monitoring

- All complaints and resolutions will be recorded and stored securely for at least five years.
- These will be reviewed periodically to identify trends and improve service delivery
- A complaints report will be presented to senior management on a quarterly basis.

10. Training and Awareness

Atlas Funerals will ensure that all employees and representatives receive ongoing training on this framework and their role in the complaints management process. Clients will be informed of their rights and the procedure for lodging complaints through Atlas' Funerals website and client documentation.

11. Review of the Framework

This framework will be reviewed annually, or as necessary, to ensure its effectiveness and compliance with any changes to legislation or regulatory requirements.