



Complaints Resolution Policy and Procedure

Version 1.0

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1. Introduction

- 1.1. The Financial Advisory and Intermediary Services Act, 37 of 2002 (“**FAIS Act**”), as well as the FAIS General Code of Conduct (“**GCOC**”), requires all Financial Services Providers (“**FSPs**”) to implement and maintain systems and procedures to allow for the timeous and efficient resolution of complaints received within specified timeframes.
- 1.2. In addition to the above, all FSPs are required to make the above systems and procedures available to all clients.
- 1.3. This document serves as the Complaints Resolution Policy and Procedure for Trive Financial Services Ltd and/or Trive South Africa (Pty) Ltd (hereinafter referred to as “**Trive**”).

2. Purpose

- 2.1. The effective management of client complaints is a vital component of Treating Customers Fairly (“**TCF**”).
- 2.2. The purpose of this Policy is to provide all employees of Trive with a consistent and comprehensive understanding of how to handle client complaints effectively to improve the services provided by Trive, while also improving the client’s experience.
- 2.3. This Policy also seeks to define what a complaint is and sets out the procedure to be followed by employees of Trive, as well as the prescribed timelines to be complied with, to ensure the effective resolution of complaints.
- 2.4. This Policy also provides clients with a Complaints Submission Form, as well as the process to be followed when submitting a complaint to Trive.
- 2.5. Trive is committed to excellent client service and thus all complaints received will be handled in a fair, timely and transparent manner.
- 2.6. Steps will be taken to investigate and respond to all complaints received in a prompt but thorough manner.
- 2.7. When a complaint is received by an employee of Trive, such complaint will be handled in accordance with the Procedure set out in this Policy.

3. Definition of a Complaint

- 3.1. In terms of the FAIS Act, a “complaint” means a specific complaint relating to a financial service rendered by a FSP or Representative to the complainant on or after the date of

commencement of the Act, and in which complaint it is alleged that the provider or representative –

- 3.1.1. Has contravened or failed to comply with a provision of the Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
 - 3.1.2. Has wilfully or negligently rendered a financial service to the complainant which has caused prejudice or damage to the complainant or which is likely to result in such prejudice or damage; or
 - 3.1.3. Has treated the complainant unfairly.
- 3.2. In terms of Section 26(1)(a)(iii) of the FAIS Act, the Trive Board may, after consultation with the Advisory Committee, make rules, including different rules in respect of different categories of complaints or investigations by the Ombud, regarding, *inter alia*:
- 3.2.1. The type of complaint justiciable by the Ombud, including a complaint relating to a financial service rendered by a person not authorised as a FSP or a person acting on behalf of such first-mentioned person.

4. Complaints Handling

- 4.1. Upon receipt of a complaint from a client, Trive will acknowledge receipt of the complaint and ensure that we provide the client with regular feedback throughout the complaints handling process.
- 4.2. Trive will acknowledge receipt of the complaint within 5 (five) business days of submission.
- 4.3. Where a complaint has been marked as urgent, Trive will acknowledge receipt within 2 (two) business days.
- 4.4. Trive handles complaints as follows:
 - 4.4.1. Trive accepts all complaints submitted via whatever medium, i.e. verbal and/or written. We do recommend that the complaint be reduced to writing using the Complaints Submission Form set out in Annexure A, however, the fact that a complaint is not in writing will not deter us from handling the complaint.
 - 4.4.2. Trive will log the date and content of the complaint in our Complaints Register and thereafter track the complaint in an attempt to resolve it as speedily and efficiently as possible.

- 4.4.3. Trive will acknowledge receipt of the complaint as stipulated above, and thereafter furnish the client with the name and contact details of the staff member best suited to resolve the matter, and who is responsible for the resolution of the complaint.
- 4.4.4. Trive will investigate any issues raised by the client and resolve the matter as soon as possible. If the complaint cannot be resolved immediately, we will communicate this with the client by sending them a written summary of the steps to be taken to resolve the matter as well as the expected date of resolution.
- 4.4.5. In the event that we are unable to resolve the complaint within 3 (three) weeks of acknowledgement of receipt thereof, we will provide the client with written notification outlining the current status of the matter and the expected date of resolution.
- 4.4.6. If we cannot resolve the complaint within 6 (six) weeks of acknowledgement of receipt thereof, we will furnish the client with written reasons therefor and advise the client to approach the relevant Ombudsman for relief. In the event that the client chooses to approach the Ombudsman, they must do so within 6 (six) months of receipt of such notice from Trive.
- 4.4.7. The details of the Ombudsman are as follows:

**FAIS Ombudsman
P.O. Box 74571
Lynnwood Ridge
Pretoria
South Africa
0040**

Tel: +27 12 762 5000 / +27 12 470 9080

Email: info@faisombud.co.za

- 4.4.8. The Complaints Register will be updated with all developments and/or activities on a case-by-case basis.

5. Steps to Follow when Dealing with Complaints

- 5.1. **Step 1:** Log the date and contents of the complaint in the Complaints Register.
- 5.2. **Step 2:** If the complaint is not in writing, ask the client to reduce the complaint to writing by filling out the Complaints Submission Form (Annexure A).

- 5.3. **Step 3:** Acknowledge receipt of the complaint in writing within 5 (five) days of receipt thereof and provide the client with the names and contact details of the employee responsible for the resolution of the complaint.
- 5.4. **Step 4:** In the event of an urgent complaint (e.g. high risk of reputational damage), acknowledge receipt of the complaint in writing within 2 (two) business days.
- 5.5. **Step 5:** Investigate the complaint to ascertain whether the complaint can be adequately resolved immediately.
- 5.6. **Step 6:** If the complaint can be resolved immediately, take the necessary action and advise the client in writing that such action has been taken.
- 5.7. **Step 7:** If the complaint cannot be resolved immediately, provide the client with a written summary of the steps to be taken to resolve the complaint as well as the expected timeline for resolution.
- 5.8. **Step 8:** If the complaint cannot be resolved within 3 (three) weeks of acknowledgement, provide the client with a written notification thereof and outline the current status of the complaint as well as the expected timeline for final resolution.
- 5.9. **Step 9:** If the complainant is unhappy at this stage, they must be advised of the escalation process available to them, as set out hereinbelow.
- 5.10. **Step 10:** If the complaint cannot be resolved within a further 3 (three) weeks, i.e. 6 (six) weeks in total since the complaint was first acknowledged, notify the client in writing, giving full reasons as to why the complaint could not be resolved, and advise the client of their right to seek legal redress by referring the complaint to the office of the relevant Ombudsman.
- 5.11. **Step 11:** Notify the client that he/she has 6 (six) months, from date of receipt of the above notification, to refer the matter to the FAIS Ombudsman by:

Tel: +27 12 762 5000 / +27 12 470 9080

Email: info@faisombud.co.za

- 5.12. **Step 12:** Where a complaint has been resolved in favour of the complainant, a full redress needs to be offered to the complainant without delay. The internal process needs to be followed to ensure that the issues that gave rise to the complaint are properly resolved to improve our client service going forward.
- 5.13. **Step 13:** Update the Complaints Register to reflect the final status of the complaint.

6. Escalation of Complaints within Trive

- 6.1. As mentioned above, if the complaint cannot be resolved within 3 (three) weeks of acknowledgement, the complaints handler will provide the client with a written notification thereof and outline the current status of the complaint as well as the expected timeline for final resolution.
- 6.2. If the complainant is unhappy at this stage, they must be advised of the escalation process available to them.
- 6.3. Should a complaint require escalation, such complaint shall be allocated to a senior and impartial person within Trive for review.
- 6.4. This review process will ordinarily take place during the 3 (three) to 6 (six) week window mentioned above.
- 6.5. Trive will provide the complainant with the names and contact details of the person handling the escalated complaint.
- 6.6. The person tasked with handling the escalated complaint will review the complaint and provide a recommendation and/or final decision to the client no later than 6 (six) weeks from date of acknowledgement of the complaint.
- 6.7. Trive will provide feedback to the complainant in writing, together with the reasons for the decision taken, all information taken into consideration in reaching that decision, and the details of the further recourse available to the client by way of the relevant Ombudsman should the client be unhappy with the outcome.
- 6.8. **Contact Persons:**

Below is a list of the persons within Trive to whom escalated complaints are referred:

DEPARTMENT:	CONTACT PERSON:	EMAIL
Compliance	Daniel van der Merwe (Trive South Africa (Pty) Ltd)	daniel.vdmerwe@trive.com
	Kiran Chuckowree (Trive Financial Services Ltd)	kiran.chuckowree@trive.com
Operations	Marius Grobler	marius.grobler@trive.com
Sales	Yves Neumann	yves.neumann@trive.com

7. Complaints Process Flow

Client lodges a complaint

If the complaint is not in writing, ask the client to reduce the complaint to writing using the Complaints Submission Form in Annexure A.

Once the complaint is received, it must be validated and logged as a new complaint in the Complaints Register.

Acknowledge receipt of the complaint within 5 (five) days. In the event of an urgent complaint, acknowledge receipt within 2 (two) days.

Complaint is assigned and investigated.

Resolve the complaint immediately if possible or take the necessary action and advise the client of the steps taken and the expected timeline for resolution.

Continuously update the Complaints Register with any and all activities/developments relating to the complaint.

If the complaint has been resolved, inform the client in writing of the decision, as well as the reasons therefor.

If the complaint has not been resolved within 3 (three) weeks, advise the client of the status and expected timeline for final resolution.

If the complainant is unhappy at this stage, advise them of the escalation process available to them.

If the complaint has not been resolved within a further 3 (three) weeks, i.e. 6 (six) weeks total, notify the client in writing, provide full reasons as to why the complaint could not be resolved, and advise the client of their right to refer the complaint to the Ombudsman.

Inform the client that any referral to the Ombudsman must be done within 6 (six) months of receipt of the above notification.

Update the Complaints Register.

8. The Complaints Register

The Complaints Register should at a minimum contain the following fields:

Date of Incident:	The date on which the incident occurred.
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Date Received:	The date on which the complaint was received.
Date Captured:	The date on which the complaint was captured in the Complaints Register.
Person Submitting Complaint:	The name and designation of the person that submitted the complaint (this may be the client or the client's representative).
Reference Number:	The complaint reference number.
Client Full Name(s) and Surname	The full name(s) and surname of the client submitting the complaint.
Client Contact Number:	The client's contact number.
Client Email Address:	The client's email address.
Country:	The country in which the client resides.
Server:	The applicable server.
Login:	The applicable login information.
Previous Complaints:	A summary of any previous complaints lodged by the client.
Description of Complaint:	Summary of the complaint submitted.
Captured by:	The person who captured the complaint in the Complaints Register.
Responsible Department:	The department responsible for handling and resolving the complaint.
Responsible Person:	The person responsible for handling and resolving the complaint.
Complaint Status:	The status of the complaint.
Activity Update:	All activities and developments relating to the complaint.
Outcome of Complaint:	Summary of the decisions taken.
Date of Final Communication to Client:	The date of the final communication to the client.
Compliance Officer Approval:	Sign-off from the designated compliance officer once the complaint has been finalized.
Possible Improvements to be Made:	Any possible improvements and lessons learned from the handling of the complaint.

9. Complaints Record Keeping and Retention

- 9.1. All complaints received, and information relating to such complaints, will be captured in the Complaints Register and retained for a period of 7 (seven) years from the date of acknowledgement thereof.
- 9.2. The Complaints Register will contain the details of the subject matter of the complaint, as well as copies of all relevant evidence, correspondence between Trive and the client, and the decision made.

- 9.3. Trive will also record the progress and status of the complaint, as well as indicate whether such progress is within the prescribed timelines and/or in accordance with any internal service level agreements that may be in place.
- 9.4. All details relating to the number of complaints received, upheld, rejected, escalated, referred to the Ombudsman will be recorded and retained, as well as the details of any compensation payments and goodwill payments made (if applicable).

Complaints Submission Form

Client Details:			
Surname:		Title:	
First Name(s):			
Identity Number:			
Passport Number:			
Address:			
Telephone:		Cell:	
Email:			
Occupation:			

Details of the Person(s) against whom you are Complaining:	
Surname:	
First Name(s):	
Position/Role:	

Details of the Product and/or Service of which you are Complaining:	
Financial Product:	
Reference/Account Number:	
Affected Transaction Number (if Applicable):	
Brief Description of the Complaint:	

When did you first become aware of the issue?	
Have you submitted a previous complaint for the same issue?	
If yes, kindly provide the date that the previous complaint was submitted and the full name of the person to whom it was submitted?	
Kindly provide the full details of the complaint and attach a letter setting out a list, in chronological order, of all communications, telephone calls, meetings, and/or letters received or exchanged with the person against whom you are submitting the complaint.	

Client Signature:	
Client Name:	
Date:	