

Complaints Management Framework

JBL WEALTH MANAGEMENT

JBL Wealth and JBL ASSET MANAGEMENT

THE COMPLAINTS POLICY OUTLINES THE FINANCIAL SERVICE PROVIDER'S COMPLAINTS
MANAGEMENT FRAMEWORK | JBL WEALTH MANAGEMENT

This Complaints Policy which outlines the Financial Services Provider's Complaints Management Framework is owned by JBL Wealth Management – FSP 12098, a duly authorised FSP.

The processes contained herein forms part of the FSP's internal control structures and procedures.

As the Key Individual of the mentioned, FSP, I Catherine Dawn Fryer, hereby confirm the adoption of the policy and framework set out in this document.



Key Individual Signature

Catherine Dawn Fryer

Date: 20.11.2020

COMPLAINTS POLICY & COMPLAINTS MANAGEMENT FRAMEWORK	Original Effective Date	2020 – Amendment of the General Code of Conduct for Authorised Financial Services Providers and Representatives , 2003 and the specific code of conduct for Authorised Financial Service Providers
	Version	1
	Revision	Annually
	Reference Documents	<ul style="list-style-type: none"> • Policyholder Protection Rules (PPR) 2017 – Effective date: January 2019 (Rule 18) • General Code of Conduct Amendment for Authorised FSP’s and Representatives - Effective Date: December 2020 (Section 16) and any Amendments thereto • FAIS & Insurance Act, and any Amendments thereto • Internal TCF Policy
	Final Approver	The Management of JBL Wealth Management & Key Individual

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1. Document Details

1.1 Background

In terms of JBL Wealth Management (JBL)'s Treating Customers Fairly (TCF) Policy as well as the Policyholder Protection Rules (PPR), the FSP is committed to rendering financial services, honestly, fairly, with due skill, care and diligence, and in the interests of its clients, and the general integrity of the financial services industry. One of the instruments to achieve this aim is our Complaints Policy (with our Complaints Management Framework) in order to address any perceived poor service by us. This Complaints Policy therefore seeks to achieve compliance with the aims of our own vision, the PPR and TCF principles.



1.2 Purpose & Objective



The purpose of this Policy is to:

- ❖ Formalize the procedure for the lodging of complaints by clients of the FSP who are dissatisfied with the financial service rendered by the FSP and to ensure that the procedure is accessible to all clients;
- ❖ Enable the FSP to effectively manage and resolve complaints;
- ❖ Enable the FSP to identify and analyse trends and areas of concern in the rendering of its financial service and thereby to ensure that appropriate interventions are put in place at the earliest possible opportunity;
- ❖ To ensure that processes are in place to familiarise staff with the appropriate way of dealing with complaints; and
- ❖ To ensure that Management endorse and support the fair, objective and transparent management of complaints and the procedures set out in this document.

1.3 Document Approval

This Policy/Framework to be approved by the Members & Key Individual and reviewed annually.

Role	Position	Approved by	Approval Signatures	Date Approved
Management	Director & Key Individual	AC Jorgensen		19.11.2020
Management	Director	P Berman		19.11.2020

Management	Director	RA Lascaris		19.11.2020
Management	Key Individual	CD Fryer		19.11.2020

1.4 Revision History

Effective Date	Review Letter	Template	Description of Change
	N/A	External CO	Draft for implementation
19.11.2020			Implemented

The date listed in the first line of the Revision History table; is the date the document received its final approval.

Hereafter, the date becomes the revision date, displayed as the Effective Date.

2. Complaints Policy

2.1 The FSP's Complaints Management Framework

The FSP has established, maintains and operate an adequate and effective complaints management framework, which is appropriate.

The FSP's Philosophy

It is the FSP's philosophy to handle all complaints (reportable and non-reportable) submitted, within the shortest possible time, and to resolve each complaint to the satisfaction of our clients, where possible. We strive to keep the process transparent and fair (reference to the FSP's TCF Policy), at all times, and to keep complainants informed of the process and progress at regular intervals. Where necessary an escalation process is in place to attend to urgent matters and where a complaint could not be resolved via the normal channels and processes.

2.2 **Definitions**

The Policyholder Protection Rules, published on 15 December 2017 (with effective date January 2018 of which this rule (18) became effective 1 January 2019), contain the following key definitions which expands on the definitions currently contained in the Short-Term Insurance Act, Financial Advisory and Intermediary Services Act and the General Code of Conduct for Authorised FSP's and Representatives:

- (a) **“Complainant”** means a person who submits a complaint and includes a –
- 1) Policyholder or the policyholder's successor in title;
 - 2) Beneficiary or the beneficiary's successor in title;
 - 3) Person whose life is insured under a policy; *(not applicable to Short Term)*
 - 4) Person that pays a premium in respect of a policy;
 - 5) Potential policyholder whose dissatisfaction relates to the relevant application, approach, solicitation or advertising or marketing material, who has a direct interest in the agreement, policy or service to which the complaint relates, or a person acting on behalf of a person referred to in (1 – 5 above).
- (b) **“Complaint”** means an expression of dissatisfaction by a person to an Insurer / FSP relating to a policy or service provided or offered by the Insurer / FSP which indicates or alleges, regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a policyholder query, that –
- 1) The Insurer / FSP has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the Insurer / FSP;
 - 2) The Insurer / FSP maladministration or wilful or negligent action or failure to act, has caused the person harm, prejudice, distress or substantial inconvenience; or
 - 3) The Insurer / FSP has treated the person unfairly.
- (c) **“Compensation Payment”** means a payment, whether in monetary form or in the form of a benefit or service, by or on behalf of an Insurer / FSP to compensate the complainant for a proven or estimated financial loss incurred as a result of the Insurer's / FSP's contravention, non-compliance, action, failure to act, or unfair treatment forming the basis of the complaint, where the Insurer / FSP accepts liability for having caused the financial loss concerned, but excludes any goodwill payment; and payment contractually due to the complainant in terms of a policy or a refund of an amount paid by the complainant to the Insurer where such payment was not contractually due, and includes any interest on the late payment of the amounts referred to.

- d) **“Financial Service Provider”** means JBL Wealth Management (the FSP).
- e) **“Goodwill payment”** means a payment, whether in monetary form or in the form of a benefit or service, by or on behalf of an Insurer / FSP to a complainant as an expression of goodwill aimed at resolving a complaint, where the Insurer / FSP does not accept liability for any financial loss to the complainant as a result of the matter complained about.
- f) **“Insurer”** means all Product Providers contracted with the Financial Services Provider (FSP).
- g) **“Policyholder query”** means a request to the Insurer / FSP by or on behalf of a policyholder, for information regarding the Insurer / FSP’s policies, services or related processes, or to carry out a transaction or action in relation to any such policy or service.
- h) **“Rejected”** in relation to a complaint means that a complaint has not been upheld and the Insurer / FSP regards the complaint as finalised after advising the complainant that it does not intend to take any further action to resolve the complaint and includes complaints regarded by the Insurer / FSP as unjustified or invalid, or where the complainant does not accept or respond to the Insurer / FSP’s proposals to resolve the complaint.
- i) **“Reportable Complaint”** means any complaint other than a complaint that has been –
- 1) Upheld immediately by the person who initially received the complaint;
 - 2) Upheld within the Insurer / FSP’s ordinary processes for handling policyholder queries in relation to the type of policy or service complained about, provided such process does not take more than **5 (FIVE)** business days from the date the complaint is received; or
 - 3) Submitted to or brought to the attention of the Insurer / FSP in such a manner that the Insurer / FSP does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints.
- j) **“Upheld”** means that a complaint has been finalised wholly or partially in favour of the complainant and that-
- 1) the complainant has explicitly accepted that the matter is fully resolved; or
 - 2) it is reasonable for the Insurer / FSP to assume that the complainant has so accepted; and
 - 3) all undertakings made by the Insurer / FSP to resolve the complaint have been met or the complainant has explicitly indicated its satisfaction with any arrangements to ensure such undertakings will be met by the Insurer / FSP within a time acceptable to the complainant.

2.3 Key Principles

The following principles will apply to any and all Complaints dealt with in terms of this Policy:

- a) All complaints are to be channelled via Catherine Dawn Fryer, the Internal Complaints Officer and the External Compliance Officer.
- b) All complaints will be thoroughly investigated and given due consideration. All complaints are to be dealt with in a fair, transparent and objective manner with due consideration for TCF principles and the complainant will be treated with dignity and respect throughout the complaints process.
- c) All staff handling complaints in terms of this Policy should have an appropriate mix of experience, knowledge and skill in complaints handling as well as in the principles of TCF and other regulatory provisions and should be authorised to make impartial recommendations regarding the handling of complaints.
- d) Only relevant information shall be considered when dealing with a complaint. Relevant information is only that information relating directly to the rendering of the financial service and which is founded on fact and can be empirically verified.
- e) All complaints will be dealt with promptly and with due consideration for the circumstances of the complainant and the FSP's staff member involved.
- f) The complainant will regularly be kept up to date with the progress of the complaints handling process and will receive written notification of the outcome of the complaints handling process which will supply clear and adequate reasons for any decision taken by the FSP.
- g) If the complaint is upheld any action undertaken by the FSP must be carried out without delay and/or within agreed timeframes.
- h) The complainant will be informed of his right to pursue his complaint with any relevant industry body or Ombudsman and will receive the appropriate assistance in pursuing his complaint.
- i) All complaints will be treated confidentially if required by the complainant or if the nature of the complaint justifies confidential treatment.
- j) The FSP will continuously track complaint trends and will take appropriate action to eliminate any identified shortcomings in its service to prevent a recurrence of any complaint.

2.4 Internal Complaints Handling Process & Resolution

1) How to lodge a Complaint:

- ❖ All complaints must be submitted in writing to Catherine Dawn Fryer the Internal Complaints Officer. If it is impossible for the client to submit the complaint in writing, full details of the complaint must be verbally relayed to Catherine Dawn Fryer who will reduce the complaint to writing.
- ❖ The complaint may be submitted in any format by providing the relevant details.
- ❖ The complaint must provide details of the financial service of which the complainant is complaining and must contain sufficient detail to enable the FSP to identify the staff member involved, the reference number of the policy / claim file and the date that the financial service was rendered. All supporting documentation must accompany the complaint.
- ❖ The complaint must identify and explain the reason for the complainant's dissatisfaction and how the complainant wants the complaint resolved.

2) Where to submit a Complaint

- ❖ On the FSP's website: www.jblwealth.co.za
- ❖ By e-mail: info@jblwealth.co.za
- ❖ By hand: Business Premises of the FSP: Atlantic House, Glenhove Square, 71 4th Street, Houghton, Gauteng, South Africa.

3) Internal Complaints Handling Procedure

- ❖ After receipt of the complaint via email the Internal Complaints Officer who will immediately record the complaint in the Complaints Register.
- ❖ The Internal Complaints Officer will within **3 working days** of receiving the complaint acknowledge receipt of the complaint. The acknowledgement of receipt will inform the complainant that the matter is receiving the due consideration of the FSP and that a response with regard to whether or not the complaint will be pursued further, will be forthcoming **within 21 days** from receipt of the complaint.
- ❖ Further feedback will be provided at least **every month** until the complaint is resolved, although the FSP undertakes to try and resolve all complaints **within 6 weeks**.
- ❖ The complainant will also be advised of his right to refer his complaint to the relevant industry body or Ombudsman. The complainant will be provided with the contact details of a staff member that will be able to assist with any queries that the complainant may have relating to the progress of the complaint.
- ❖ After consideration of the type/nature of the complaint, the Internal Complaints Officer will:
 - request the file and after due consideration of the facts/circumstances of the complaint, based on relevant information will, where appropriate, interview the relevant staff member(s) involved in the circumstances giving rise to the complaint; and

- after due consideration and consultation, will prepare a draft response for approval by the Directors and Key Individual which will be sent to the complainant within 21 days of receipt of the complaint. Such response will set out whether or not the FSP will be pursuing the complaint, or any other action decided by the Directors.
- ❖ Any complaint via any social media platform must be referred to Catherine Dawn Fryer, the Internal Complaints Officer, who will either advise on an appropriate response or will provide an official acknowledgment of the complaint that requests the complainant to submit the complaint via the formal complaints process in order that it may be given due consideration in terms of the formal complaints process.

4) **Timeframe for resolution of the Complaint**

- ❖ the FSP will do its utmost to resolve the complaint as soon as possible but within at least **6 weeks from date of receipt**.
- ❖ Should it become apparent that the complaint cannot be resolved within 6 weeks; the Internal Complaints Officer will contact the complainant and inform him/her of the progress in the matter and/or request an extension within which to respond to the complaint.
- ❖ Should a response to the complaint not be finalised within the 6 week period, or within the agreed extended period, or should the complainant not agree to the extension, the complainant must be informed of his right to refer the matter to the relevant Ombudsman or other appropriate industry body.

5) **Notification to the Client of Complaint outcome/resolution**

- ❖ Once a decision has been made with regards to the outcome of the complaint, the decision must be reduced to writing and must be sent to the complainant.
- ❖ The response must explain the decision/finding regarding the complaint and must record the reasons for the decision and the complainant must be informed of his right to refer the complaint to the relevant industry body or Ombudsman (whose contact details will be provided in the response).

6) **Finalisation of the Complaint**

- ❖ If the complaint has been resolved in favour of the complainant, the appropriate redress must be implemented without delay.
- ❖ If the complaint cannot be resolved, or cannot be resolved within the time allowed for the resolution of the complaint, or has not been resolved to the satisfaction of the complainant, the complainant must be informed of his right to refer the matter to the relevant industry body or Ombudsman within 6 months from the date of the outcome of the internal complaints resolution process.
- ❖ Once the complainant has been informed of the outcome of the complaint, the Internal Complaints Officer will record the details of the decision in the Internal Complaints Register and will retain a copy of the response in electronic format.

- ❖ The Internal Complaints Officer will ensure that the complainant has received the response and will where appropriate, obtain an acknowledgement of receipt.
- ❖ Should the Internal Complaints Officer not receive confirmation that the complainant is satisfied with the outcome of the complaint, the complaint will be kept open for a period of 6 months from date of the response.

7) Details of the Ombudsman

- ❖ If the complaint is against an Insurer it must be lodged with the Ombud for Short-Term Insurance. The procedure for lodging a complaint may be found on the website of the Ombud for Short-Term Insurance (www.osti.co.za) or may be obtained from the Office of the Ombud. Note summary of contact details below.
- ❖ If the complaint is against the Intermediary (the FSP or a Broker) it must be lodged with the FAIS Ombud. A complaints registration form may be downloaded from the FAIS Ombud's website (www.faisombud.co.za) or obtained from the Office of the FAIS Ombud.
- ❖ Also note contact details of the FSP; the FSCA and the External Compliance Officer summarised below:

<p>The Ombudsman for Short Term Insurance - (in the event of claims problems not satisfactorily resolved): P.O. Box 32334, Braamfontein, 2017 Tel: 011 726 8900 Share call: 0860 726 890 Fax: 011 726 5501 E-mail: info@osti.co.za Website: www.osti.co.za</p>	<p>The FAIS Ombud - (in respect of complaints in terms of the Intermediary or the Underwriter): P.O. Box 74571, Lynwood Ridge, 0040 Tel: 012 470 9080 Fax: 012 348 3447 E-mail: info@faisombud.co.za Website: www.faisombud.co.za</p>	<p>The FSCA - (if any complaint to the Intermediary or Underwriter is not resolved to your satisfaction): P.O. Box 35655, Menlo Park, 0102 Tel: 012 428 8000 Fax: 012 346 6941 Email: info@fsca.co.za Website: www.fsca.co.za</p>
<p>JBL Wealth Management's Complaints Department Internal Complaints Officer: CD Fryer Tel: 0861 5555 999 E-mail: dawn@jblwealth.co.za Website: www.jblwealth.co.za</p>	<p>Insurer Details The details of the relevant Insurer's complaints department and process are on the statutory notice attached to the Policy Schedule.</p>	<p>External Compliance Officer's Details: Mr. JB Joannides (FSCA Approval Number: 3485) PO Box 2762, Sunninghill, 2157 Tel: 011 234 4921 E-mail: justin@cruxconsulting.co.za</p>

8) Reporting on Internal Complaints

- ❖ The Internal Complaints Officer will on a quarterly basis provide a report to the Directors and Key Individual of the FSP on the contents of the Internal Complaints Register along with any commentary on complaint trends and/or recommendations on preventing future similar complaints. The report will include all complaints but will distinguish between reportable and non-reportable complaints. Such reports shall include a summary of the following information –
 - Number of complaints received;
 - Number of complaints upheld in favour of the complainant including details of the nature of such complaints and consequences of the outcome thereof;
 - Number of complaints rejected including details of the nature of such complaints and consequences of the outcome thereof;
 - Number and nature of complaints referred to the Ombud and the outcome thereof;
 - Number and amounts of compensation payments made;
 - Number and amounts of goodwill payments made; and
 - Total number of complaints outstanding.
- ❖ Any complaint of a serious nature or any complaint which may have reputational implications for the FSP or the Insurers with which the FSP contracted, **will immediately be escalated** to the Directors and Key Individual.

9) Document Retention

- ❖ The details of all complaints will be recorded in the Internal Complaints Register.
- ❖ The Register will record as a minimum the following information –
 - the identity of the complainant;
 - the nature of the financial service of which the complainant is complaining (i.e. underwriting or claims);
 - the staff member involved in rendering the initial financial service;
 - the reference number of the policy / claim;
 - the type of policy involved;
 - details of the specific issue being complained of;
 - classification according to PPR categorisation;
 - the date that the complaint was received;
 - who the complaint was allocated to;
 - the outcome of the complaint;
 - whether the complainant was satisfied with the outcome of the complaint;
 - the date that the complainant was informed of the outcome.
- ❖ The Internal Complaints Officer is the custodian of the Internal Complaints Register.
- ❖ All complaints records will be retained for a minimum of 5 years from date of resolution of the complaint.

10) Monitoring of the Contents of the Internal Complaints Register

- ❖ The information contained in the Internal Complaints Register will be monitored by the Internal Complaints Officer and External Compliance Officer on an ongoing basis in order to identify any trends and areas of concern in the rendering of financial services by the FSP and to ensure that appropriate interventions are put in place at the earliest possible opportunity.
- ❖ Any trends or matters of concern will be raised to the Directors and Key Individual of the FSP along with any recommendations to mitigate the trend in question where appropriate/possible.
- ❖ Complaints analysis should be used to –
 - Identify common/recurrent root causes of complaints;
 - Identify failings in control systems;
 - Detect and correct/mitigate poor staff or service provider performance, lack of skills or misconduct;
 - Track implementation of TCF outcomes.

11) Consequences of Non-Compliance

- ❖ Fair, effective and satisfactory resolution of complaints is the responsibility of every employee.
- ❖ Every employee is expected to read and familiarize themselves with the contents of this Policy and to adhere to the procedures as outlined in this Policy.
- ❖ Any wilful or negligent non-compliance with the Policy and the procedures instituted in terms thereof by any employee will constitute an offence as outlined in the employment contracts and could form the subject of disciplinary action by the FSP against any person (employee) found not to adhere to the Policy.
- ❖ Any such transgression must be reported to one of the Directors who will decide on what action should be taken

12) Staff Training & Awareness

The FSP undertakes to create awareness and understanding of the Policy and the Complaints Management Framework by –

- ❖ Distributing the Policy amongst its staff;
- ❖ Includes reference to the Policy in the Employment Contracts;
- ❖ Providing adequate training regarding the Policy to all staff;
- ❖ Ensuring that the Policy is accessible to all staff at any time by placing it on the internal drive.

13) Client Awareness of and Accessibility to the Policy

The FSP undertakes to ensure awareness and accessibility to the Policy by –

- ❖ Making reference to the Policy in the FSP's official disclosure document/s
- ❖ Uploading the Policy onto the FSP's website;
- ❖ Making the Policy available to any client on request or at any time when the FSP becomes aware of an actual or potential complaint;

- ❖ Making the Policy accessible to all staff Directors.

14) **Review of the Policy**

- ❖ This Policy will be reviewed in the event of any legislative changes necessitating such review or alternatively annually.
- ❖ The purpose of the annual review will be to –
 - monitor the effectiveness of the Policy and to adapt the Policy where it seems to have been ineffective;
 - monitor internal compliance with and awareness of the Policy;
 - refine the processes and procedures in the Policy where necessary;
 - ensure compliance with applicable legislation.

2.5 Categorisation of Complaints

The FSP categorises reportable complaints in accordance with the specified categories –

- (a) complaints relating to the design of a policy or related service, including the premiums or other fees or charges related to that policy or service;
- (b) complaints relating to information provided to policyholders;
- (c) complaints relating to advice;
- (d) complaints relating to policy performance;
- (e) complaints relating to service to policyholders, including complaints relating to premium collection or lapsing of policies;
- (f) complaints relating to policy accessibility, changes or switches;
- (g) complaints relating to complaints handling;
- (h) complaints relating to insurance risk claims, including non-payment of claims; and
- (i) other complaints