

Complaints Policy and Procedures in terms of the

FAIS General Code of Conduct

For

Linda Uhlmann and Associates

FSP no.: 43778

Prepared by Linda Uhlmann and Associates

Last updated: 03/12/2020

## 1. INTRODUCTION

This document constitutes the complaints policy and internal complaint resolution system and procedures of the FSP as required by:

- Board Notice 80 of 2003 – General Code of Conduct for Authorised Financial Services Providers and Representatives;
- Financial Advisory and Intermediary Services Act 37 of 2002;
- Financial Sector Regulation Act 9 of 2017.

## 2. COMPLAINTS POLICY

The FSP's internal complaint resolution system and procedures are based on the following principles:

- to maintain and remain committed to an efficient internal complaint resolution system;
- transparency by ensuring that clients have full knowledge of the procedures for resolution of their complaints;
- easy accessibility to information and communication via postal, fax, telephone and/or email;
- fairness by ensuring that resolution of a complaint will be effected in a manner which is fair to both clients, the FSP and staff;
- adequate training of relevant staff of the provisions of the legislation with regard to the resolution of complaints.

## 3. DEFINITION OF COMPLAINT

The procedures and standards as referred to herein, are only applicable to complaints that fall within the definition of "Complaint", as defined by the General Code of Conduct.

"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 client query.
- 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 it subscribes;
- 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
- The provider or its service supplier has treated the person unfairly.

## 4. PROCEDURES FOR LOGGING AN COMPLAINT

Any client who wishes to lodge a complaint against the FSP or any employee must lodge such complaint in writing. The complaint must provide full details and be accompanied by supporting documentation.

All complaints must be addressed to:

Linda Uhlmann and Associates

Attention: Antoinette Uhlmann

Post: Postnet Suite 58, Private Bag x25, Lynnwood Ridge, 0040

Email: [antoinette@lindauhlmann.co.za](mailto:antoinette@lindauhlmann.co.za)

Fax: 0866 898 029

The FSP will acknowledge receipt of the complaint in writing and will respond promptly to any complaint. The FSP will notify the complainant in writing of the outcome of the resolution of the complaint within 6 weeks of receipt thereof.

Should the complaint not be resolved to the complainant's satisfaction within 6 weeks of lodging such complaint, the complainant may lodge the complaint with the Ombud of Financial Services Providers within 6 months of receiving communication from the FSP regarding the resolution/dismissal of the complaint. Should the complainant not lodge the complaint with the Ombud, the complainant may pursue any other avenue of law which is available to it.

Contact details of the FAIS Ombud:

Post: PO Box 74571, Lynnwood Ridge, 0040

Tel: 012 762 5000 / 012 470 9080

Fax: 086 764 1422 / 012 470 9097 / 012 348 3447

Email: [info@faisombud.co.za](mailto:info@faisombud.co.za)

[www.faisombud.co.za](http://www.faisombud.co.za)

## 5. OVERVIEW

Once a complaint has been received by the FSP, provide the complainant with a copy of the *Complainant Procedure Communication* document, which serves as written acknowledgement of receipt of the complaint.



Where a complaint is received in writing, proceed to categorise the complaint according to the 8 complaint categories & where the complaint is a reportable complaint, record same in the *Complaints Register & Analysis* control document.



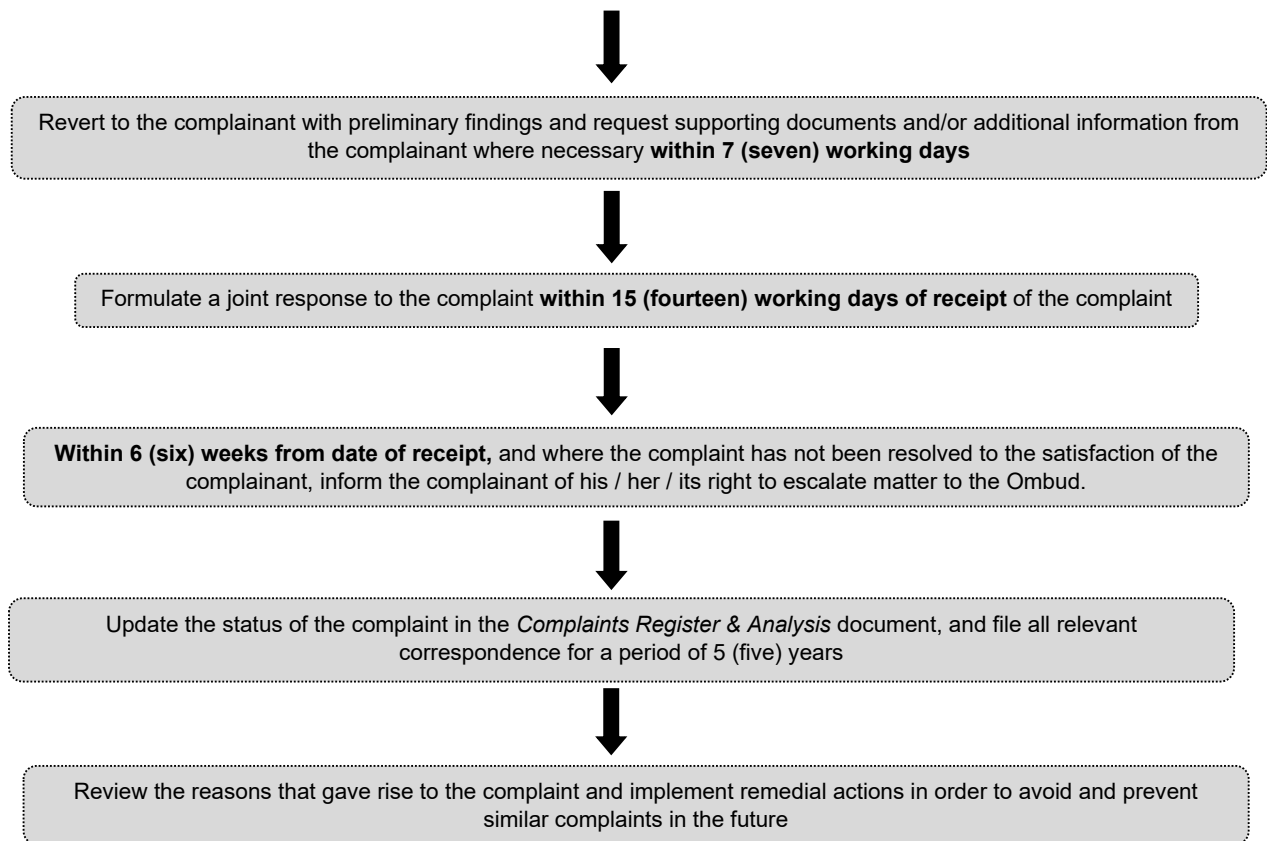
Allocate complaint to the Complaint Dispute Facilitator



Inform the relevant insurer where Professional Indemnity Cover is held of the complaint.



Investigate the complaint and review the file/transaction which gave rise to the complaint.



## 6. CATAGORISATION OF COMPLAINTS

When a reportable complaint is received, the Responsible Person must first categorise the complaint according to one (or more) of the following categories:

1	Complaints relating to the <b>design</b> of a financial product, financial service or related service, including the fees, premiums or other charges related to that financial product or financial service.
2	Complaints relating to <b>information provided</b> to clients.
3	Complaints relating to <b>advice</b> .
4	Complaints relating to financial product or financial service <b>performance</b> .
5	Complaints relating to <b>service</b> to clients, including complaints relating to premium or investment contribution collection or lapsing of a financial product.
6	Complaints relating to financial product <b>accessibility</b> , changes or switches, including complaints relating to redemptions of investments.
7	Complaints relating to <b>complaints handling</b> .
8	<b>Other</b> complaints.

## 7. INTERNAL COMPLAINT RESOLUTION SYSTEM

The FSP has nominated a contact person responsible for managing and overseeing the effective resolution of complaints and compliance with this complaints policy and procedures ("contact person", as indicated in 4.1).

All clients must be advised in writing that the FSP has a complaints policy and procedures which communication must contain the FSP's contact details.

Clients must be provided access to this complaints policy via postal, fax, telephone and/or email.

Any employee who receives a complaint from a client must request the client to lodge such complaint in writing to the FSP and simultaneously provide the client with the communication particulars of the contact person.

The contact person must, upon receipt, enter the complaint in the complaints register which is held by the contact person.

If the complaint is received by any employee other than the contact person, the complaint should be communicated to the contact person immediately.

The contact person may delegate resolution of the complaint to an appropriate person.

Complaints must be investigated and responded to promptly and must be handled in a timely and fair manner.

Non-routine serious complaints must be handled at an appropriate level and by staff with adequate expertise.

All complaints must be resolved within 6 weeks of receipt thereof.

Should a complaint not be resolved to the satisfaction of the complainant, the complainant must be notified thereof within 6 weeks of receipt of the complaint and be advised of its right to lodge such complaint with the Ombud within 6 months of receipt of such notification, as well as be advised of any other legal remedies it may have.