



## COMPLAINTS RESOLUTION PROCESS

FSP No. 10287



January 2022

## **INTRODUCTION**

Ambledown Financial Services (including Unity Health, a division of Ambledown) are committed to the “Fair Treatment of Policyholders” and pride ourselves of being market leaders in the Gap Cover / Health Insurance market. Ambledown is focused on providing products that meet the needs of our policyholders, products that are fairly priced and affordable and providing full administration services through our advanced computer systems.

All companies, from time to time, experience problems with their products and / or services and may not always deliver what their clients may be expecting. Although these situations are not ideal, it is important how companies respond. To this end, Ambledown maintains a record of complaints, which allows us to analyse complaints and make any necessary changes in our product and / or service offering if required.

Ambledown acknowledges that sometimes existing customers may feel that the level of service or the product have not met their expectations and it is for this reason we have detailed a complaints resolution process.

In terms of the Financial Advisory and Intermediary Services Act (FAIS, Act 37 of 2002), a Financial Services Provider (FSP) authorised to provide financial advice and/or intermediary services to clients, have the duty to offer clients a formal process to resolve complaints. Complaints could be because of:

- Failing to comply with regulations of the FAIS Act;
- Either wilfully or negligently rendered financial advice and / or service to the client (complainant) that caused prejudice or damage to the client (complainant) or which is likely to result in such prejudice or damage; or
- The client (complainant) was treated unfairly.

Complainant refers to the client and includes the client’s lawful successor in title or the nominated beneficiary of the financial product which is the subject of the relevant complaint. Ambledown reaffirms its commitment to providing its clients with quality service and undertake to manage the affairs of its clients in such a way that it would not be necessary to have a complaint about its service, integrity and commitment. However, should it happen that a client does have a complaint, it undertakes to:

- a. deal with complaints in a prompt and fair manner to its clients (complainants), its business and its staff, with every complaint receiving proper consideration in a process that is managed appropriately and effectively by the Risk and Compliance Officer;
- b. inform all its complainants of the procedures established for the internal resolution of their complaints, details of which will be given to them in writing;
- c. ensure easy access to its complaints resolution process at its offices, or by way of post, fax, e-mail or telephone;
- d. empower and properly train the people in its business to deal with complaints, as well as with the escalation of non-routine complaints;
- e. establish a Complaints Resolution Committee comprising of Executive Management, Senior Managers and the Risk and Compliance Officer, and if necessary, make use of a specialist suitably qualified from time to time or appoint an independent mediator to resolve the complaint to the benefit of both the complainant and its business;
- f. offer appropriate remedy in all cases where a complaint is resolved in favour of a complainant;
- g. inform complainants of their right to refer their complaints to the FAIS Ombudsman’s Office for any advice related complaints and the Short-Term / Long-Term Ombudsman for any

product related complaints, should a complaint not be resolved to their satisfaction within six weeks from the date on which the complaint is received. Such complaint must be lodged within six months after the determination that the complaint could not be resolved by Ambledown;

- h. regularly maintain records of all complaints received for a period of 5 years, which will specify the outcome of all the complaints lodged;
- i. implement follow-up procedures to:
  - i. implement remedial actions to prevent similar complaints from occurring;
  - ii. improve services and procedures where necessary in the business.

### **DEFINITION OF A COMPLAINT**

A complaint refers to a statement made by a complainant whereby they express their unsatisfactory or unacceptable, an expression of discontent, a grievance regarding the products and / or services provided to them.

In terms of the FAIS Act a complaint must relate to a financial service rendered by Ambledown, or its representative, to the complainant and where it is alleged that Ambledown or its representative-

- a. has contravened or failed to comply with a provision of the FAIS Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;
- b. 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
- c. has treated the complainant unfairly.

### **AMBLEDOWN'S COMPLAINTS PROCEDURE**

To ensure a quick and appropriate response to complaints, the following process has been implemented:

1. A complaint should ideally be lodged in writing, stating clearly the reason for the complaint and any loss / damage suffered. Include any relevant supporting documentation (if any). The complaint should be forwarded for the attention of the Risk and Compliance Officer to:

Email: compliance@ambledown.co.za  
Fax: (+2711) 463 1600  
Post: P O Box 1862, Cramerview, 2060

2. On receipt of the complaint, the Risk and Compliance Officer will acknowledge receipt to the complainant in writing within 3 (three) working days. The acknowledgement will include details of the complaints procedure.
3. The Risk and Compliance Officer will then forward the complaint to the relevant Manager who will investigate the complaint to ascertain whether the complaint is legitimate and if need be, assign a staff member to be responsible for the resolution of the complaint.
4. If further information is necessary, the Manager / staff member will request clarity or supporting (additional) documents from the complainant. The letter will also include the expected number of days to resolve the complaint following the receipt of the information / documentation and

the name and full contact details of the staff member responsible for the resolution of the complaint.

5. Where additional information / documents has been requested from the complainant and the information is not forthcoming, the Risk and Compliance Officer will send a reminder in writing 5 (five) working days following the initial letter of request.
6. Response to a complaint will be done within 21 (twenty one) days, provided that all information required and or an investigation has been completed by the responsible staff member. The maximum turn-around time for any complaint is 30 (thirty) days from receipt of the initial complaint, if all the necessary documents and or information have been received by the responsible staff member. The complainant will be kept informed of the progress of the complaint on a regular basis, and at least every 7 days;
7. Once the investigation is concluded the relevant staff member will communicate their decision to the relevant Manager and the Risk and Compliance Officer. If all parties agree a letter stating all the facts and conclusion on the complaint should be sent to the complainant by the Manager or the Risk and Compliance Officer.
8. In the case where the complainant is not fully satisfied with the conclusion to the complaint, the objection should be in writing and additional information or documents should be attached (if any) and the objection referred to the Risk and Compliance Officer for further investigation.
9. The relevant Manager will reinvestigate the complaint considering new documentation or information provided. The complaint will then be referred to the Complaints Resolution Committee who will perform a reassessment of the complaint and either endorse or denounce the conclusion. A detailed written correspondence on the conclusion of the reinvestigation will be communicated to the complainant within 5 working days of receipt of the objection with full details of the evidence at hand and the basis to reach such a conclusion.
10. The Complaints Resolution Committee reserves the right to consult or refer the matter to the affected insurer. The complainant should be kept informed of all possible delays and the expected date of resolution.
11. If unable to resolve the complaint within 6 weeks of logging the complaint in the Complaints Register or where Ambledown has been unable to resolve the complaint to the full satisfaction of the complainant, then the Risk and Compliance Officer will notify the complainant accordingly and advise the complainant of their right to:
  - refer the complaint to the Ombudsman Office if the complainant wishes to pursue the matter; and
  - that the complainant should do so within six months of receipt of such notification;

#### **CONTACT INFORMATION – OMBUDSMAN OFFICES**

The contact information is provided as per point 11 above.

##### **FAIS Ombudsman**

Telephone: (+2712) 470 9080  
Facsimile: (+2712) 348 3447  
E-mail Address: info@faisombud.co.za

Website: [www.faisombud.co.za](http://www.faisombud.co.za)  
Postal Address: FAIS Ombud; P.O. Box 74571; Lynnwood Ridge; 0040  
Physical Address: Kasteel Park Office Park, Orange Building, 2nd Floor, 546 Jochemus Street, Erasmus Kloof, Pretoria, 0048

#### **Ombudsman for Short Term Insurance**

Telephone: (+2711) 726 8900  
Facsimile: (+2711) 726 5501  
Sharecall: (+2786) 072 6890  
E-mail Address: [info@osti.co.za](mailto:info@osti.co.za)  
Website: [www.osti.co.za](http://www.osti.co.za)  
Postal Address: P O Box 32334; Braamfontein; 2017  
Physical Address: 1 Sturdee Avenue, Cnr Bolton and Baker Roads, First Floor, Block A, Rosebank Johannesburg, 2196

#### **Ombudsman for Long Term Insurance**

Telephone: (+2721) 657 5000 / (+2786) 010 3236  
Facsimile: (+2721) 674 0951  
Sharecall: (+2786) 066 2837  
E-mail Address: [info@ombud.co.za](mailto:info@ombud.co.za)  
Website: [www.ombud.co.za](http://www.ombud.co.za)  
Postal Address: Private Bag X45, Claremont, Cape Town, 7735  
Physical Address: Third Floor, Sunclare Building, 21 Dreyer Street, Claremont, Cape Town, 7700

### **PROTECTION OF PERSONAL INFORMATION**

Ambledown will process your personal information, including but not limited to, during the administrative functions listed below.

- Processing your application;
- Processing of future instructions submitted;
- Processing of a claim;
- Communications with you in relation to any matters in relation to your policy.

From time to time Ambledown may need to disclose and transfer your personal information to a contracted 3<sup>rd</sup> party for the purposes of collecting premiums, claim assessments and statutory reporting in connection with this contract.

You have the right to –

- object to the processing of your personal information on reasonable grounds unless legislation allows for such processing, in the manner prescribed by the POPI Act;
- lodge a complaint with the Information Regulator;
- request from Ambledown, details of any of your personal information Ambledown holds on your behalf and details of how your personal information has been processed.

Ambledown will use its best endeavors to ensure your personal information is reliable, however it remains your responsibility to advise Ambledown of any changes to your personal information in a timely manner. The information supplied to Ambledown must be complete, correct and up to date.

Should you have a complaint, you can address your complaint to:

The Information Officer  
Email: [compliance@ambledown.co.za](mailto:compliance@ambledown.co.za)

Where Ambledown is unable to resolve your complaint, to your satisfaction, you have the right to complain to the Information Regulator, including any alleged infringement of any of the rights protected under POPIA. You also have the right to institute civil proceedings regarding the alleged non-compliance with the protection of your personal information.

Ambledown "POPI Complaint Form" can be found under Annexure A

**CONTACT INFORMATION – INFORMATION REGULATOR**

The Information Regulator:	Ms Mmamoroke Mphelo
Physical Address:	SALU Building, 316 Thabo Sehume Street, Pretoria
Email:	<a href="mailto:inforreg@justice.gov.za">inforreg@justice.gov.za</a>
Website:	<a href="http://www.justice.gov.za/inforeg/index.html">http://www.justice.gov.za/inforeg/index.html</a>

**ANNEXURE A**

<b>POPI COMPLAINT FORM</b>	
We are committed to safeguarding your privacy and the confidentiality of your personal information and are bound by the Protection of Personal Information Act.	
<b>Please submit your complaint to the Information Officer:</b>	
Name	
Contact Number	
Email Address:	
Where we are unable to resolve your complaint, to your satisfaction you have the right to complaint to the Information Regulator.	
<b>The Information Regulator:</b> Ms Mmamoroke Mphelo	
<b>Physical Address:</b> SALU Building, 316 Thabo Sehume Street, Pretoria	
<b>Email:</b> <a href="mailto:inforreg@justice.gov.za">inforreg@justice.gov.za</a>	
<b>Website:</b> <a href="http://www.justice.gov.za/inforeg/index.html">http://www.justice.gov.za/inforeg/index.html</a>	
<b>A. Particulars of Complainant</b>	
Name & Surname	
Identity Number:	
Postal Address:	
Contact Number:	
Email Address:	
<b>B. Details of Complaint</b>	
<b>C. Desired Outcome</b>	
<b>D. Signature Page</b>	
Signature:	
Date	