

27four Investment Managers

FSP Number: 31045

# Complaints Management Framework

March 2024



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## **1. POLICY STATEMENT**

- 1.1. 27four Investment Managers (Pty) Ltd ("the FSP"), is an authorised financial service provider in terms of the Financial Advisory and Intermediary Services Act, 37 of 2002 ("the FAIS Act"). The FSP recognises its responsibility in terms of Part XI of the General Code of Conduct to establish a complaints management policy to ensure effective resolution of complaints and the fair treatment of complainants.
- 1.2. This complaints management framework ("the Framework") has been formulated in accordance with the provisions of the General Code of Conduct as well as "Treating Clients Fairly" ("TCF") principles as published by the Financial Sector Conduct Authority ("FSCA").

## **2. POLICY SCOPE**

- 2.1. This policy applies to all employees of the FSP.

## **3. PURPOSE**

- 3.1. The purpose of this policy is to outline the requirements of the General Code of Conduct and the processes implemented by the FSP to adhere to these requirements.

## **4. DEFINITIONS**

- 4.1. "Client" means a specific person or group of persons, excluding the general public, who is or may become the subject to whom a financial service is rendered intentionally, or is the successor in title of such person or the beneficiary of such service.
- 4.2. "Complaint" means an expression of dissatisfaction by a client to the FSP or, to the knowledge of the FSP, or to the FSP's service provider relating to a policy, an investment or service provided or offered by the FSP which indicates or alleges, regardless of whether such an expression or dissatisfaction is submitted together with or in relation to a query that –
  - 4.2.1. The FSP or its service provider has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the FSP or to which it subscribes;
  - 4.2.2. the FSP or its service provider's maladministration or wilful or negligent action or failure to act, has caused the client harm, prejudice, distress or substantial inconvenience; or
  - 4.2.3. the FSP or its service provider has treated the client unfairly.
- 4.3. "Complainant" means a person who submits a complaint and includes:
  - 4.3.1. a Client;
  - 4.3.2. a Client's lawful successor in title; and/or
  - 4.3.3. a nominated beneficiary of the original Client.
- 4.4. "Compensation payment" means a payment, whether in monetary form or in the form of a benefit or service, by or on behalf of the FSP to a complainant to compensate the complainant for a proven or estimated financial loss incurred as a result of the FSP's contravention, non-compliance, action, failure to act, or unfair treatment forming the basis of the complaint, where the FSP accepts liability for having caused the loss concerned, but excludes any –
  - 4.4.1. goodwill payment;
  - 4.4.2. payment contractually due to the complainant in terms of the financial product or financial service concerned; or
  - 4.4.3. refund of an amount paid by or on behalf of the complainant to the FSP where such payment was not contractually due;and includes any interest on late payment of any amount referred to in (b) or (c).

- 4.5. "Goodwill payment" means a payment, whether in monetary form or in the form of a benefit or service, by or on behalf of the FSP to a complainant as an expression of goodwill aimed at resolving a complaint, where the FSP does not accept liability for any financial loss to the complainant as a result of the matter complained about.
- 4.6. "Rejected" in relation to a complaint means that a complaint has not been upheld and the 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 FSP as unjustified or invalid, or where the complainant does not accept or respond to the FSP's proposals to resolve the complaint.
- 4.7. "Reportable complaint" means any complaint other than a complaint that has been –
  - 4.7.1. upheld immediately by the person who initially received the complaint;
  - 4.7.2. upheld within the FSP's ordinary processes for handling client queries in relation to the type of financial product or service complained about, provided that such process does not take more than five business days from the date the complaint is received; or
  - 4.7.3. submitted to or brought to the attention of the FSP in such a manner that the FSP does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints.
- 4.8. "Upheld" means that a complaint has been finalised wholly or partially in favour of the complainant and that –
  - 4.8.1. the complainant has explicitly accepted that the matter is fully resolved; or
  - 4.8.2. it is reasonable for the FSP to assume that the complainant has so accepted; and
  - 4.8.3. all undertakings made by the 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 FSP within a time acceptable to the complainant.

## **5. OBJECTIVES**

The Complaints Management Framework formalises the practices required for effective management and handling of complaints within the FSP. The objective is to ensure effective standards of complaints management to:

- 5.1. Deal with complaints in a timely and fair manner.
- 5.2. Resolve complaints in a manner which is fair to our clients, our business and our staff.
- 5.3. Promote transparency and visibility by ensuring that clients have full knowledge of the procedures for resolution of their complaint.
- 5.4. Provide accessibility of facilities by ensuring the existence of easy access to such procedures at any the FSP's business premises.
- 5.5. Inform clients of their rights to refer their complaints to the relevant Ombud should a complaint not be resolved to their satisfaction.
- 5.6. Offer full and appropriate redress in all cases where a complaint is resolved in favour of a client.
- 5.7. Ensure that adequate training is provided to the relevant staff members ensuring full knowledge of the provisions of the legislation regarding the resolution of complaints.
- 5.8. Maintaining a complaints register with all complaints lodged. The Compliance Officer will inspect the complaints register from time to time and monitor effective complaints resolution and compliance with the complaints process.
- 5.9. Maintaining records of all complaints received for a minimum period of 5 years together with an indication whether such complaint has been resolved, cases of non-compliance with the legislation and the reasons for such non-compliance.

5.10. Implementing follow-up procedures to:

- 5.10.1. ensure the avoidance of occurrences giving rise to complaints; and
- 5.10.2. improve services and complaint systems and procedures where necessary.

## **6. COMPLAINT MANAGEMENT PROCESS AND CATEGORISATION OF COMPLAINTS**

- 6.1. A complaint must be submitted in writing to the FSP either by hand or e-mail. Contact details and procedure as provided in Annexure A.
- 6.2. the FSP will acknowledge receipt of complaint within 2 business days of receipt and provide the complainant with:
  - 6.2.1. contact details of the person or department that will be handling the complaint;
  - 6.2.2. a timeframe within which it is likely to complete its investigation; and
  - 6.2.3. details of escalation of complaints to the office of a relevant Ombud where applicable.
- 6.3. The complaint should contain sufficient details and must include:
  - 6.3.1. the name of the client and details of the client's investment;
  - 6.3.2. the full name, ID number and contact details of the complainant as well as proof of authority to act on behalf of the client; and
  - 6.3.3. specific details about the nature of the complaint, which will include sufficient facts, dates and supporting documents to enable the FSP to deal with the complaint quickly and fairly.

## **7. RESOLUTION OF A COMPLAINT**

- 7.1. The FSP will endeavour to resolve all complaints received in a timely and fair manner. Where a complaint is upheld, any commitment to make a compensation payment, goodwill payment or to take any other action will be carried out without undue delay and within any agreed timeframes.
- 7.2. Where a complaint is rejected, the FSP will send a communication within six weeks of receipt of the complaint that addresses all the issues and advises the complainant:
  - 7.2.1. that the complaint may be referred to the Ombud or other relevant adjudicator if the complainant wishes to pursue the complaint, together with the contact details of such adjudicator; and
  - 7.2.2. that it should be done within 6 months of receipt of such notification.

## **8. RECORD KEEPING OF COMPLAINTS**

- 8.1. The Head of Compliance will keep a register and record of all complaints. Adequate records of such complaints must be maintained for a period of at least 5 years from the date of the receipt of the complaint.
- 8.2. The register will record at least the following information on the complaint:
  - 8.2.1. Date received;
  - 8.2.2. Complainant;
  - 8.2.3. Client Name and Surname;
  - 8.2.4. Client contact details;
  - 8.2.5. Account number
  - 8.2.6. Name of product
  - 8.2.7. Summary of the complaint;
  - 8.2.8. The complaint categorisation as set out below:
    - complaints relating to the design of a financial product, financial service or related service, including the fees, premiums or other charges related to that financial product or financial service;

- complaints relating to information provided to clients;
- complaints relating to advice;
- complaints relating to financial product or financial service performance;
- complaints relating to a service to clients, including complaints relating to premium or investment contribution collection or lapsing of a financial product;
- complaints relating to financial product accessibility, changes or switches, including complaints relating to redemptions of investments;
- complaints relating to complaints handling;
- complaints relating to Insurance risk claims, including non-payment of claims; and
- other complaints.

8.2.9. TCF outcome to be addressed

8.2.10. Responsible person who will deal with complaint and ensure that it is resolved;

8.2.11. Action taken to resolve the breach;

8.2.12. Outcome of complaint;

8.2.13. Date resolved; and

8.2.14. Escalation to the Ombud.

8.3. The record held will have all the relevant information of the complaint including all documentation related to the complaint.

## **9. MONITORING AND ANALYSIS OF COMPLAINTS**

9.1. All complaints will be analysed to improve customer experiences and will be reported to management and the relevant regulator where required to do so.

9.2. Complaints will be reported to the Board of Directors and relevant subcommittees.

9.3. The following data will be maintained in relation to reportable complaints categorised in accordance with paragraph 9.2;

- number of complaints received;
- number of complaints upheld;
- number of rejected complaints and reasons for the rejection;
- number of complaints referred to an Ombud and their outcome;
- number and amounts of compensation payments made;
- number and amounts of goodwill payments made; and
- total number of complaints outstanding.

## **10. ENGAGEMENT WITH OMBUD AND REPORTING**

10.1. The FSP clearly and transparently communicates the availability and contact details of the relevant Ombudsman schemes to customers on all applicable disclosure documentation.

10.2. Where appropriate, we also display information regarding the availability and contact details of the relevant Ombudsman services on our websites.

10.3. The FSP maintains records and carries out specific analysis of complaints referred by the Ombud and the outcomes of such complaints.

## **11. EMPLOYEE OBLIGATIONS**

If any employee receives a complaint directly from a client, it is imperative that the employee forward such complaint

to complaints@27four.com

**12. DOCUMENT CONTROL**

Policy Owner: Compliance


Policy Review and Recommendation: 27four Group Risk Committee

Approval: 27four IM Board of Directors

Policy renewal frequency: Annually

Version	Date	Author	Summary of changes	Board Approved date
1.0	November 2022	Yolanda Boqwana	New Policy	28 November 2022
1.1	December 2023	Vic du Preez	Policy reviewed internally and by ICS. No changes.	07 March 2024

**13. DOCUMENT SIGN-OFF**

DocuSigned by:  


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**JL du Preez (Director)**

Duly authorized to sign.

11-Apr-2024 | 01:53 PDT

Date

## 14. ANNEXURE A

### 14.1. How do you submit your complaint?

The FSP will endeavour to resolve a complaint without delay when you bring it to our attention. Complaints must be submitted in writing, addressed to "The Compliance Officer", using one of the following addresses:

Physical address: 27four Investment Management (Pty) Ltd Firestation Rosebank, Fifth Floor, 16 Baker Street, Rosebank, Johannesburg, 2196

Email: Complaints@27four.com

Please include :

- Your full names;
- Client name/account number;
- Details of your complaint;
- Any relevant supporting documents.

### 14.2. What will happen following receipt of your complaint?

We will write back to you to confirm that we have received your complaint within 2 business days and will also give you the contact details of the person who will assist to resolve your complaint.

We will endeavour to resolve your complaint within 6 weeks of receiving it and will advise you of the outcome as soon as our investigation is completed. If a delay is expected, we will inform you of the delay and will keep you informed of the progress on a weekly basis until it is resolved. We will keep a full record of your complaint and all subsequent correspondence for as long as we are required to do so by any law.

### 14.3. What further steps are available if you are not happy with our response?

Should you be dissatisfied with our response, or we reject your complaint, you may refer your complaint to the Ombudsman as set out below:

#### **Complaints before the FAIS Ombud:**

The FAIS Ombud can be approached for complaints in respect of financial services in terms of the FAIS Act. In consideration of a complaint, the FAIS Ombud acts independently and objectively.

If within 6 weeks of receipt of a complaint the FSP has been unable to resolve the complaint to your satisfaction, we must inform you that the complaint may be referred to the Office of the FAIS Ombud if you wish to pursue the matter and that you should do so within six months of receipt of such notification.



**Contact Details for the FAIS Ombud**

Postal address: P.O. Box 74571, Lynnwood Ridge, 0040

Telephone: +27 12 470 9080 / 12 762 5000

Facsimile: + 27 12 348 3447 / 086 764 1422

E-mail address: info@faisombud.co.za

Website: www.faisombud.co.za

The FAIS Ombud will not consider your compliant in the following circumstances:

- If the amount claimed is greater than R800 000.00.
- If the compliant relates to an act or omission which occurred prior to the date of commencement of the FAIS Act being November 2002.
- If the matter is under litigation.
- If the compliant was not referred to the FAIS Ombud within six months of the FSP's final written response.