
Complaints: Dispute Resolution Procedures

BLSSA is committed to the effective handling of complaints and resolution of disputes and sees this as a key means of ensuring that the services offered by BLSSA and its representatives are provided efficiently, honestly and fairly.

These complaints and disputes resolution procedures have been created to meet the requirements of the Australian Financial Complaints Authority (AFCA) and the MFAA Code of Practice, Australian Standards and relevant laws.

Every Credit Representative, staff member, Principal and Consultant, must understand and follow these procedures.

What is a complaint?

A complaint is defined in AS ISO 10002-2006 as:

An expression of dissatisfaction made to an organisation, related to its products or services, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

All representatives (including Credit Representatives) of BLSSA must adopt this definition.

How may a client complain?

A client may make a complaint in any format, for example by telephone, letter, e-mail or in person and may lodge the complaint with you or BLSSA directly by contacting the BLSSA Complaints Officers:

1st point of contact at BLSSA:

Complaints Officer

Phone: 03 8777 3017

Email: resolutions@BLSSA.com.au

Mail: BLSSA Advice Complaints, PO Box 626, Collins Street West VIC 8007

2nd point of contact at BLSSA:

Deputy Complaints Officer

Phone: 03 8777 3017

Email: resolutions@BLSSA.com.au

What to do if you receive a complaint?

If you receive a complaint directly from a client about a credit service you have provided, you should make an assessment of the matter to determine whether it is a **minor grievance** or a **formal complaint**.

A **minor grievance** is a complaint that you may be able to resolve within five business days by:

- Calling the client to advise them of the status of their loan application. These types of complaints may relate to settlement delays, errors or delays with loan documentation or service issues.
- Calling the client to apologise and /or provide an explanation in relation to any misunderstanding of the application and settlement process or applicable fees and charges, or about service or privacy issues.

For more information about the procedures required to be followed when dealing with a minor grievance, please refer to *Dealing with minor grievances* below.

A **formal complaint** includes:

- Any matter which you will not be able to resolve in five business days.
- Any matter involving compensation, refund of fees and/or interest.
- Any complaint from a lawyer, regulatory body, consumer advocacy centre, Tribunal Ombudsman or an EDR Scheme.
- Any allegations of fraud or misleading or deceptive conduct.
- Any allegation of irresponsible lending, maladministration or negligence.

- Any allegation of a breach of legislation or common law.

For more information about the procedures required to be followed when you receive a formal complaint, please refer to *Dealing with formal complaints* below.

Dealing with minor grievances

If you are able to deal with a complaint or grievance within five business days of receiving it, you should investigate the matter and respond to your client. Please note that you should always acknowledge the grievance as soon as possible. If you identify that there are steps required in resolution of the matter or amendments required to your processes to correct any issues, you should complete those actions as soon as possible.

If the client is happy with your resolution and the matter is resolved within five business days, you are not required to notify BLSSA and you are not required to send a final response in writing to the client. Note that you are required to input details into a complaints register. This can be helpful if you need to provide relevant information about the complaint if called to do so in the future.

If the client is not happy with your resolution or the matter is not resolved within five business days, you **must** report the matter to the BLSSA Complaints Officers for their ongoing management. The matter is considered to be a formal complaint – please refer to *Dealing with formal complaints* below.

If you require assistance with managing a minor grievance, please contact the BLSSA Complaints Officers for guidance.

Dealing with formal complaints

As soon as you receive a formal complaint, or it becomes apparent that you are not able to resolve a minor grievance to the client's satisfaction within five business days, you must immediately notify the BLSSA Complaints Officers by telephoning or emailing via the contact details noted above. Referral of the complaint may be made by completing and forwarding a copy of the original complaint and the following information (if not contained within the body of the complaint):

- Client's name and contact details
- Date the complaint was received by you
- Description of the transaction and/or product to which the complaint relates
- Description of the complaint
- Letters, emails or documents received from the complainant that relate to the complaint.

A BLSSA Complaints Officer will contact you to discuss the complaint and may require additional information such as file notes and other records. If additional information is requested, this should be provided by you to the BLSSA Complaints Officer as soon as possible to ensure that a timely investigation can occur.

The BLSSA Complaints Officer will forward acknowledgement of receipt of the complaint to the client, will liaise with you during their investigation of the matter, and once complete, will ensure a final response is provided to the client within 21, 30 or 45 calendar days from receipt of the complaint.

If BLSSA is unable to deal with the complaint as it relates to a third party (for example, a lender), BLSSA may ask the client to contact the relevant third party, depending on the nature of the complaint.

Final responses involving "default notices" or urgent disputes such as "applications for hardship" must be provided within 21 days.

Final responses to privacy complaints should be received by the client within 30 days of the date the client first lodged the complaint. The final response must detail:

- the final outcome of the complaint using internal dispute resolution procedures;
- the client's right to take the complaint to the external dispute resolution (EDR) scheme of which you are a member or to the Australian Information Commissioner, if the client is not happy with the resolution; and
- the contact details of that EDR Scheme and of the Australian Information Commissioner.

Final responses to complaints not involving financial hardship or privacy issues should be received by the client within 45 days.

If a formal complaint is lodged directly to BLSSA by your client, a BLSSA Complaints Officer will contact you as soon as practicable to discuss the next steps.

Complaints Register

BLSSA encourages the implementation of best practices by its Credit Representatives, including adopting a recommendation by ASIC that all complaints, including those resolved within 5 business days, are **recorded** in a Complaints Register.

Where a complaint is received directly by BLSSA, we will record the matter in our BLSSA Complaints Register. Where a complaint is received directly by you and you determine that it is a minor grievance and have resolved it to the client's satisfaction within 5 business days, you are not required to advise BLSSA of the matter, however you should record the matter in your Complaints Register.

This document was reviewed on 1 October 2020.