

# **FAIS: COMPLAINTS MANAGEMENT POLICY**

	NAME	POSITION	SIGNATURE	DATE
AUTHOR:	Thembani Nyuswa	Key Individual	T.C Myseud	12/05/2023
REVIEWED BY:	Nishkar Singh	Key Individual/Insurance Executive	Jeff -	05/07/2023
RECOMMENDED BY:	Denise Pillay	Head of Compliance	Pillang	28/09/2023
APPROVED BY:	Shannel Subbiah	Chief of Risk	SSubsion	28/09/2023

FAIS: COMPLAINTS MANAGEMENT POLICY	1
1. Introduction	3
2. Policy Statement	3
3. Objective	3
4. Scope of application	3
5. Principles of the internal complaints management framework	4
6. Definitions	4
7. Allocation of responsibilities	6
8. Complaints considered in terms of this policy	7
8.1 Complaints	7
8.2 Reportable complaints	7
8.3 Categorisation of complaints	7
9. Complaints procedure	8
10. Performance standards, remuneration and reward strategies	9
11. Escalation, review and decisions relating to complaints	9
12. Recordkeeping, monitoring, analysis and reporting of complaints	10
13. Complaints in relation to outsourced services providers	10
14. Engagement with the Ombud	10
15. Policy changes	11



#### 1. Introduction

Section 17 of the General Code of Conduct for Authorized Financial Services Providers and Representatives, requires that each Financial Services Provider establish, maintain, and operate an adequate and effective complaints management framework, that is in line with Pioneer Wellness's nature, scale, complexity risks. The aim of the complaints management framework is to effectively resolve complaints and ensure that complaints receive fair treatment in the process.

Further to the above, Treating Customers Fairly outcomes require that "customers do not face unreasonable post-sale barriers imposed by firms to change product, switch providers, submit a claim or make a complaint."

#### 2. Policy Statement

Pioneer Wellness and its representatives are committed to treating customers fairly principles or outcomes and rendering financial services with due care and diligence. Pioneer Wellness is an organization that prides itself on being customer-centric, it is important to address and deal with complaints in a timely and fair manner and to monitor and improve our service delivery

#### 3. Objective

The Complaints Management Policy is to establish a formal framework for complaints management. Together this policy, the internal complaints management procedures, the complaints register, and any further measures used by Pioneer Wellness to receive, record, investigate and respond on complaints received shall form the Complaints Management Framework.

The objective of the Complaints Management Policy is to:

- Provide guiding principles to effectively resolve complaints;
- Too describe how complaints will be submitted, acknowledged, categorized, investigated, escalated, resolved, recorded, and monitored to ensure that Pioneer Wellness processes and services delivered can be improved
- Allocate responsibilities in relation to complaints management;
- Provide for the review and documenting changes to the policy;
- Process for managing complaints relating to representatives, service providers or outsourced functions;
- Provide for appropriate engagement between the provider and a relevant ombud;
- Meet the requirements for reporting to the Authority and the public;
- Provide for the provisions Part XI of the General Code of Conduct for Authorized Financial Services
  Providers and Representatives.

#### 4. Scope of application

Complaints are unfortunately unavoidable, and we have therefore set out the following complaints management policy to deal with complaints.



The policy is applicable to all staff members, employees and brokers working under mandate or currently employed at Pioneer Wellness or other service providers or individuals working on behalf of Pioneer Wellness.

Staff members shall receive training with regards to the complaints management policy and any failure toadhere to the policy will result in disciplinary action.

An employee who breaches this policy may face disciplinary action, which could result in dismissal for misconduct or gross misconduct. We may terminate our relationship with other individuals and organizations working on our behalf if they breach this policy.

#### 5. Principles of the internal complaints management framework

The following principles apply to complaints management framework:

- The complaints management policy will be easily accessible for all clients;
- Complaints processes and procedures must be transparent, visible, free of any charges;
- All communication with the complainant shall be in plain language;
- Ensure that complaints will be handled in a manner that is fair towards our clients and employees;
- Take the appropriate steps to investigate the complaint and to respond to the complaint when it is brought under the attention of Pioneer Wellness;
- Ensure that clients have full knowledge of the internal resolution's procedures and the progress of the complaint and any delays in attending to the complaint shall be communicated to the complainant;
- Ensure that a client will receive full and appropriate redress in all cases in which a complaint is resolved in the favor of the client:
- Informing clients of their right to escalate the complaint to the FAIS Ombud in the event that the complaint is not resolved to the satisfaction of the client;
- Proper record-keeping of complaints;
- Improvement of systems and procedures to ensure that the event that gave rise to the complaint is avoided in the future;
- Co-operation, open and honest communication with the relevant Ombud.

#### 6. Definitions

The following terms are defined as indicated below by the General Code of Good Conduct for Authorized Financial Services Providers and Representative:



"client query"	means a request to the provider or the provider's service supplier by or on behalf of a client, for information regarding the provider's financial products, financial services or related processes, or to carry out a transaction or action in relation to any such product or service;
"complainant"	means a person who submits a complaint and includes a – (a) client; (b) person nominated as the person in respect of whom a product supplier should meet financial product benefits or that person's successor in title; (c) person whose



	life is insured under a financial product that is an insurance policy; (d) person that pays a premium or an investment amount in respect of a financial product; (e) member; (f) person whose dissatisfaction relates to the approach, solicitation marketing or advertising material or an advertisement in respect of a financial product, financial service or related service of the provider, who has a direct interest in the agreement, financial product or financial service to which the complaint relates, or a person acting on behalf of a person referred to in (a) to (f);
"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, that - (a) 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; (b) the provider or its service supplier's maladministration or willful or negligent action or failure to act, has caused the person harm, prejudice, distress or substantial inconvenience; or (c) the provider or its service supplier's has treated the person unfairly;
"compensation payment"	means a payment, whether in monetary form or in the form of a benefit or service, by or on behalf of a provider to a complainant to compensate the complainant for a proven or estimated financial loss incurred as a result of the provider's contravention, noncompliance, action, failure to act, or unfair treatment forming the basis of the complaint, where the provider accepts liability for having caused the loss concerned, but excludes any – (a) goodwill payment; (b) payment contractually due to the complainant in terms of the financial product or financial service concerned; or (c) refund of an amount paid by or on behalf of the complainant to the provider where such payment was not contractually due, and includes any interest on late payment of any amount referred to in (b) or (c);
"goodwill payment"	means a payment, whether in monetary form or in the form of a benefit or service, by or on behalf of a provider to a complainant as an expression of goodwill aimed at resolving a complaint, where the provider does not accept liability for any financial loss to the complainant as a result of the matter complained about;

#### "member"

in relation to a complainant means a member of a - (a) pension fund as defined in section 1(1) of the Pension Funds Act, 1956 (Act 52 of 1956); (b) friendly society as defined in section 1(1) of the Friendly Societies Act, 1956 (Act 25 of 1956); (c) medical scheme as defined in section 1(1) of the Medical Schemes Act, 1998 (Act 131 of 1998); or (d) group scheme as contemplated in the Policyholder Protection Rules made under section 62 of the Long-term Insurance Act, 1998, and section 55 of the Short-term Insurance Act, 1998;

"rejected"	in relation to a complaint means that a complaint has not been upheld and the provider 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 provider as unjustified or invalid, or where the complainant does not accept or respond to the provider's proposals to resolve the complaint;
"reportable complaint"	means any complaint other than a complaint that has been — (a) upheld immediately by the person who initially received the complaint; (b) upheld within the provider's ordinary processes for handling client queries in relation to the type of financial product or financial service complained about, provided that such process does not take more than five business days from the date the complaint is received; or (c) submitted to or brought to the attention of the provider in such a manner that the provider does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints;
"upheld"	means that a complaint has been finalised wholly or partially in favour of the complainant and that – (a) the complainant has explicitly accepted that the matter is fully resolved, or (b) it is reasonable for the provider to assume that the complainant has so accepted, and (c) all undertakings made by the provider 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 provider within a time acceptable to the complainant.

#### 7. Allocation of responsibilities

The following are the roles and responsibilities of the persons responsible for the complaints management framework:

The board of directors/ Governing body or key individuals of the provider is responsible for-

- effective complaints management;
- approval of the complaints management framework;
- approve changes to the complaints management framework; and
- overseeing the effectiveness of the implementation of the provider's complaints management framework.

The Key Individual or nominated person shall be responsible for making decisions and recommendations in respect of complaints and as such:

- Will receive adequate training;
- Have sufficient knowledge, experience, and skill in the following:
  - O Dealing with complaints;
  - o Fair treatment of customers;



- The various subject matter of complaints;
- Relevant legal and regulatory matters
- Not be subject to conflict of interest; and
- O Be adequately empowered to make impartial decisions to recommendations.

**Phumzile Thabede** in her capacity as the second in charged is responsible for the receiving, categorizing, recording, and any further administrative mattersconcerning the complaint.

#### 8. Complaints considered in terms of this policy

#### 8.1 Complaints

Complaints or an expression of dissatisfaction considered in terms of this policy relates to financial services rendered by Pioneer Wellness or a representative of Pioneer Wellness and where it is alleged that Pioneer Wellness or its representative:

- 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;
- has caused the person harm, prejudice, distress, or substantial inconvenience through maladministration or willful or negligent action or failure to act; or
- has treated the person unfairly.

#### 8.2 Reportable complaints

The Amendments of the General Code of Conduct defines a reportable complaint as "any complaint other than a complaint that has been —

- (a) upheld immediately by the person who initially received the complaint;
- (b) upheld within the provider's ordinary processes for handling client queries in relation to the type of financial product or financial service complained about, provided that such process does not take more than five business days from the date the complaint is received; or
- (c) submitted to or brought to the attention of the provider in such a manner that the provider does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints;"

#### 8.3 Categorization of complaints

Once Pioneer Wellness receives a reportable complaint it will categorize it by identifying the category which closely relates to the specific complaint. The following are the categories of complaints-



- 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 a financial product or financial service performance;
- Complaints relating to 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



#### 9. Complaints procedure

The following is a step-by-step guideline that sets out the procedure we will adopt and illustrates how a complaint will be dealt with, once received by Complaints Officer Phumzile Thabede:

- 9.1 Clients are required to as far as reasonably possible, submit complaints in writing to the FSP. All information and supporting documentation relevant to the complaint should be included in the complaint.
- 9.2 The complaint may be submitted to Pioneer Wellness via:
  - Our email address is Complaints@pioneerwellness.co.za and our contact number is 031 835 9301.
- 9.3 Once the complaint is received by Pioneer Wellness, it will be logged and categorized in the complaints register and the client will be supplied with written confirmation of receipt of the complaint within 24 hours. The complainant will be supplied with the name and contact details of the person responsible for the complaint.
- 9.4 Thereafter an investigation will be conducted, and we will revert to the client with our preliminary findings.
- 9.5 The preliminary findings will be discussed with all internal parties concerned, and a proposed solution will be communicated to the client within 48 hours.
- 9.6 If the client is not satisfied with the solution, the complaint shall be escalated to the Key Individual Thembani Nyuswa for further consideration. If the client, however, remains unsatisfied with the solutions offered, further escalation to be sent to Insurance Executive / Key Individual Nishkar Singh, if client is still not satisfied further escalation needs to be done to Pioneer Group Compliance Officer Denise Pillay if resolution is still not accepted by a client, the complaint shall be regarded as being unsatisfactorily resolved.
- 9.7 Clients can access this policy via our website www.pioneergroup.co.za

#### OR

- 96 If the client is unsatisfied with the proposed solution, we will regard the complaint as being unsatisfactorily resolved.
- 9.8 If the client is not satisfied with the complaint solution, the client may approach the Ombud for Financial Services office per the provisions of section 27 of the FAIS Act 2002.



- 9.8 If the complaint is not resolved within six (6) weeks the matter may automatically be referred to the FAIS Ombud.
- 9.9 Please note that a complaint must be referred to the FAIS Ombudsman within 6 months of receipt of the notification from Pioneer Wellness that it is not able to resolve the complaint. The Ombud will not adjudicate in matters exceeding a value of R800 000.00.
- 9.10 The Ombud may be contacted at his offices in Pretoria, at the following address:

Physical	Address:	<u>Postal</u>		Address:	<b>Contact Numbers:</b>
FAIS Ombud		FAIS		Ombud	Telephone: +27 12 762 5000
125 Dallas Av	enue Menlyn	P.O.	Box	74571	Sharecall: 086 066 3247
Central, Wate	erkloof Glen,	Lynwoo	od	Ridge	Email:
Pretoria, 0010	)	0040			info@faisombud.co.za
					Website:
					www.faisombud.co.za

#### 10. Performance standards, remuneration, and reward strategies

Pioneer Wellness implements sound and sustainable remuneration policies and practices that promote the alignment of the interests of Pioneer Wellness with those of its clients and that avoid excessive risk-taking and unfairtreatment of customers. Furthermore, any such remuneration or fee paid should not be structured in a manner that may increase the risk of unfair treatment of its clients. The Key Individual or nominated individual who receives, investigates, assesses, and reports complaints shall be remunerated according to the remuneration policies and practices of Pioneer Wellness to ensure objectivity and impartiality during the complaints management process.

#### 11. Escalation, review, and decisions relating to complaints.

Pioneer Wellness shall implement an internal complaints escalation and review procedure that is not overly complicated. The overview of the escalation process is included in the complaint's procedure above.

If a complaint is upheld by the Pioneer Wellness, any commitment by Pioneer Wellness to make a compensation payment, goodwill payment or other action shall be carried out without undue deal and within the agreed timeframe.

If a complaint is complex, or unusual or the complainant is not satisfied with the resolution proposed the complaint shall be escalated to the Key Individual or Board of Directors or governing body or the person with the highest authority within Pioneer Wellness.

Pioneer Wellness rejects the complaint, Pioneer Wellness shall provide the complainant with clear and adequate reasons for the decision and shall inform the complainant of the option to refer the matter to the relevant Ombudsman and the relevant time periods for the referral of the complaint.



#### 12. Recordkeeping, monitoring, analysis and reporting of complaints

Pioneer Wellness is required to keep a record of each reportable complaint and complaints related information. Pioneer Wellness shall implement and maintain complaints register to ensure that records the data in relation to complaints is on an ongoing basis. The information, supporting documentation, or other records received or used during the complaint's procedure shall be kept according to the record-keeping procedures of Pioneer Wellness toensure that it complies with its statutory requirements.

Pioneer Wellness shall scrutinize and analyze the complaints-related information to manage its conduct risks and ensure that it improves the outcomes for its clients and reviews its processes, consequently preventing poor outcomes and errors. Furthermore, it shall analyze the effectiveness of the complaints management framework.

The Key Individual or nominated person will be required to submit reports to the Governing Body/Board of Directors, and executive management regarding the following:

- identified risks, trends, and actions taken in response thereto; and
- The effectiveness and outcomes of the complaints management framework
- Appropriate communication with complainants and persons representing complainants on the complaints and the complaints processes and procedures

Pioneer Wellness shall ensure that its record-keeping procedures are in place to ensure that the FSP is able to comply with reporting requirements to the authority or to the public as required by the Authority.

# 13. Complaints in relation to outsourced service providers (Pioneer Wellness does not have outsourced services)

Pioneer Wellness outsources an activity, the FSP shall implement the following measures relating to the provider's representatives or services supplier in relation to complaints about services provided in connection with the provider's financial products, financial services, or related services:

- Outsourcing agreement shall address complaints handling and the reporting of complaints, referral of complaints between the parties, and the monitoring of the complaint's framework in general;
- Outsourced services providers will be required to maintain an adequate complaints management framework;
- The outsourced services provider is required to submit data in relation to complaints to the FSP and information about the process followed and the outcomes of complaints;
- Pioneer Wellness shall implement a referral procedure for handling and monitoring of complaints submitted directly to the other party that requires referral to the other party for effective resolution of the complaint.

## 14. Engagement with the Ombud (Pioneer Wellness engages with the insurer and not the Ombud)

Pioneer Wellness shall implement a procedure to ensure that it is able to engage with the relevant ombud in relation to complaints and shall Endeavor to as far as reasonably possible assist the FAIS Ombud to resolve complaints and engage the Ombud within the requested timelines. The procedures shall include maintaining



records of specific complaints referred to the FSP by the Ombud and to analyse complaints referred by the Ombud.

The FSP shall make the Ombudsman contact details available to the client at all stages of the relationship and display the information on the FSP website.

The FSP shall further implement procedures to monitor determinations, publications and guidance issued by a relevant Ombud with the aim of improving its own short-comings or risks in policies, services and/or practices.

#### 15. Policy changes

To ensure that the policy remain effective and relevant it shall be reviewed on an annual basis or earlier when there are significant changes and shall be carried out by the Key Individual.

The revision history shall be recorded in the table below:

DATE	DESCRIPTION OF CHANGES	RESPONSIBLE PERSON



## **COMPLAINT ACKNOWLEDGEMENT**

Dear
Pioneer Wellness hereby acknowledges your complaint received regarding

The following procedure will be followed in dealing with your complaint.

- The complaint will be investigated, and we will revert to you with our preliminary findings within 7 (seven) working days from the date of receipt of the complaint. In all instances we will advise you of the reasons for our decisions.
- The preliminary findings will be discussed with all internal parties concerned, and a proposed solution will be communicated to you within a further 7 (seven) working days. In all instances we will advise you of the reasons for our decisions.
- If you are not satisfied with our solution, you may refer the complaint to the Key Individual of our Business. The Key Individual may amend the solution or confirm it. Please be informed that certain decisions may have to be approved by the management committee of Pioneer Wellness. In such a case we will communicate that fact to you, as well as the date on which a decision relating to your complaint will be taken.
- If, after having referred the complaint to the Key Individual, you are still not satisfied with the outcome, we will regard the complaint as being unsatisfactorily resolved. In such a case, you may approach the office of the Ombud for Financial Services Providers or take such other steps as may be advised by your legal representatives.
- The Ombud is appointed by the Financial Services Conduct Authority (the "FSCA") to act as an adjudicator in disputes between clients and financial services providers. The referral to the offices of the Ombud must be done in accordance with the provisions of section 27 of the Financial Advisory and Intermediary Services Act 2002 and the rules promulgated in terms of that section.
- In instances where we have not been able to arrive at a resolution within 6 (six) weeks after you have submitted your complaint, the matter will automatically be referred to the Ombud. The Ombud acts independently and objectively and has jurisdiction in respect of complaints relating to advice or intermediary services, which has arisen after 15 November 2002.

#### We may be contacted on the following address:

Name	Pioneer Wellness (FSP) (52182)
Company Registration Number	2021/819976/07
FSP Number	52182
Postal Address	Pioneer House
Physical Address	83 Monty Naicker Road, Durban, 4001
Tel Number	031 835 9301
Email	complaints@pioneerwellness.co.za
Website	https://pioneergroup.co.za/

#### The Ombud may be contacted at his offices in Pretoria at the following address:

Name	The FAIS Ombud	
Postal address	P O Box 74571, Lynwood Ridge, 0040	
Physical Address	Kasteel Park Office Park, Orange Building, 2nd Floor, c/o Nosso & Jochemus Street, Erasmus Kloof, Pretoria, 0048	
Tel Number	012 470 9080/ 012 762 5000	
Fax Number	012 348 3447/ 012 348 3447	
Email	info@faisombud.co.za	
Website	www.faisombud.co.za	

Name	The Ombudsman for Long-Term Insurance	
Postal address	Private Bag X45, Claremont, Cape Town, 7735	
Physical Address	3 <sup>rd</sup> Floor, Sunclare Building, 21 Dreyer Street, Claremont, , 7700	
Tel Number	021 657 5000 / 0860 103 236	
Fax Number	021 674 0951	
Email	info@ombud.co.za	
Website	www.ombud.co.za	

We further would like to assure you that your complaint will be handled in an honest and fair manner.

Kind regards:

Thembani Nyuswa Key Individual

Pioneer Wellness (Pty) Ltd, Registration Number: 2021/819976/07



## COMPLAINT OUTCOME AND FINAL LETTER

Dear
Pioneer Wellness has reached a final finding regarding your complaint
·
The findings of Pioneer Wellness are as Follows:
The following procedure will be followed in dealing with your complaint.
1.
2

Should you not agree with or are not satisfied with the findings of Pioneer Wellness in this matter we would hereby remind you of the following:

- If you are not satisfied with our solution, you may refer the complaint to the Key Individual of our Business. The Key Individual may amend the solution or confirm it. Please be informed that certain decisions may have to be approved by the management committee of Pioneer Wellness. In such a case we will communicate that fact to you, as well as the date on which a decision relating to your complaint will be taken.
- If, after having referred the complaint to the Key Individual, you are still not satisfied with the outcome, we will regard the complaint as being unsatisfactorily resolved. In such a case, you may approach the office of the Ombud for Financial Services Providers or take such other steps as may be advised by your legal representatives.
- The Ombud is appointed by the Financial Services Conduct Authority (the "FSCA") to act as an adjudicator in disputes between clients and financial services providers. The referral to the offices of the Ombud must be done in accordance with the provisions of section 27 of the Financial Advisory and Intermediary Services Act 2002 and the rules promulgated in terms of that section.
- In instances where we have not been able to arrive at a resolution within 6 (six) weeks after you have submitted your complaint, the matter will automatically be referred to the Ombud. The Ombud acts independently and objectively and has jurisdiction in respect of complaints relating to advice or intermediary services, which has arisen after 15 November 2002.
- The Ombud may be contacted at his offices in Pretoria at the following address:

Pioneer Wellness (Pty) Ltd, Registration Number: 2021/819976/07

Name	The FAIS Ombud
Postal address	P O Box 74571, Lynwood Ridge, 0040
Physical Address	Kasteel Park Office Park, Orange Building, 2nd Floor, c/o Nosso & Jochemus Street, Erasmus Kloof, Pretoria, 0048
Tel Number	012 470 9080/012 762 5000
Fax Number	012 348 3447/012 348 3447
Email	info@faisombud.co.za
Website	www.faisombud.co.za

Name	The Ombudsman for Long-Term Insurance
Postal address	Private Bag X45, Claremont, Cape Town, 7735
Physical Address	3 <sup>rd</sup> Floor, Sunclare Building, 21 Dreyer Street, Claremont, Cape Town, 7700
Tel Number	021 657 5000 / 0860 103 236
Fax Number	021 674 0951
Email	info@ombud.co.za
Website	www.ombud.co.za

We further would like to assure you that your complaint will be handled in an honest and fair manner.

Kind regards

Thembani Nyuswa Key Individual