



## **COMPLAINTS MANAGEMENT POLICY**

Western Group

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## 1. INTRODUCTION

- 1.1 Western National Insurance Company Ltd (RSA) (“WNI RSA”) is a subsidiary of Western National Insurance Company Ltd (Namibia) (WNI NAM), which in turn is a subsidiary of Western Group Holdings Ltd (WNI Group). WNI Group operates under the PSG Insure sub-group and is mainly a provider of short term insurance products within Southern Africa.
- 1.2 As an Insurer, we have a duty to render financial services and products honestly, fairly, with due skill, care and diligence, and in the interests of our Policyholders and the integrity of the financial services industry.
- 1.3 This Complaints Management Policy (“the Policy”) is intended to provide guidance around the handling of complaints with a purpose to continuously improve our service to clients and all other stakeholders in our distribution. This Policy also seeks to achieve compliance with the aims of all applicable regulations, Codes and Treating Policyholders Fairly (TCF) principles. The Policy was developed against the Policyholder Protection Rules (PPR) and the Group Complaints Policy.
- 1.4 The Policy will apply to complaints lodged against Western by or on behalf of policyholders or prospective policyholders relating to the financial services rendered or products provided by Western to such policyholder.

## 2. OBJECTIVES OF THE POLICY

- 2.1 The purpose of this Policy is to:–
  - 2.1.1 Formalise the procedure for the lodging of complaints by policyholders who are dissatisfied with the financial service or product rendered by Western and to ensure that the procedure is accessible to all policyholders;
  - 2.1.2 Enable Western to effectively manage and resolve complaints;
  - 2.1.3 Enable Western to identify and analyse trends and areas of concern in the rendering of its financial services and products and thereby to ensure that appropriate interventions are put in place at the earliest possible opportunity;
  - 2.1.4 To ensure that processes are in place to familiarise Western staff with the appropriate way of dealing with complaints; and
  - 2.1.5 To ensure that senior management endorse and support the fair, objective and transparent management of complaints and the procedures set out in the Policy.

### 3. DEFINITIONS / GLOSSARY

#### **Complaint**

Means a written expression of dissatisfaction by a complainant, relating to a financial product or service provided by Western or its representatives or a service provider, or relating to an agreement with Western in terms of its products/services and where it is alleged that Western or its representative or service provider –

- a) has contravened or failed to comply with an agreement, a law, a rule or a code of conduct which is binding on Western or to which Western subscribes; or
- b) has acted in a negligent or wilful manner that has caused harm, prejudice or substantial inconvenience to the complainant; or
- c) has treated the complainant unfairly.

Any of the above allegations will be considered to be a complaint even where such allegation is made along with or in relation to a policyholder query.

#### **Complainant**

Means a person who has submitted a specific complaint to Western and who –

- a) is a policyholder or prospective policyholder of Western and has a direct interest in the agreement, product or service to which the complaint relates;

Provided that a prospective policyholder will only be regarded as a complainant to the extent that the complaint relates to the prospective policyholder's dissatisfaction in relation to the application, approach, solicitation or advertising or marketing material contemplated in the definition of "prospective policyholder".

- Policyholder** Means any user, former user or beneficiary of one or more of Western’s financial products or services, and their successors in title.
- Policyholder query** Means a request to Western by or on behalf of a policyholder or prospective policyholder, for information regarding Western’s products, services or related processes, or to carry out a transaction or action in relation to any such product or service.
- Prospective policyholder** Means a person who has applied to or otherwise approached Western in relation to becoming a policyholder of Western, or a person who has received marketing or advertising material in relation to Western ‘s products or services.
- Rejected** Means that the complaint has not been upheld and Western regards the complaint as finalised after advising the complainant that it does not intend to take any further action to resolve the complaint.
- Representative** Any person authorised to render financial services on behalf of a Western, whether under a contract of employment or a contract of mandate.
- 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 Western’s ordinary processes for handling policyholder queries in relation to the type of agreement, product or service complained about, provided that such process does not take more than five business days to complete from the date the complaint is received; or
  - c) submitted to or brought to the attention of Western in such a manner that Western does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints.

**Service Provider** Means another person with whom Western has an arrangement in relation to the marketing, distribution, administration or provision of such products or services, regardless of whether or not such other person is the agent of Western.

**Upheld** Means that the complaint has been finalised in such a manner that the complainant has explicitly accepted that the matter is fully resolved or that it is reasonable for Western to assume that the complainant has so accepted. A complaint should only be regarded as upheld once any and all undertakings made by Western to resolve the complaint have been met.

## 4. PRINCIPLES THE POLICY

- 4.1 The following principles will apply to any and all Complaints dealt with in terms of this Policy:
- 4.1.1 All complaints will be thoroughly investigated and given due consideration.
  - 4.1.2 All complaints are to be dealt with in a fair, transparent and objective manner with due consideration for TCF principles and the complainant will during the complaints process be treated with dignity and respect.
  - 4.1.3 Western will ensure that all its service providers have processes in place to manage complaints relating to services rendered by them on behalf of Western, will require regular reports on any complaints against service providers and will monitor any complaints reported to Western and referred to any service provider for further handling.
  - 4.1.4 Only relevant information shall be considered when dealing with a complaint. Relevant information is only that information relating directly to the rendering of the financial service and which is founded on fact and can be empirically verified.
  - 4.1.5 All complaints will be dealt with promptly and with due consideration for the circumstances of the complainant and the Western/Representative staff member involved.
  - 4.1.6 Complaints of a serious or non-routine nature will be escalated as per the internal escalation policy.
  - 4.1.7 The complainant will regularly be kept up to date with the progress of the complaints handling process and will receive written notification of the outcome of the complaints handling process

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which will supply clear and adequate reasons for any decision taken by Western. Please refer to paragraph 5 below for timelines.

- 4.1.8 If the complaint is upheld any action undertaken by Western must be carried out without delay and/or within agreed timeframes.
- 4.1.9 The complainant will be informed of his right to pursue his complaint with any relevant industry body or Ombudsman and will receive the appropriate assistance in pursuing his complaint.
- 4.1.10 All complaints will be treated confidentially if required by the complainant or if the nature of the complaint justifies confidential treatment.
- 4.1.11 Western will continuously track complaint trends and will take appropriate action to eliminate any identified shortcomings in its service to prevent a recurrence of any complaint.

## **5. INTERNAL COMPLAINTS HANDLING PROCESS**

### **5.1 How to lodge a complaint:**

- 5.1.1 All complaints must be submitted in writing to the relevant department. If it is impossible for the policyholder to submit the complaint in writing, full details of the complaint must be verbally relayed to the relevant department who will reduce the complaint to writing.
- 5.1.2 The complaint must provide details of the financial service of which the complainant is complaining and must contain sufficient detail to enable Western to identify the staff member and/or representative involved, the reference number of the policy and/or the claim number. All supporting documentation must accompany the complaint.
- 5.1.3 The complaint must identify and explain the reason for the complainant's dissatisfaction and how the complainant wants the complaint resolved.

### **5.2 Where to submit a complaint:**

- 5.2.1 Complaints can be emailed to [complaints@westnat.com](mailto:complaints@westnat.com)
- 5.2.2 Complaints can also be posted, or hand delivered at the following address:

Western National Insurance Company Limited  
Attention: The Legal and Compliance Manager  
5th Floor, The Edge, 3 Howick Close  
Tygerfalls Office and Residential Park

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Bellville  
Cape Town  
7530

### 5.3 **Internal Complaints Handling Procedure:**

- 5.3.1 Western and/or a representative will immediately record the complaint on the Complaints Register.
- 5.3.2 Western and/or a representative will within 5 working days acknowledge receipt of the complaint.
- 5.3.3 Western and/or a representative will resolve the complaint within 15 working days, provided that Western has all the required information.
- 5.3.4 Western and/or a representative will provide the Complainant with feedback at least every 10 working days.
- 5.3.5 A complaints which are considered to be non-routine serious complaints and/or that may have reputational or other similar repercussions for Western will be escalated to senior management.
- 5.3.6 Any complaint via any social media platform must be referred to the Legal and Compliance Manager who will either advise on an appropriate response or will provide an official acknowledgment of the complaint that requests the complainant to submit the complaint via the formal complaints process in order that it may be given due consideration in terms of the formal complaints process.

### 5.4 **Rejection of Claims:**

- 5.4.1 If the complaint relates to the rejection of a claim, Western will:
  - Provide reasons for the decision in writing;
  - Inform the Complainant of all external avenues available to the Complainant;
  - Inform the Complainant of the applicable time limitation provisions for the institution of legal action and the implication thereof; and
  - Provide the Complainant, upon request, with copies of all available documents and information from third parties which influenced the decision, provided that such documents and information are not subject to legal privilege.

## 5.5 **Notification to Client:**

- 5.5.1 Once a decision has been made with regards to outcome of the complaint, the responsible person must reduce the decision to writing and said response must be sent to the complainant.
- 5.5.2 The response must explain the decision/finding regarding the complaint and must record the reasons for the decision and the complainant must be informed of his/her right to refer the complaint to the relevant industry body or Ombudsman (whose contact details must be provided in the response).

## 5.6 **Finalisation:**

- 5.6.1 If the complaint has been resolved in favour of the complainant, the appropriate redress must be implemented without delay.
- 5.6.2 If the complaint cannot be resolved or cannot be resolved within the time allowed for resolution of the complaint or has not been resolved to the satisfaction of the complainant, the complainant must be informed of his right to refer the matter to the relevant industry body or Ombudsman within 6 months from date of the outcome of the internal complaints resolution process.
- 5.6.3 Once the complainant has been informed of the outcome of the complaint, the responsible person will record the details of the decision in the Complaints Register and will retain a copy of the response in electronic format.
- 5.6.4 The responsible person will ensure that complainant has received the response and will where appropriate obtain an acknowledgement of receipt.

## 5.7 **Details of the Ombudsman (RSA only):**

- 5.7.1 The Complainant may at any time approach the Office of the Ombudsman for Short Term Insurance:  
Website: [www.osti.co.za](http://www.osti.co.za)  
Email: [info@osti.co.za](mailto:info@osti.co.za)  
Tel: +27 (0) 11 726 8900 / 0860 726 890  
Fax: +27 (0) 11 726 5501  
Postal: PO Box 32334  
Braamfontein  
2017  
Physical: 1 Sturdee Avenue; 1<sup>st</sup> Floor, Block A  
Rosebank, Johannesburg  
2196

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## 5.8 **Reporting:**

5.8.1 The Legal and Compliance Manager will on a quarterly basis provide a report to Western's Risk Committee on the contents of the Complaints Register along with any commentary on complaint trends and/or recommendations on preventing future similar complaints.

5.8.2 Such reports shall include a summary of the following information –

- Number of complaints received and pending (including reference to TCF categorisation);
- Number of complaints upheld in favour of complainant including details of the nature of such complaints and consequences of the outcome thereof;
- Number of complaints rejected including details of the nature of such complaints and consequences of the outcome thereof;
- Number and nature of complaints referred to the Ombud.

5.8.3 Any complaint of a serious nature or any complaint that may have a reputational implication for Western will immediately be escalated to Senior Management.

5.8.4 Any concerns/trends/recommendations etc raised in respect of complaints at Western's Risk Committee meetings should be escalated to the Executive Committee and discussions on such matters at the Executive Committee meetings must be recorded in the minutes of such meetings.

## 5.9 **Record Keeping and Monitoring:**

5.9.1 The details of all complaints will be recorded in the Complaints Register.

5.9.2 The Register will record as a minimum the following information –

- the identity of the complainant;
- the nature of the complaint;
- the staff member involved;
- the reference number of the policy / claim;
- the type of policy involved;
- classification according to TCF categorisation;
- the date that the complaint was received;
- who the complaint was allocated to;
- the outcome of the complaint; and
- the date that the complainant was informed of the outcome.

5.9.3 The Legal and Compliance Manager is the custodian of the Internal Complaints Register.

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5.9.4 All complaints records will be retained for a minimum of 5 years from date of resolution of the complaint

5.9.5 The information contained in the Complaints Register will be monitored by the Legal and Compliance Manager on an ongoing basis in order to identify any trends and areas of concern and to ensure that appropriate interventions are put in place at the earliest possible opportunity.

5.9.6 Any trends or matters of concern will be raised at Western's Risk Committee meeting for escalation to the Executive Committee along with any recommendations to mitigate the trend in question where appropriate/possible.

5.9.7 Complaints analysis should be used to –

- Identify common/recurrent root causes of complaints;
- Identify failings in control systems;
- Detect and correct/mitigate poor staff or service provider performance, lack of skills or misconduct; and
- Track implementation of TCF outcomes.

#### 5.10 **Training and Awareness:**

5.10.1 Western undertakes to create awareness and understanding of the Policy by –

- Distributing the Policy amongst its staff;
- Providing adequate training regarding the Policy to all staff; and
- Ensuring that the Policy is accessible to all staff at any time.

5.10.2 Western undertakes to ensure that all policyholders, prospective policyholders, service providers and associates have full access to the Policy and relevant complaints reporting forms by –

- Uploading the Policy onto Western's website;
- Making the Policy available to any policyholder or associate on request; and
- Making the Policy accessible to all staff members.

#### 5.11 **Review:**

5.11.1 This Policy will be reviewed in the event of any legislative changes necessitating such review or alternatively annually.

5.11.2 The purpose of the annual review will be to –

- monitor the effectiveness of the Policy and to adapt the Policy where it seems to have been ineffective;
- monitor internal compliance with and awareness of the Policy;
- refine the processes and procedures in the Policy where necessary; and
- ensure compliance with applicable legislation.