

## **Traffic – Client Complaint Procedure & Resolution**

### **Applicable due to FAIS ACT (Financial Advisory & Intermediary Services Act)**

#### **Background:**

**Complaint means a specific complaint relating to a financial service rendered to the client on or after the date of commencement of FAIS.**

#### **“TRAFICC’S APPROACH TO DEALING WITH CLIENT COMPLAINTS AND DISPUTES.**

*TRAFICC has in place a written complaints procedure that is updated and sent out to all staff on an annual basis. Staff recognize that disputes are handled sympathetically and that TRAFICC is open and honest about its errors. We recognize that a well-handled complaint can prevent a potentially difficult situation escalating, and can ultimately retain customer loyalty.*

*We are open in our complaint handling procedures and inform customers of areas outside of their complaint, if applicable, where we may discover errors of which they may not be aware. Staff understand that a complaint does not automatically lead to compensation. Putting the matter right and offering an apology may often be more than enough. Customers readily accept that errors occur and in many cases are gratified that a firm will accept that they are fallible and keen to rectify the situation.*

*All complaints and disputes which are elevated to external parties (STIO and FAIS Ombud) are administered in a professional manner and without delay. TRAFICC’s feedback to all parties is delivered in an honest, integrity driven and transparent manner to ensure speedy resolution of these elevated complaints. It is paramount that TRAFICC’S good reputation is upheld and promoted in all matters relating to these governing bodies.”*

#### **Client complaint and procedure followed:**

1. Client is to lodge **complaint in writing** with relevant Traffic Manager. **Please see last page attached hereto – the Complaint Form.**
2. Manager (or Complaints Officer) will acknowledge the receipt of the complaint in writing within 5 days of receipt and will give the client the name(s) and contact details of the staff responsible for the resolution of the complaint.
3. Manager will investigate complaint and see if it can be resolved immediately, and if so, take the necessary action & advise client accordingly.
4. If the complaint cannot be resolved immediately, Manager to send the client a written summary of the steps to be taken to resolve the matter and the expected date of resolution.
5. If Manager is unable to resolve the complaint within 3 weeks of client logging the complaint, the Manager must then notify the client by means of written acknowledgement. This will outline the current status of the complaint and the expected date of final resolution.
6. If unable to resolve the complaint within a further 3 weeks of the written acknowledgement (6 weeks since complaint lodged), Manager will notify the client giving full written reasons as to why the outcome was not favourable, and advise the client of their right to seek legal redress by referring the complaint to the Office of the Ombudsman.
7. Notify the complainant that he/she has 6 months of receipt of such notification to refer the matter to the Financial Ombud and provide client with Ombud’s name, address and other contact details.

### **Complaint is when a client alleges that we:**

1. Contravened or failed to comply with provisions of FAIS and that, as a result, the client has suffered a financial prejudice or damage.
2. Wilfully or negligently rendered a financial service to the client which caused prejudice or damage to the client or which is likely to result in such prejudice or damage, or
3. Treated the client unfairly.

### **Complaint is when (in more detail):**

***1. "... has contravened or failed to comply with a provision of this Act and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage;"***

#### **Some guidelines and examples:**

- If there are allegations that no quote or no disclosures were shown when the policy was taken out;
- Complaints about not knowing the structure of the product before taking it out;
- Complaints about not having received the policy document and therefore not knowing the features of the product;
- Allegations of mis-selling:
  1. No record of advice having been shown;
  2. Sold the client an incorrect policy, given the client's circumstances;
  3. Where appropriate, no risk analysis was done before the product was sold.
- Negligence or delay on our part in issuing the policy, endorsement or effecting a policy change which led to financial loss;
- Complaint about not being advised of the effect that a particular change would have on the policy;
- Complaint that the financial adviser is no longer employed by Dealership and the client does not know who to deal with;
- Complaint that confidential information regarding a client was disclosed to a third party without the client's consent;
- The client alleging that they signed or were asked to sign a blank document.

***2. "... 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;"***

#### **Some guidelines and examples:**

- Complaint that the incorrect product was sold to the client;
- Complaint that a product was sold without the client's knowledge;
- Complaint that Traffic acted without the client's knowledge/consent e.g.
  1. Cancelled a policy without the client's knowledge/consent;
  2. Effected any policy change without the client's knowledge/consent which caused prejudice to the client or ;
  3. Effected any change contrary to the client's instructions.
- Traffic having system problems and as a result the client is prejudiced;
- Traffic not acting timeously on the reasonable instruction of the client, as a result of which the client was prejudiced.

***3. "... has treated the complainant unfairly;"***

#### **Some guidelines and examples:**

- Complaints that the client has been pushed from pillar to post without resolution;
- Complaints about rude behaviour;
- Complaints that a previous complaint was not handled fairly and objectively;
- Complaints that different staff provided different information when contacted about the same issue;
- Complaints that the provider promised to do one thing and then did another.

<b>Client Complaint Form</b>	
Full name	
ID Number	
Policy Number/s	
Your contact details	
Tel	
Fax	
Cell	
Email	
Where were products purchased	
Person(s) you have previously spoken to in connection with your complaint (if applicable)	
<b>Details of complaint (please attach any supporting documentation)</b>	
<p>Please submit the completed <b>Complaint Form</b> to Traficc's Complaints Officer on <b>Email</b> / <a href="mailto:admin@traficc.co.za">admin@traficc.co.za</a> <b>or Fax</b> / 0861 112 357 for the attention of the Complaints Officer.</p> <p>Traficc's Complaint Procedure and Complaint Form can also be downloaded from our website <a href="http://www.traficc.co.za">www.traficc.co.za</a></p>	