



## Internal Dispute Resolution Procedures

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## 1) INTRODUCTION

### Aims of the IDR Program

The IDR Program aims to facilitate the effective resolution of disputes. In so doing, the IDR Program takes as its base standard the requirements outlined in ASIC Regulatory Guide RG 165 – *Licensing: Internal and external dispute resolution*. These include:

- commitment to the IDR Program;
- fairness and objectivity;
- sufficient resources;
- visibility and provision of information;
- access, assistance and accessibility;
- responsiveness to Complaints;
- free of charge;
- maintenance of confidentiality;
- analysis and evaluation of Complaints;
- management accountability;
- continuing improvement and development;
- a consumer focused approach.

## 2) WHAT IS A COMPLAINT?

The IDR Program adopts ASIC's definition of a Complaint, has been taken from the Australian Standard AS ISO 10002-2006 *Consumer Satisfaction – Guidelines for complaints handling in organizations* and in tandem with Regulatory Guide 165.

**DEFINITION:** 'Expression of dissatisfaction made to an organisation, related to its products, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected'.

Therefore, the Company will consider any expression of dissatisfaction expressed to it as a Complaint.

### Complaints Officer/s

Any complaints should in all instances be referred to the Complaints Contact Person (CCP), Louis Frade

Deputy Complaints Contact Person (DCCP), Daniel Paci.

Complaints review committee consists of Louis Frade (CCP) and Daniel Paci (DCCP and Director).

### **3) THE STANDARDS UNDERPINNING THE IDR PROGRAM**

#### **Introduction**

The guiding principles of AS ISO 10002-2006, as outlined in RG 165, must be adhered to when a Complaint is made to Vault Mortgage Corporation Pty Ltd. The requirements of the Standard are summarised below and, if inadequately summarised in this IDR Program, the Standard will still nevertheless apply.

#### **Commitment**

As a general issue, Vault Mortgage Corporation Pty Ltd will be committed to its IDR Program. This starts with Senior Management and filters down to all staff who should be aware of the relevant practices and procedures in the IDR Program. Management systems and reporting procedures will be established to ensure timely and effective Complaints handling and monitoring.

#### **Fairness and remedies/objectivity**

When addressing Complaints, in an equitable, objective and unbiased manner, Vault Mortgage Corporation Pty Ltd will ensure that the IDR Program allows adequate opportunity for all involved to make their case.

Independent staff members will be appointed to review Complaints, rather than someone with whom the Complainant has previously dealt with. Where a resolution is reached, reasons should be given in writing, referring to applicable provisions in legislation, codes, standards or procedures.

#### **Resources**

Vault Mortgage Corporation Pty Ltd will ensure that the IDR Program is adequately resourced to ensure there are no undue delays in processing and handling Complaints. This includes ensuring staff are adequately trained in the IDR Program and that appropriate documentation, specialist support, materials, equipment, computer hardware, software and finances are also available to the IDR Program. Note that the Compliance Manager under supervision of Senior Management will manage and oversee the IDR Program, ensuring adequate resources are provided.

#### **Visibility**

Vault Mortgage Corporation Pty Ltd will ensure that all information relating to the IDR Program is readily available, including having it available on the Company's website and referenced in documentation, as required by law, (i.e. Credit Guide). The information should detail how a Complaint may be made and the resolution process. All staff should have an understanding of the IDR Program so as to answer any questions from people about making a Complaint.

#### **Access and assistance**

The IDR Program is to recognise simple and accessible arrangements for making Complaints. It includes allowing Complaints to be made in writing, via email, via telephone, or in person. The IDR Program also ensures that potential Complainants with a disability or limited literacy skills have the ability to make a Complaint.

All information relating to the resolution of Complaints and the IDR Program is to be in plain and accessible English and should be made available in alternative formats such as translated into other languages, printed in large print, Braille or made available in an audio format.

## **Responsiveness**

The IDR Program is intended to ensure the efficient and effective resolution of disputes. This means, that Complainants should be notified of their Complaint within 48 hours, and the Complaint should be resolved in no more than 45 days. Where this is not possible, the Complainant should be notified that there will be a delay and should, if they are not prepared to accommodate that delay, be invited to pursue External Dispute Resolution, if they wish.

In resolving a dispute, the Company should accept the Complaint could be quite valid and offer redress.

## **Legal assistance**

It is to be expected that some Complainants may engage a lawyer to help them articulate their Complaint and to provide supporting submissions. No objectives are to be raised simply because a Complaint is made by a Complainant's lawyers. Complaints made by a Complainant's lawyers are to be treated the same way as if made by the Complainant.

## **Liaison with Complainant**

Help the Complainant articulate their Complaint and encourage them to provide as much information as possible to explain their Complaint. The Complainant should be told (via telephone conversations, if possible) of what information is needed in order to allow us to properly consider the Complaint. In some cases, for example, this might mean that the Complainant needs to explain how losses claimed are calculated or even to provide evidence of any losses claimed. Telephone conversations with Complainants may need to be followed up by email, fax or letter if information requested from the Complainant has not been provided within a week of a telephone call. In all cases, notes should be made of telephone conversations with Complainants.

## **Data collection, collection of information and confidentiality**

There will be an effective system in place to record the information relating to Complaints. This system should ensure that all information relating to a person's Complaint is kept confidential.

There will be established by Senior Management appropriate mechanisms for identifying, gathering, maintaining, storing and disposing of records. All data should be maintained, as a useful tool in tracking compliance issues and risks. (Note that ASIC may request Complaints data in certain circumstances. ASIC believes, as a minimum requirement, that the Complaints recording system should be able to identify the number of Complaints which were resolved by the end of the next Business Day after the day on which the Complaint was received.)

Information that is personally identifiable relating to a Complaint should not be disclosed unless needed for the purposes of addressing the Complaint. The only way that disclosure can be made of this information is if the Complainant expressly consents.

## **Analysis and evaluation of Complaints**

Vault Mortgage Corporation Pty Ltd will analyse and process the Complaints that were received and their resolutions.

This information will be used to ensure that the Company picks up systemic, recurring problems and trends, as well as resolving single incidents. This will assist the Company in eradicating the underlying causes of Complaints.

## **Accountability**

The Compliance Committee will maintain an overarching supervision of the IDR Program. This means reports about Complaints should be prepared for the Compliance Manager, the Compliance Committee and Senior Management including, the nature of the Complaint and the actions and decisions progressively taken to resolve that Complaint. These reports should be maintained in the Company's records for production to ASIC, if necessary.

## **Reviews and continual improvement**

The IDR Program will be constantly subject to internal review and improvement. ASIC considers that reviews should be considered at least every two to three years to ensure the system is operating effectively and that Complaints are being acted on and resolved. Periodically, it may even be beneficial to have the IDR Program externally reviewed.

## **4) COMPLAINTS PROCEDURE**

This section outlines the procedure that will be undertaken to resolve a Complaint under Vault Mortgage Corporation Pty Ltd IDR Program. The procedure comprises the following steps:

- making a Complaint;
- acknowledgement of receipt of Complaint;
- dealing with the Complaint;
- determining the likely outcome of the Complaint and negotiating a resolution with the complainant;
- notifying the Complainant of the decision and seeking the Complainant's acceptance;
- review of the Complaints process;
- monitoring the Complaints Register.

### **(a) MAKING A COMPLAINT**

Complaints may be made by customers/clients, ('**the Complainant**') in the following ways to:

Complaints Contact Person – (insert Complaints Person), An Individual Staff Member OR The Company generally in any of the following forms:

1. In person, (Insert Address)
2. By telephone – (Insert telephone number)
3. By written letter – (Insert postal address)
4. By facsimile – (Insert fax number)
5. By email – (Insert email)

Where a Complaint is received verbally, the person receiving the Complaint should:

1. Record the particulars of the Complainant;
2. Record the relevant facts relating to the Complaint;
3. If not received by the Complaints Officer, advise the Complainant that the Complaint will be referred to the Complaints Officer; and
4. Advise the Complainant that they will receive acknowledgement of their Complaint from the Complaints Officer within two Business Days.

Where a Complaint is received verbally, the person receiving the Complaint should not:

1. attempt to resolve the Complaint over the telephone;
2. be defensive, argumentative, derogatory or offensive; and
3. discuss with the Complainant any matter which would be contradictory to this IDR program, including discussing confidential information.

**(b) ACKNOWLEDGEMENT OF COMPLAINTS**

Vault Mortgage Corporation Pty Ltd will write to the Complainant within **two Business days** of receipt of the Complaint. The written notification must contain:

1. acknowledgement that the Complaint has been received;
2. a description of the process which the Complaint will then be subject to (including further notifications and relevant time frames for resolution of the Complaint);
3. the relevant contact details of the Complaints Officer;
4. the relevant contact details of the person(s) investigating the Complaint;
5. acknowledgement that the Complainant's details and the Complaint will be dealt with confidentially and only by the persons specified in the acknowledgement will have access to such information.
6. an undertaking that no fee will be charged for the resolution of the Complaint; any remedies that may be available to the Complainant; and
7. a reference to the Company's External Dispute Resolution service and that the Complainant may refer the dispute to this service at any time, if they are not satisfied that it is being dealt with appropriately, this should be done by inserting the following paragraph:

*'The Company is a member of an independent external dispute resolution scheme, the Credit Ombudsman Services Limited ('COSL'). If, at any time, you feel your Complaint remains unresolved or you wish COSL to further investigate your Complaint, you can contact COSL as detailed below:*

***Credit Ombudsman Services Limited***

***PO Box A252***

***SYDNEY SOUTH NSW 1235***

***Telephone: (02) 9273 8455***

***Facsimile: (02) 9273 8440***

***Internet: [www.cosl.com.au](http://www.cosl.com.au)***

***Email: [info@cosl.com.au](mailto:info@cosl.com.au)***

The acknowledgement must be in writing and may be sent to the Complainant through any of the following means:

1. By written letter;
2. By facsimile; or
3. By email.

**(c) DEALING WITH THE COMPLAINT**

All Complaints (whether received verbally or in writing) should be referred to the Complaints Contact Person who should:

1. Record the Complaint in the Complaints Register;

2. Acknowledge receipt of the Complaint in accordance with acknowledgement of receipt of complaint
3. Complaints Contact Person will investigate the Complaint either personally, or if unavailable the Deputy Complaints Contact Person, provided either have not had contact with the complainant; and
4. Where the Compliance Contact Person is not investigating and resolving the Complaint, they must supervise the ongoing investigation and resolution of the Complaint.

**(d) RESOLVING THE COMPLAINT**

The Complaints Contact Person, or Deputy Complaints Contact Person should investigate the Complaint. This will involve (where necessary):

1. Giving all parties an opportunity to present their case (including the Complainant and all relevant staff members);
2. Talking to relevant staff members (who may have further facts relating to the Complaint);
3. Clarify any factual issues with the Complainant (this may be done either in writing or verbally – in person or by telephone);
4. Formulate a report to be included in the Complaints Register and provided to the head of the Managing Director of the Company. This report should detail all relevant facts and information relating to the Complaint and the steps taken to resolve the Complaint including a negotiation strategy for resolving the Complaint; and
5. Attempt to resolve the Complaint, liaising where necessary with Senior Management.

Throughout the resolution process, the confidentiality of all persons must be maintained and only Senior Management, the Compliance Committee, the Compliance Contact Person and the Deputy Compliance Contact Persons should have access to confidential information.

**(e) COMMUNICATING AND DOCUMENTING RESOLUTION OF THE COMPLAINT**

A resolution should be determined and communicated to the Complainant within **45 Business Days** of receipt of the Complaint. If this will not be possible, at the earliest time practicable, the Complainant should be notified in writing that there will be a delay in the resolution of their Complaint, and reasons for the delay should be given. Depending on the authority of the Complaints Contact Person and the nature of the resolution proposed, Senior Management may need to approve the means of resolving the Complaint before any offer is put to the Complainant.

Once a resolution is reached, the Complaints Contact Person should:

- 1) In writing, notify the Complainant of the result of the Complaint, which as a minimum should include:
  - i) the details of the resolution of the Complaint;
  - ii) the reasons for the decision made;
  - iii) any remedies or redress available to the Complainant; and
  - iv) a referral to the Vault Mortgage Corporation Pty Ltd's External Dispute Resolution service (as discussed previously) should the Complainant be unsatisfied with the resolution of the Complaint;
- 2) Prepare a final report to be recorded in the Complaints Register;
- 3) Suggest any action that can or should be taken to avoid similar Complaints in the future; and
- 4) Notify the Compliance Manager and Senior Management of the Complaint's resolution or the outcome.



**(f) COMPLAINANTS RIGHT OF APPEAL**

If the complainant is still not satisfied with the result of the complaints process so far having being dealt by the Complaints Contact Person and the matter is unresolved they will have the right of appeal and that the Complaints Committee review the process that has occurred.

**(g) UNRESOLVED COMPLAINTS**

Where a Complaint remains unresolved (but recognising that a decision has been made), after 45 Business Days of receipt of the Complaint, the Complaints Contact Person should refer the Complaint to the Compliance Manager and Senior Management.

**(h) REVIEWING THE COMPLAINTS PROCESS**

The Complaints Contact Person must maintain a Complaints Register which must record details of all Complaints received, it should, at a minimum:

1. Categorise Complaints and group them under relevant headings (to facilitate review);
2. Record all particulars of the Complainant;
3. Provide all information relevant to the Complaint from both the Complainant and the relevant staff;
4. Include copies of all correspondence relating to the Complaint (including all emails, letters and facsimiles sent and received and file notes detailing particulars of conferences, telephone calls, meetings and actions); and
5. Any reports prepared by the Complaints Contact Person, or relevant Deputy Complaints Contact Person (including any reports made to Senior Management).

The Complaints Contact Person is responsible for the maintenance and currency of the Complaints Register and should conduct a monthly audit of the Complaints Register.

The Complaints Contact Person should prepare a Quarterly Report to the Compliance Manager, Senior Management and the Compliance Committee. The report should disclose:

1. All Complaints received by the Company for that quarter;
2. The details of the resolution of those Complaints;
3. The number of Complaints outstanding and proposed timeframes and progress reports;
4. Recommendations to the Company which seek to address issues discovered through the investigation and resolution of Complaints; and
5. Recommendations relating to the improvement of the IDR Program,

The Compliance Manager, Senior Management and the Compliance Committee should review the Quarterly Reports and amend the Company's practices and the IDR Program as they deem necessary.

**(internal review)** This IDR Program will be subjected to an annual Internal Review by Senior Management. This Internal Review should be a comprehensive review of the IDR Program, measuring its effectiveness against the relevant ASIC benchmarks and other law and policy and taking into account any changes in the Company's business.

## **5) TRAINING**

Senior Management will ensure that the Complaints Contact Person (and appropriate staff to whom Complaints are referred) are appropriately skilled and trained when appointed to their positions and that they are given the opportunity and incentive, at least twice per annum to attend training sessions or programs to update their existing skills in dispute resolution, decision making, customer communication, or on such other courses as they or Senior Management believe are appropriate.

## **6) AUTHORITY AND DELEGATION**

Vault Mortgage Corporation Pty Ltd authorises our Complaints Contact Person in consultation with Senior Management to make decisions about complaints, their authority is binding with regards to the decisions they make .This authority must be in writing.



*(Please enclose copies of documents if necessary)*

Have you previously brought this to the attention of staff or management of (Sub-Aggregator)?

No     Yes – to whom and when

Signature  Date

---

Office Use – Date received  Logged into register  on

## ANNEXURE B

### Specimen Form Letter – Acknowledging Complaints



Date: [#insert]

Mr/Ms [#insert name of Complainant]  
[#insert Complainant's address]

Dear Mr/Ms [#insert name of Complainant]

#### **YOUR RECENT COMPLAINT**

By [#letter/telephone call/email/fax or person] received on [#insert date], you provided us with information which we are treating as a complaint and which will be handled in accordance with our Internal Dispute Resolution Program. Apart from the information you provided to us when making your Complaint, we invite you now to provide us with any other information which you think would be useful or helpful in resolving your Complaint. If there is any information of this kind, would you please send it to [#me/name of designated Complaints Contact Person] in the next seven days. I will then review your written Complaint in detail or alternatively, assign your Complaint to one of our Deputy Complaints Contact Person's to review and investigate your Complaint in detail.

I anticipate that a decision on your Complaint will be conveyed to you by 5.00pm [10 business days from receipt of the Complaint].

So far as is practical, the investigation will involve enquiries being made within our Company and the checking of circumstances you have mentioned against records we have or based on recollections of our staff with whom you have had contact.

If you feel there is an issue relating to your privacy, which remains unresolved, or you wish the Privacy Commissioner to further investigate your Complaint, you can contact the Office of the Privacy Commissioner as detailed below:

#### **Office of the Privacy Commissioner**

GPO Box 5218

SYDNEY NSW 1042

Telephone: 1300 363 992 (local call anywhere in Australia)

Email: [privacy@privacy.gov.au](mailto:privacy@privacy.gov.au)

The Company is a member of an independent dispute resolution scheme, the Credit Ombudsman Services Limited ('COSL'). If, at any time, you feel your Complaint remains unresolved or you wish COSL to further investigate your Complaint, you can contact COSL as detailed below:

**Credit Ombudsman Services Limited**

PO Box A252  
SYDNEY SOUTH NSW 1235  
Telephone: (02) 9273 8455  
Facsimile: (02) 9273 8440  
Internet: [www.cosl.com.au](http://www.cosl.com.au)  
Email: [info@cosl.com.au](mailto:info@cosl.com.au)

Yours sincerely

Complaints Contact Person

Contact details  
Phone: [#insert]  
Email: [#insert]  
Fax: [#insert]

## ANNEXURE C

### Specimen Form Letter - Communicating Outcomes



Date: [#insert]

Mr/Ms [#insert name of Complainant]  
[#insert Complainant's address]

Dear Mr/Ms [#insert name of Complainant]

#### **YOUR RECENT COMPLAINT**

On [#insert date], you made a Complaint which was subsequently acknowledged as received by us and which has been looked into by me.

#### **#Optional text**

I have made the following findings relevant to your Complaint:

- (a) [#insert]
- (b) [#insert]

#### **#Optional text**

I have concluded, based on my enquiries and review of relevant material that your Complaint [#is substantially justified] or [#is not recognised as justifying any remedial action on our part].

#### **#Optional text**

I have therefore concluded that our Company should address your Complaint by doing these things:

- (a) [#insert]
- (b) [#insert]

If the Company does these things, your Complaint will be regarded as having been fully dealt with and you will have no further claims against the Company in respect of your Complaint.

**or**

I have therefore concluded that no action on our Company's part is warranted.

My reasons for this conclusion are:

- (a) [#insert reasons]
- (b) [#insert reasons]

If you are not satisfied with this outcome or decision, you may refer a copy of your Complaint and the supporting material to:

**Credit Ombudsman Services Limited**

PO Box A252  
SYDNEY SOUTH NSW 1235  
Telephone: (02) 9273 8455  
Facsimile: (02) 9273 8440  
Internet: [www.cosl.com.au](http://www.cosl.com.au)  
Email: [info@cosl.com.au](mailto:info@cosl.com.au)

I would appreciate it if you could let me know by 5.00pm [#insert response date] if the decision I have made satisfactorily resolves your issues.

Yours sincerely

Complaints Contact Person

Contact details  
Phone: [#insert]  
Email: [#insert]  
Fax: [#insert]



ANNEXURE D



**Vault Mortgage Corporation Pty Ltd Dispute Resolution Form**

**IDR Complaint Record**

**Important notice: by completing this record you are not and are not to be regarded as making any admission of any liability to the complainant or any other person or any fact alleged by the complainant.**

(1) When was the complaint received? / /

(2) How was the complaint made?

phone    fax    email    letter    in person

Other: \_\_\_\_\_ (specify)

(3) Give a brief summary of the complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4) What kind of "Financial Service" did you provide to the complainant?


consumer loan  
commercial loan  
consumer lease  
cheque facility  
financial product advice  
ATM/EFTPOS


insurance  
credit or debit car  
internet/phone banking  
direct debit/credit facility  
deposit facility

(5) What best describes the type of complaint?

<input type="checkbox"/>	fee or commission – amount/disclosure	<input type="checkbox"/>	unauthorised transaction
<input type="checkbox"/>	delay in settlement – loan/discharge diligence	<input type="checkbox"/>	failure to use skill care
<input type="checkbox"/>	inappropriate product	<input type="checkbox"/>	misleading & deceptive conduct
<input type="checkbox"/>	financial hardship	<input type="checkbox"/>	incorrect payment
<input type="checkbox"/>	non-compliance of client's instructions	<input type="checkbox"/>	poor advice

(5) Was the complaint resolved?

Yes       No

(7) When was the complaint resolved?    /    /

(8) What was the outcome?

<input type="checkbox"/>	you accepted the complaint without offering redress
<input type="checkbox"/>	you accepted the complaint and offered redress
<input type="checkbox"/>	without accepting the complaint you offered redress
<input type="checkbox"/>	you rejected the complaint

(9) What redress was offered?

Money compensation       and / or

other \_\_\_\_\_(specify)

(10) Did the complaint accept the redress offered?

Yes       No



**Dispute Resolution Flow Chart**

