

Procedure Manual

## **Internal Dispute Resolution Processes**

**Atlas Broker (incorporating Atlas**

**Equipment Finance & Plus 61**

**Finance Pty Ltd)**

**Version 2 - 13/11/2020**

### **CONTENTS**

1. Summary of Policy
2. IDR Procedures
3. Recording complaints and identifying and recording systematic issues
4. Visibility of IDR Policy

## 1. Summary of Policy

Our business is committed to excellent customer service and the resolution of any concerns or complaints quickly, fairly and efficiently. We use an IDR process approved by the Commercial Asset Finance Brokers Association (CAFBA).

- We welcome complaints as a positive means of reviewing and improving our customer services. All complainants will be treated with respect, courtesy and consideration.
- Our Internal Dispute Resolution process is open to anyone who deals with us: customers, dealers, lenders, other brokers, contractors or any other person.
- All representatives of our business are expected to inform complainants about our IDR/EDR processes as soon as they become aware of a concern, to give high priority to resolving complaints quickly and to assist any complainant through the process.
- The Complaints Officer will manage complaints.
- Our Internal Dispute Resolution procedures are consistent with CAFBA requirements and details how we manage and report complaints.
- We are a member of a CAFBA (Atlas Equipment Finance Pty Ltd - AEF) and MFAA (Plus 61 Finance Pty Ltd) -approved External Dispute Resolution Scheme: Australian Financial Complaints Authority Membership No. 4684 (AEF) and Membership number 52493 (+61)  
We accept EDR scheme decisions and implement their recommendations as soon as we are informed of them.
- The Complaints Officer holds information on complaint statistics and any associated compliance breaches.

## 2. IDR Procedures

### Receiving complaints:

Complaints can be lodged by contacting the Complaints Officer, by telephone, e-mail, or in writing, or by speaking to any representative of our business who will refer complainants to the Complaints Officer.

We adopt the definition of '**complaint**' in AS ISO 10002-2006, namely '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'. This means we will treat informal complaints seriously and refer them to IDR unless they are resolved by the end of the next business day.

Any complaint which is resolved to the customer's satisfaction by the end of the next business day (starting from when the complaint was received) will not require the full IDR process to be applied. There is no need to capture and record the complaint or respond as set out below.

### Investigating complaints:

The Complaints Officer will review the complaint carefully and promptly, taking such steps and reviewing such documents as a reasonable person would do.

### **Responding to complaints within appropriate time limits and referring unresolved complaints to an EDR scheme:**

The Complaints Officer will provide a written '**final response**' to the complainant within 45 days (21 days where the complaint relates to default), which states:

- the final outcome of the dispute at IDR
- the right to take their dispute to EDR (no matter what the result of the investigation was at IDR)
- the name and contact details of our EDR scheme.

If the Complaints Officer is unable to give a final response within the specified period, the Complaints Officer will, before the end of the period:

- inform the complainant of the reasons for the delay
- advise the complainant of their right to complain to EDR
- provide the complainant with the name and contact details of our EDR scheme.

### Legal proceedings:

Unless the statute of limitations is about to expire, legal proceedings will not be commenced or continued nor will any other enforcement action be taken during the IDR period and for at least 14 days from giving a final response.

### 3. Recording complaints and identifying and recording systemic issues

Recording of information will be kept in but not limited to, the following form.

<b>Date of Complaint &amp; Reference</b>	<b>Name of Complainant</b>	<b>Type</b> (e.g., rates too high; didn't disclose all fees; didn't return calls)	<b>Acknowledged receipt on ...</b>	<b>Result of investigation</b> (e.g., our mistake; client mistaken; to EDR for resolution)	<b>Complainant advised/Date</b> (Phone; Fax; Email ;Letter)  <b>NB:</b> keep copy of notification on file:
1 July 2012  Complaint # 001	Fred Bloggs	"Didn't return my calls in time" via email at 5.07pm on 1 July	Emailed Mr Bloggs dated 1 July 2012	Our mistake: resolved the following day by return email	2 July at 10.10am.  Copy of email on client file # 7631

If the complaint discloses a systemic issue, the Complaints Officer will immediately bring the matter to the attention of the business owners.

The types of remedies available for resolving complaints or disputes:

If a complaint is justified, the Complaints Officer will recommend a solution comprising one or more of the following:

- an apology
- compensation
- vary contractual obligations
- a free service.

Internal structures and reporting requirements:

The Complaints Officer reports directly to the business owners. The Complaints Officer will make a written report annually as a minimum. The Complaints Officer will ensure that these procedures are reviewed at least annually and a report on the review provided to the business owners.

## Guiding Principles:

- **Visibility** – We will take reasonable steps to ensure customers know about the existence of our IDR procedures and how to make a complaint or apply for hardship or postponement. This information will be readily available, not just at the time a customer wishes to make a complaint or dispute. All staff who deal with customers, not just complaints or disputes handling staff only, should have an understanding of our IDR procedures.
- **Objectivity** – We will address each complaint in an equitable and objective manner. Where possible, the complaint should be investigated by staff not involved in the subject matter of the complaint.
- **Charges** – The IDR procedures are free of charge.
- **Confidentiality** – We will keep information confidential.
- **Customer focused approach** – We will be helpful, user friendly and communicate in plain English, showing our commitment to resolving complaints.
- **Commitment** – We are actively committed to efficient complaint handling. Our procedures are published on our website, or in the absence of a website, are otherwise made freely available.
- **Analysis and Evaluation of Complaints** – All complaints will be classified and then analysed to identify systemic recurring and single incident problems and trends.

## 4. Visibility of IDR Policy

Our IDR process will be recorded on our website, or in the absence of a website, will be otherwise made freely available.

The document will be reviewed annually to maintain currency.

## EXAMPLE IDR EXTERNAL INFORMATION

**This IDR service is provided free of charge to you**

Our business believes that it is essential for our customers to be able to identify and deal with a broker who has the ability, authority and proper training to hear and respond appropriately to any complaints or disputes.

It is a requirement under our membership of the Commercial Asset Finance Brokers Association (CAFBA) that we have in place an Internal Dispute Resolution procedure.

### Receiving complaints

You can lodge complaints by contacting Matthew Atkin, the Complaints Officer by:

- telephoning 03 9337 1660
- e-mailing [matkin@atlasbroker.com.au](mailto:matkin@atlasbroker.com.au)
- writing to 16/50 New St Ringwood 3134

or by speaking to any representative of our business who will refer you to the Complaints Officer.

You should explain the details of your complaint as clearly as you can. You may do this verbally or in writing.

When we receive a complaint, we will attempt to resolve it promptly. We hope that in this way we will stop any unnecessary and inappropriate escalation of minor complaints.

We will observe the following principles in handling your complaint:

1. there is no requirement for face-to-face contact between you and us, although it may be useful for us to come to a satisfactory resolution;
2. we expect that both parties will make a genuine attempt to resolve a complaint promptly;
3. we expect that both parties will provide all essential and relevant information, documents, written statements and any other materials that may properly and reasonably be believed to assist in resolving the complaint;
4. we expect that both parties will comply with all reasonable requests from the other party to provide information within a reasonable time frame.

### Our External Dispute Resolution scheme

If we do not reach agreement on your complaint, you may refer the complaint to our CAFBA-approved External Dispute Resolution (EDR) Scheme. Our External Dispute Resolution provider is AFCA phone 1800 931 678, website [www.afca.org.au](http://www.afca.org.au) External Dispute Resolution is a free service established to provide you with an independent mechanism to resolve specific complaints.