

# Complainant procedure communication

## PURPOSE OF THIS DOCUMENT

Foundation Family Wealth is an authorised Financial Services Provider, and as such we have certain specific duties towards you – our valued client. One of these duties is the establishment of a formal complaint management and resolution framework, which will enable you to exercise your rights as provided for in the Financial Advisory and Intermediary Services Act.

The purpose of this document is to inform you of the procedure which will be followed to provide a resolution for the complaint which you have submitted.

## COMPLAINT MUST BE RELEVANT

In terms of the FAIS Act, a 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 binding on the provider or to which it subscribes.
- (b) the provider or its service supplier's maladministration or wilful 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 has treated the person unfairly.

The financial services environment is complex. We will endeavour to address all reasonable requests from our clients but may also refer you to a more appropriate facility. Where the complaint relates to any aspect of our service, or any disclosures that ought to be made by us, we will endeavour to address those complaints in writing, within **7 (seven) working days**.

In instances where the complaint relates to any matter that is not within our control, such as product information or investment performance, we will forward the complaint to the product supplier concerned. Please be advised that we reserve the right to recover costs or damages that we may suffer because of clients making frivolous, vexatious or unreasonable claims.

## PROCEDURE

- Our internal complaints resolution process is intended to provide for a fair and effective resolution. The periods set out in this procedure will be adhered to as strictly as possible but may be varied if necessary. The following step-by-step guideline sets out the procedures we will adopt and demonstrates how a complaint will be dealt with once received by us:
- Your complaint and all communications in connection with your complaint must be in writing. All verbal communications made in connection with the complaint must be confirmed in writing within **3 (three) days working days** of the communication.
- Please indicate the following information:
  - Your name, surname, and contact details.
  - A complete description of your complaint and the date the financial service that led to your complaint was rendered.
  - The name of the person who furnished the financial advice or rendered the intermediary service that led to your complaint and
  - How you would prefer to receive future communications regarding your complaint
- The complaint will be entered into our Complaints Register, and written confirmation of receipt will be forwarded to you. We will keep a record of the complaint and maintain such a record for **5 (5) years** as required by legislation. Please consider that the method of communication you choose will determine how quickly we will respond to your complaint.
- The complaint will immediately be brought to the attention of a key individual.
- The complaint will be investigated, and we will revert to you with our preliminary findings **within 7 (seven) working days** from 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 still unsatisfied with the outcome, we will regard the complaint as unsatisfactorily resolved. In such a case, you may approach the Ombud for Financial Services Providers office or take other steps as your legal representatives advise.
- The Ombud is appointed by the Financial Services Conduct Authority (the "FSCA") to adjudicate disputes between clients and financial services providers. The referral to the offices of the Ombud must be done by 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, you may refer the matter to the Ombud. The Ombud acts independently and objectively and has jurisdiction over complaints relating to advice or intermediary services, which has arisen after 15 November 2002.

- You must, if you wish to refer the matter to the Ombud, do so **within 6 (six) months** from the date of the notice in which we inform you that we cannot resolve your complaint to your satisfaction. The Ombud will not adjudicate in matters exceeding a value of R800 000.
- The Ombud – Adv. John Simpson – may be contacted at his offices in Pretoria at the following address:

**Physical address:**

125 Dallas Avenue  
Menlyn Central  
Waterkloof Glen  
Pretoria  
0010

**Postal address:**

P.O Box 41  
Menlyn Park  
0063

**Website:** <https://www.faisombud.co.za>

**Email Addresses:** [info@faisombud.co.za](mailto:info@faisombud.co.za)

**Telephone:** +27 12 762 5000/+27 12 470 9080