



COMPLAINTS MANAGEMENT FRAMEWORK

1. PURPOSE

The Financial Sector Conduct Authority (FSCA) is responsible for enhancing and supporting the efficiency and integrity of financial markets and to protect financial customers by promoting their fair treatment by financial institutions, as well as providing financial customers with financial education. In collaboration with the Prudential Authority (PA), it is also responsible for enhancing and maintaining the integrity and stability of financial system.

The purpose of this Framework is:

- To set out the MiWay Insurance Limited (MiWay) Complaints Management Framework (“the Framework”) and processes to ensure the fair treatment of customers;
- To provide a high-level criteria (“tight principles”) that must be adhered to, across MiWay, in respect of the management of customer complaints; and
- To promote awareness of the importance of adherence to the Framework by MiWay employees, which will enhance fair treatment of customers during the complaints handling process. Please note that the words “complainants” “customers” and “clients” are used interchangeably.
- To ensure complaints are assessed taking reasonable steps to gather and investigate all relevant and appropriate information and circumstances;
- To ensure the fair treatment of complainants;
- To not impose unreasonable barriers to complain; and
- To address and provide for the matters required by legislation with regards to complaints management.
- To enable business to conduct root cause analysis in order to improve efficiencies, client experience and processes.

2. REVIEW

The Governance and Customer Experience Departments are responsible for the annual review of the Framework. MiWay’s Board is responsible for effective complaints management and must approve and oversee the effectiveness of the implementation of the Framework. A copy of this Framework will be published on MiWay’s website.

3. APPLICATION

This Framework applies to:

- all employees of MiWay, in so far as their role and responsibilities are relevant to the attendance and resolution of complaints;
- Service Providers of MiWay in relation to services rendered to MiWay clients, which may give rise to complaints.

MiWay's Complaints Management Framework and reporting on complaints is aligned to the Santam Group Complaints Management Framework.

4. ROLES AND RESPONSIBILITIES

ACCOUNTABLE PERSON/FUNCTION	ROLE
Board of Directors of MiWay	The Board of Directors of MiWay is responsible to ensure effective complaints management and must approve and oversee the implementation of MiWay's Complaints Management Framework.
Management	The Head of Claims Admin & Support is responsible for establishing and managing an effective, professional complaints-handling system in line with Conduct of Business requirements and other regulations.
MiWay staff management complaints	Any MiWay staff member that is responsible for making decisions or recommendations in respect of general or specific complaints must: <ul style="list-style-type: none"> • be adequately trained; • have appropriate experience, knowledge and skills in complaints handling, fair treatment of customers, the subject matter of the complaints concerned and relevant legal and regulatory matters; • not be subject to a conflict of interest; and • be adequately empowered to make impartial decisions or recommendations.
Customer Experience - MiWay Process management and enhancement	The Customer Experience staff is responsible for the following: <ul style="list-style-type: none"> • Handling service provider complaints • Identifying bottlenecks within internal processes • Identifying product impediments • Managing sentiments

5. COMPLAINTS MANAGEMENT TIGHT PRINCIPLES

MiWay must implement the complaints management principles listed below, proportionate to the nature, scale and complexity of its business and risks.

MiWay must consider additional categories relevant to its chosen business model, channel, policies, services and policyholder base that will support the effectiveness of the Framework in managing conduct risks and effecting improved outcomes and processes for its policyholders.

Furthermore, MiWay must categorise, record and report on reportable complaints by identifying the category to which a complaint most closely relates to and categorise complaints accordingly.

5.1 PRINCIPLE 1: Categorisation of complaints

5.1.1 MiWay must implement an effective process that enables it to categorise reportable complaints in accordance with the following minimum categories:

- a) Complaints relating to the design of a policy or related service, including the premiums or other fees or charges related to that policy or service;
- b) Complaints relating to information provided to policyholders;
- c) Complaints relating to advice rendered by MiWay;
- d) Complaints relating to policy performance;
- e) Complaints relating to service rendered to policyholders, including complaints relating to premium collection or lapsing of policies;
- f) Complaints relating to policy accessibility, changes or switches;
- g) Complaints relating to complaints handling;
- h) Complaints relating to insurance risk claims, including non-payment of claims;
- i) Complaints relating to its processing of personal information of any data subject and;
- j) Any other complaints.

5.2 PRINCIPLE 2: Complaints escalation and review process

5.2.1 MiWay must establish and maintain an appropriate internal complaints escalation and review process.

5.2.2 Procedures within the complaints escalation and review process should not be overly complicated or impose unduly burdensome paperwork or other administrative requirements on complainants.

5.2.3 The complaints escalation and review process should:

- a) Follow a balanced approach, bearing in mind the legitimate interests of all parties involved, including the fair treatment of complainants;

- b) Provide for internal escalation of complex or unusual complaints at the instance of the initial complaint handler;
- c) Provide for complainants to escalate complaints not resolved to their satisfaction; and
- d) Be allocated to an impartial, senior functionary within MiWay or appointed by MiWay for managing the escalation or review process.

5.3 PRINCIPLE 3: Decisions in relation to complaints

5.3.1 Where a complaint is upheld, any commitment by MiWay to make a compensation payment, goodwill payment or to take any other action must be carried out without delay and within any agreed timeframes.

5.3.2 Where a complaint is rejected, the complainant must be provided with clear and adequate reasons for the decision and must be informed of any applicable escalation or review processes including where applicable, the relevant Ombudsman scheme (“Ombud”), including how to use such, and any relevant time limits.

5.4 PRINCIPLE 4: Record-keeping of complaints

5.4.1 MiWay must ensure accurate, efficient and secure recording of complaints-related information and must at a minimum maintain the following data in relation to reportable complaints categorised as noted in 5.1.1 on an ongoing basis:

- a) Number of complaints received;
- b) Number of complaints upheld;
- c) Number of rejected complaints and reasons for the rejection;
- d) Number of complaints escalated by complainants through the internal complaint’s escalation process;
- e) Number of complaints referred to an Ombud for their outcome;
- f) Number and amounts of compensation payments made;
- g) Number and amounts of goodwill payments made; and
- h) Total number of complaints outstanding.

5.5 PRINCIPLE 5: Monitoring and analysis of complaints

5.5.1 MiWay must ensure that:

- a) Information recorded as in 5.4.1 is scrutinised and analysed on an ongoing basis and utilised to manage conduct risks and effect improved outcomes and processes for its policyholders, and to prevent recurrences of poor outcomes;
- b) There are appropriate processes for reporting this information to MiWay’s Board of Directors, Executive Management or relevant committee of the Board.

5.6 PRINCIPLE 6: Communication with complainants

5.6.1 MiWay must ensure:

- a) That its complaint processes and procedures are transparent, visible and accessible through channels that are appropriate to its policyholders and beneficiaries;
- b) It does not impose any unnecessary changes of its complaint processes and procedures;
- c) That all communications with a complainant are in simple and plain language;
- d) Wherever feasible, provide policyholders with a single point of contact for submitting complaints;
- e) That it advises the complainant of:
 - i. the type of information required from a complainant;
 - ii. where, how and to whom a complaint and related information must be submitted;
 - iii. expected turnaround times in relation to complaints; and
 - iv. any other relevant responsibilities of a complainant;
- f) That within a reasonable time after receipt of a complaint, it acknowledges receipt thereof and promptly informs a complainant of the process to be followed in handling a complaint; and
- g) That complainants are kept adequately informed of:
 - i. the progress of their complaint;
 - ii. causes of any delay in the finalisation of a complaint and revised timelines; and
 - iii. MiWay's decision in response to the complaint.

5.7 PRINCIPLE 7: Engagement with Ombud

5.7.1 MiWay must:

- a) Have appropriate processes in place for engagement with any relevant Ombud in relation to its complainants;
- b) Clearly and transparently communicate the availability and contact details of the relevant Ombud services to complainants at all relevant stages of the insurance relationship, including at point of sale, in relevant periodic communications, and when a complaint is rejected or a claim is repudiated;
- c) Display and/or make available information regarding the availability and contact details of the relevant Ombud services at the premises and/or on its website;
- d) Maintain specific records and carry out specific analysis of complaints referred to them by the Ombud and the outcomes of such complaints; and

- e) Monitor determinations, publications and guidance issued by any relevant Ombud with a view to identifying failings or risks in their own policies, services or practices.

6. COMPLAINTS HANDLING PROCESS

The Complaints Handling Training Manual documents the appropriate management and categorisation of complaints from the time the complaint is received until it is finalised, including the expected timeframes for each of the stages and the circumstances under which any of the timeframes may be extended.

6.1 PRINCIPLE 1: Basic complaints systems and procedures

6.1.1 MiWay must maintain an internal complaints resolution system and team as well as procedures that are based on the following:

- a) Expedition of client complaint resolution and the proactive management of complaints;
- b) maintenance of a comprehensive complaints policy, system and procedures for internal resolution of complaints, including an outline of MiWay's commitment thereto;
- c) transparency and visibility – ensuring that clients have full knowledge of the procedures for resolution of their complaints;
- c) accessibility of facilities – ensuring the existence of easy access to such procedures at any office or branch of MiWay open to clients, or through ancillary postal, fax, telephone or email; and
- d) fairness – ensuring that a resolution of a complaint can during and by means of the resolution process be affected, with fairness to both clients, MiWay and its staff.

6.2 PRINCIPLE 2: Resolution of complaints

6.2.1 The internal complaint resolution system, team and procedures of MiWay must be designed to ensure the existence and maintenance of at least the following for purposes of effective and fair resolution of complaints:

- a) availability of adequate manpower and other resources;
- b) adequate training of relevant staff;
- c) ensure that responsibilities and mandates are delegated to facilitate complaints resolution of a routine nature;
- d) ensure that there is provision for the escalation of non-routine serious complaints and the handling thereof by staff with adequate expertise;
- e) internal follow-up procedures to ensure avoidance of occurrences giving rise to complaints, or to improve services and complaint systems and procedures where necessary.

6.3 PRINCIPLE 3: Specific obligations

6.3.1 The internal complaint resolution system, team and procedures must contain the following arrangements to:

- a) reduce the details of the internal complaint resolution system and procedures to writing;
- b) provide clients with access to the procedures at all times and at any relevant office or branch of MiWay, or by electronic medium, and that such availability is appropriately made known by public announcements or separate business communications to existing clients;
- c) include in the details envisaged in b), a reference to the duties of MiWay and the rights of a client;
- d) include in such details a clear summary of the provisions of the Financial Advisory and Intermediary Services (FAIS) Act, which will apply whenever the client, after dismissal of a complaint by the entity, wishes to pursue further proceedings before the relevant Ombud; and
- e) include in such details the name, address and other contact particulars of the relevant Ombud;
- f) stipulate that, if possible, all complaints be submitted in writing and must contain all relevant information, and that copies of all relevant documentation be attached thereto;
- g) provide that receipt of complaints is promptly acknowledged in writing to the client, with communication particulars of contact staff to be involved in the resolution of the complaint. Furthermore, that the abovementioned is properly recorded internally by relevant staff for purposes of compliance with the record-keeping requirements of the FAIS Act;
- h) make provision that after the receipt and recording of a particular complaint, the complaint will as soon as practically possible be forwarded to the relevant staff appointed to consider its resolution, and that:
 - i. the complaint receives proper consideration;
 - ii. appropriate management controls are available to exercise effective control and supervision of the consideration process;
 - iii. the client is informed of the results of the consideration within the time referred to in the FAIS Rules (Rule 6(b)): provided that if the outcome is not favourable to the client, full written reasons must be furnished to the client within the time frame referred to in Rule 6(b) and the client must be advised that the complaint may within six months be pursued with the relevant Ombud whose name, address and other contact particulars must simultaneously be provided to the client.

6.3.2 In any case where a complaint is resolved in favour of a client, full and appropriate redress must be offered to the client without any delay.

The Dispute Resolution Department shall engage with the relevant Ombudsman. The Compliance Department shall engage with the various regulators and associations MiWay is subscribed to.

MiWay has a process for managing complaints relating to service providers, insofar as such complaints relate to services provided in connection with MiWay's policies or related services, which process must:

- a) enable MiWay to reasonably satisfy itself that the Service Provider has adequate complaints management processes in place to ensure fair treatment of complainants;
- b) provide for monitoring and analysis by MiWay of aggregated complaints data in relation to complaints received by the Service Provider and their outcomes;
- c) include effective referral processes between MiWay and the Service Provider for handling and monitoring complaints that are submitted directly to either of them and require referral to the other for resolution;
- d) Allocate work according to Service Provider CSI scores; and
- e) include processes to ensure that complainants are appropriately informed of the process being followed and the outcome of the complaint.