



Complaints Resolution Policy

1. Introduction

The object of this document is to ensure that complaints are handled in a timely and fair manner, as client satisfaction is of utmost importance to Legal Hero. The consumer/policyholder is furthermore protected by the Financial Advisory and Intermediary Services Act (FIAS), in that financial advice and intermediary services provided by financial services providers (FSP's) are closely regulated.

Legal Hero (Pty) Ltd, as an authorised FSP, used FAIS, its Code and the Rules of the Ombud for Financial Service Providers as guidelines in terms of its Complaints Resolution Procedure. The responsibility is placed on all managers to ensure that all employees of the company are fully aware of and understand the Complaints Resolution Procedure.

2. Definition of a complaint

2.1 IN TERMS OF SECTION 1(1) OF THE FAIS ACT:

Complaint means a specific complaint relating to a financial service rendered by a financial services provider or representative to the complainant on or after the date of commencement of this Act, and in which complaint it is alleged that the provider or representative-

- *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;*
- *has willfully 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; or*



- *has treated the complainant unfairly.*

2.2 ADDITIONAL LEGAL HERO COMMENTARY:

A valid complaint may be administrative or legal in nature.

Valid Legal Complaint codes:

i. **Code: Critical**

- a) Where a policyholder is not awarded a legal benefit as described in the policy guide whilst all the premiums are up to date, the cause of action of the policy holder's matter is in order and there are no waiting periods applicable;
- b) Where the policyholder is at Court and cannot get hold of the panel attorney arranged by Legal Hero, due to the negligence on the part of the Legal Advisor/ Legal Officer and/ or Panel Attorney;
- c) Where a policyholder lodges a second complaint based on the unfortunate fact that Legal Hero failed to resolve the first complaint as promised;
- d) Where a Legal Hero personnel member screams/ shouts at the policyholder;
- e) Failure to return the policy holder's telephonic message relating to an urgent legal matter within 24 hours of the policy holder's request to do so;
- f) Unauthorised abandonment of a policy holder's active legal matter;
- g) Legal Advisor/ Legal Officer neglected/failed to advise the policy holder of any negative legal implications involved in a legal matter, causing the policy holder to act to his/ her detriment;
- h) Any other matter in the Legal MD/ Legal Executive's discretion.



ii. Code: Serious

- a) Where a legal file goes missing and whereas the personnel member in whose care the file was, failed to bring this under the attention of a Legal Manager;
- b) Where the personnel member is rude to the policyholder;
- c) Where the policyholder has left several messages to be called back and the relevant Legal Advisor/Legal Officer failed to respond;
- d) Legal Officer's failure to timeously (within 24 hours) advise the policy holder of the outcome of a formal merit assessment;
- e) Any other matter in the Legal MD/ Legal Executive's discretion.

iii. Code: Miscommunication

- a) Where the policyholder does not agree with the legal advice provided;
- b) Where the policyholder alleges that no progress has been made on his/her file and the investigation proves otherwise;
- c) Where the Merit Assessor rejects the policyholder's litigation claim;
- d) Where the policyholder misunderstood the terms and conditions of the policy guide;
- e) Any other matter in the Legal Executive's/ Legal MD's discretion.

Valid Policy Admin Complaints:

Valid policy related complaints include:

- a) Double deductions;

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Legal Hero (Pty) Ltd is an authorised financial services provider with licence no. 45337
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Insurance against life's villains
Legal Hero offers you an affordable monthly premium and cover of up to R200 000 annually. T&C's apply.



- b) Failure to deduct;
- c) Misrepresentation by a marketer;
- d) Policy documents not received;
- e) Any other matter in the Client Care Officer's/ Executive Director of Operation's discretion.

3. Duties of Legal Hero

The duties of Legal Hero as FSP is to

- a) Safe keep all complaints for a period of 5 years;
- b) Follow the Treat Customers Fairly (TCF) guidelines at all times;
- c) Take steps to investigate and respond to complaints promptly, fairly and professionally;
- d) Inform the client of his/her right to seek legal redress elsewhere should the complaint remain unresolved or the outcome not be to the satisfaction of the policyholder.

4. Complaint Procedure

The following guidelines will be applicable in terms of complaints:

It is important that each and every employee fully understands and is aware of the **Complaints Resolution Policy**.

- 1) Upon receipt of a complaint via writing, same is to be scanned in and/or forwarded to the Legal Manager/ Policy Admin Manager as soon as possible;
- 2) Should a policyholder complain telephonically and whereas the employee is unable to assist any further, kindly explain to the policyholder that he/she may expect a call from a manager within the next 24hours.
- 3) The employee is to confirm the above via SMS and send his/ her manager an e-mail to this extent confirming the policyholder's personal details;



- 4) Any mistake/error that is not in the best interests of the policyholder or Legal Hero MUST be brought to the attention of the manager in writing (via e-mail) as soon as the mistake is realised.

Steps to be taken by the Legal Manager/ Policy Admin Manager:

- 1) Register a CRM complaint file on Legal Hero's online operating system ASAP. The aforesaid will automatically record the date and time of the complaint. Make notes of the date and time for the unlikely event that the aforesaid system is down;
- 2) Request the relevant legal file from the employee/Legal Officer as soon as possible for investigation;
- 3) Contact the complainant telephonically within 24hours;
- 4) If the matter was a misunderstanding, explain and make lengthy file notes and set a diary date before returning the legal file to the employee;
- 5) If the matter is not a mere misunderstanding, refer to the 'Warnings' section and make the necessary recommendations in this regard;
- 6) Ask the policyholder what his/ her desired outcome will be;
- 7) Where the complaint cannot be resolved immediately, send the complainant (via SMS and email/post) the following:
 - Request for a written complaint (to be sent to hello@legalhero.co.za);
 - Relevant contact details of the person handling the complaint;
 - Which steps will be taken to resolve the complaint;
 - Expected resolve date;
- 8) Confirm receipt in writing of the written complaint within 5 working days;



- 9) Update the complaints register with all the relevant feedback and updates concerning the complaint;
- 10) Inform the Client of the resolved complaint, the solution and the results of the Investigation;
- 11) Contact the Client within a period of 7 days again after the complaint has been resolved in order to ensure that the Client is still happy with the services rendered.
- 12) In the event where the complaint is not resolved within four weeks after the initial filing of the complaint in the complaints register, Legal Hero is to inform the client of the following:
 - The clients rights in terms of clause 6(a) and 6(b) of The Rules on Proceedings of the office of the Ombud for Financial Services Providers – Board Notice 81 of 2003, as amended by Board Notice 100 of 2004. Please refer to ‘Addendum B.’
 - The right to seek legal redress through different a forum;
- 13) The complaints register is to be kept strictly up to date at all time and progress is to be updated as it happens;
- 14) Should the complaint not be resolved within 4 weeks since its registration, inform the client in writing of his/her right to legal redress as set out in the Complaints Resolution Procedure;
- 15) Update the online CRM Complaints Register as progress happens up to the point where the complaint is resolved/ the complainant has been informed of his/ her right to legal redress. It is expected of managers to go to great lengths;
- 16) A senior director with previous experience working for the FIAS Ombud will oversee the CRM register once a month and offer assistance/ advice if required.



Warnings

A warning may be issued by Managers after discovering a discrepancy in law and/or procedure being followed in a file and/ or following critical and serious complaints from a policyholder. An employee will:

- a) Be issued a written warning which will be valid for 6 months and retraining in respect of a critical complaint will follow;
- b) Receive retraining and a verbal warning, which will be valid for 3 months, in respect of a serious complaint;
- c) Be issued a written warning, which will be valid for eight months and training following two valid complaints within a six month period.

5. Addendums

Addendum A: CRM Online System screen shot(s)

Addendum B: Clause 6(a) and 6 (b) of the Rules on Proceedings of the office of the Ombud for Financial Services Providers – Board Notice 81 of 2003, as amended by Board Notice 100 of 2004

Addendum C: Diagram of Complaints Procedure



Addendum A

CRM

complaint search queries Go To ID Search Text Logged In As simones Log_Off

+ add new complaint print list print detail export to excel

CRM

complaint search queries Go To ID Search Text

+ add new complaint ↑ prev next ↓ 5 of 17

- create copy
- print
- subscribers
- get notifications
- send email
- add attachment

Complaint ID: 13
171 more characters allowed

Created by demo on 2015-05-05 1:48 PM, 21 days ago Presets: use / save

Project: CRM

Organization:

Category:

Priority:

Assigned to:

Status:

Comment: Entering "bugid=999" in comment creates link to id 999

show inline images show change history

comment 118 posted by admin on 2015-05-13 9:11 AM, 13 days ago forward

test

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Insurance against life's villains

Legal Hero offers you an affordable monthly premium and cover of up to R200 000 annually. T&C's apply.



Addendum B

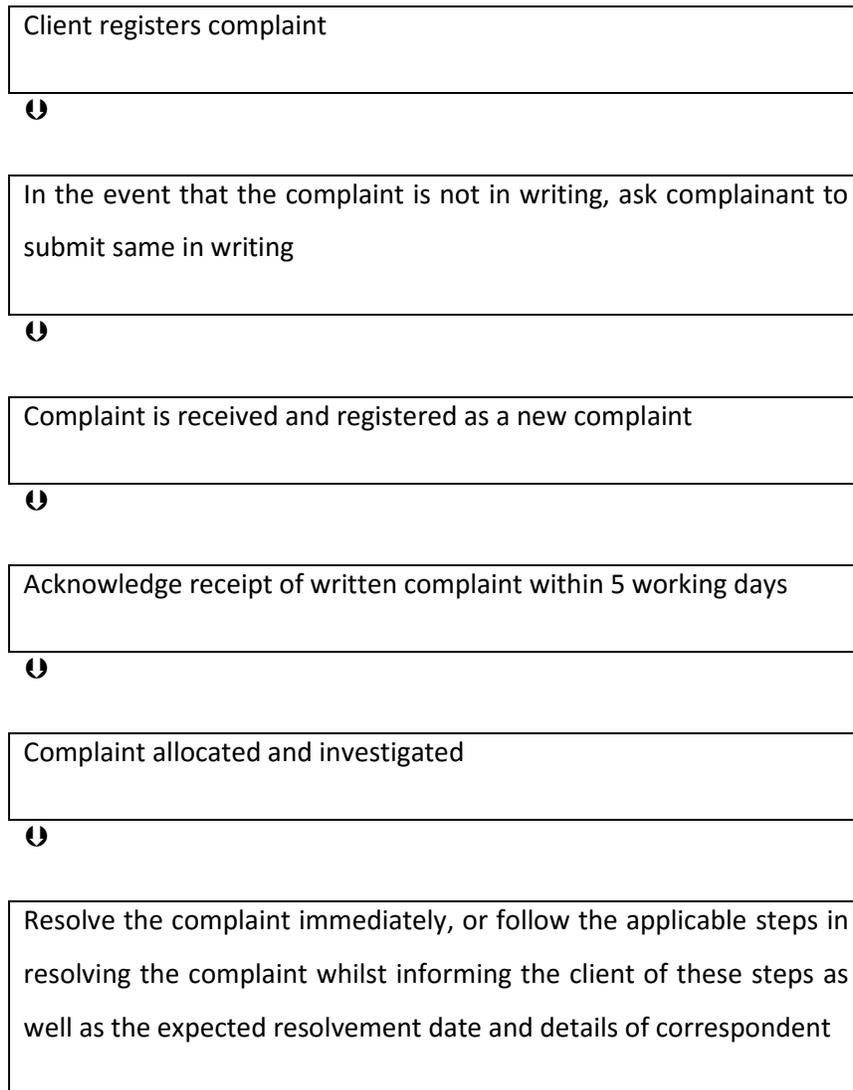
In terms of clause 6(a) and 6(b) of The Rules on Proceedings of the office of the Ombud for Financial Services Providers – Board Notice 81 of 2003, as amended by Board Notice 100 of 2004. A complete copy of the rules may be obtained from the financial services board as well as the office of the Ombud.

- (a) Where a complaint cannot within three weeks be addressed by the respondent, the respondent must as soon as reasonably possible after receipt of the complaint send to the complainant a written acknowledgment of the complaint with contact references of the respondent.*
- (b) If within six weeks of receipt of the complaint the respondent has been unable to resolve the complaint to the satisfaction of the complainant, the respondent must inform the complainant that –*
- (i) The complaint may be referred to the Office if the complainant wishes to pursue the matter;*
and
(ii) The complainant should do so within six months of receipt of such notification.



Addendum C

Diagram of the Complaints Procedure:





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Update the complaints register with all the relevant feedback and updates concerning the complaint

⌚

Inform the client in writing of the resolved complaint as well as the solution and the results of the investigation

⌚

Should the complaint not be resolved within 4 weeks since its registration, inform the client in writing of his/her right to refer the complaint to the FAIS Ombud for Short Term Insurance