



COMPLAINTS RESOLUTION
POLICY
2022

COMPLAINTS RESOLUTION POLICY 2022

FSP NAME	PINNACLE MARKETING (PTY) LTD
FSP NUMBER	15017
VERSION	VERSION 1 - 2022

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INTRODUCTION

As an authorised financial services provider in terms of the FAIS Act No. 37 of 2002, we are committed to providing our valued clients with quality service and undertake to manage the affairs of our clients in such a way that it would not be necessary to have a complaint about our service, integrity and commitment, however should it happen that you have a complaint, below is our complaints resolution procedure for your reference.

Part XI of the General Code of Conduct stipulates the complaints management requirements which a financial services provider must comply with. In terms of Section 17(8)(e) of the General Code of Conduct, a provider must disclose to the client:

- The type of information required from a complainant;
- Where, how and to whom a complaint and related information must be submitted;
- Expected turnaround times in relation to complaints; and
- Any other relevant responsibilities of a complainant.

Section 17(8)(f) of the General Code of Conduct stipulates a provider must within a reasonable time after receipt of a complaint, acknowledge receipt thereof and promptly inform the complainant of the process to be followed in handling the complaint, including:

- Contact details of the person or department that will be handling the complaint;
- Indicative and, where applicable, prescribed timelines for addressing the complaint;
- Details of the internal complaints escalation and review process if the complainant is not satisfied with the outcome of the complaint;
- Details of escalation of complaints to the office of the relevant Ombud and any applicable timeframes; and
- Details of the duties of the provider and rights of the complainant as set out in the rules applicable to the relevant Ombud.

DEFINITIONS

COMPLAINT

As defined by the General Code of Conduct, a “complaint” is defined as 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 with or in relation to a client query, that:

- The provider or its service supplier has contravened or failed to comply with an agreement, a law, a rule, or a code of conduct which is binding on the provider or to which it subscribes;
- The provider or its service supplier’s maladministration or wilful or negligent action or failure to act, has caused the person hard, prejudice, distress or substantial inconvenience; or
- The provider or its service supplier has treated the person unfairly.

COMPLAINANT

This refers to a person who submits a complaint and includes:

- A client;
- A person nominated as the person in respect of whom a product supplier benefits or that person’s successor in title;
- A person whose life is insured under a financial product that is an insurance policy;
- A person that pays a premium or an investment amount in respect of a financial product;
- A member of a group scheme;
- A person whose dissatisfaction relates to the approach, solicitation marketing or advertising material or an advertisement in respect of a financial product, financial service or related service of the provider; or
- A person who has a direct interest in the agreement, financial product or financial service to which the complaint relates, or a person acting on behalf of a person as referred to above.

REPORTABLE COMPLAINT

Reportable complaints are any complaints other than complaints that have been:

- Upheld immediately by the person who initially received the complaint;
- Upheld within the provider’s ordinary processes for handling client queries in relation to the type of financial product or financial service complained about, provided that such process does not take longer than 5 working days from the date the complaint was received; or
- Submitted to or brought to the attention of the provider in such a manner that the provider does not have a reasonable opportunity to record such details of the complaint as may be prescribed in relation to reportable complaints.

PURPOSE

Pinnacle Marketing (Pty) Ltd is an authorised financial services provider (FSP No. 15017), and as such we have certain specific duties towards you – our valued client.

One of these duties is the establishment of a formal complaints management and resolution framework, which will enable you to exercise your rights as provided for in the FAIS Act No. 37 of 2002.

The purpose of this document is to inform you, our valued client, of the procedure which will need be followed in order to provide a resolution for the complaint which you have submitted.

RELEVANCE

In terms of the FAIS Act No. 37 of 2002, a 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 wilfully 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.

Whilst 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 working days.

In instances here the complaint relates to any matter that is not within our control, such as product information or claims experience, we will forward the complaint to the product supplier concerned.

Please be advised that we reserve the right to recover and costs or damages that we may suffer as a result of clients making frivolous, vexatious or unreasonable claims.

PROCEDURES

Our internal complaints resolution process is intended to provide for the fair and effective resolution of complaints. The time periods set out in this procedure will be adhered to as strictly as possible but may vary if required.

The following step-by-step guide sets out the procedure we will adopt and demonstrates how a complaint will be handled, once received by us:

- Your complaint and all communication in connection with your complaint must be in writing. All verbal communication made in connection with the complaint must be confirmed in writing within 3 working days of the communication;
- Please indicate the following information on the complaint form:
 - Your full name and contact details;
 - A complete description of your complaint and the date on which the financial service which led to your complaint was rendered;
 - The name of the person who furnished the financial advice or rendered intermediary service that led to your complaint; and
 - How you would prefer to receive future communication regarding your complaint (i.e. via SMS or email).
- The complaint will be entered into our Complaints Register on the same day that it is made and written communication of receipt will be forwarded to you. We will keep record of the complaint, and maintain such record for 5 years as required by legislation. Please take into consideration that the method of communication chosen by you will determine how quickly we will respond to your complaint;
- The complaint will immediately be brought to the attention of the Senior Manager in charge of the relevant department for allocation to a fully-trained and skilled person who is able to properly respond to your complaint;
- The complaint will be investigated and we will revert back to you with our preliminary findings within 7 working days from the date of receipt of the complaint. In all instances we will advise you of 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 working days. In all instances we will advise you of reasons for our decisions.
- If you are not satisfied with our solution, you may refer your complaint to Top Management of our business. Top Management may amend the solution or confirm it. Please be informed that certain decisions may have to be approved by the Management Committee of Pinnacle Marketing (Pty) Ltd. In such cases we will communicate that fact to you, as well as the date on which a decision relating to your complaint will be taken;
- If, after referring the complaint to Top Management, you are still unsatisfied with the outcome, we will regard the complaint as being unsatisfactorily resolved. In such cases, you may approach the office of the Ombud for financial services providers or take such other steps as may be advised by your legal representation;
- The Ombud is appointed by the Financial Services Conduct Authority (FSCA) to act as an adjudicator in disputes between clients and financial services providers. The referral to the offices of the Ombud must be done in accordance with the provisions of Section 27 of the FAIS Act No. 37 of 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 weeks after you submitted your complaint, the matter will automatically be referred to the Ombud. The Ombud acts independently and objectively and has jurisdiction in respect of complaints relating to advice or intermediary services, which has arisen after the 15th of November 2002;

- You must, if you wish to refer the matter to the Ombud, do so within 6 months from the date of the notice in which we inform that we are unable to resolve your complaint to your satisfaction. The Ombud will not adjudicate in matters exceeding a value of R800 000.

IMPORTANT CONTACT DETAILS

PINNACLE MARKETING (PTY) LTD

Pinnacle Marketing (Pty) Ltd is an authorised financial services provider and acts as an intermediary responsible for financial advisory and intermediary services.

TEL	021 879 1109
FAX	086 669 7764
EMAIL	info@pinnaclemarketing.co.za
POSTAL ADDRESS	PO Box 199 Melkbosstrand 7437

SHORT-TERM INSURANCE OMBUDSMAN

The Short-Term Insurance Ombudsman is available to advise you in the event of claim problems which are not resolved satisfactorily by the intermediary or insurer.

TEL	086 066 2837
EMAIL	info@osti.co.za
PHYSICAL ADDRESS	Sunnyside Office Park, 5 th Floor, Building D 32 Princess of Wales Terrace, Parktown 2193

FAIS OMBUDSMAN

If your complaint is related to financial advice or intermediary services rendered to you that were not to your satisfaction, you may contact the FAIS Ombudsman on the below contact details.

TEL	012 470 9080
FAX	012 348 3447
PHYSICAL ADDRESS	Kasteel Park Office Park, 2 nd Floor, Orange Building Cnr. Of Nossob and Jochemus Street, Erasmus Kloof, Pretoria 0048

ADOPTION

The below confirms acknowledgement by the Compliance Function of Pinnacle Marketing (Pty) Ltd that the above Complaints Resolution Policy 2022 has been fully adopted and incorporated into the business at an organisation-wide level:

NAME	Ruark Jewell
DESIGNATION	Compliance Manager
DATE	31/03/2022

**ANNEXURE A
 COMPLAINT FORM**

POLICY DETAILS	
FULL NAME	
IDENTITY NUMBER	
POLICY NUMBER	
CELLPHONE NUMBER	
IMEI/SERIAL NUMBER	

CONTACT DETAILS	
TELEPHONE NUMBER	
CELLPHONE NUMBER	
EMAIL ADDRESS	

PERSON YOU HAVE SPOKEN TO IN CONNECTION YO YOUR COMPLAINT (IF APPLICABLE)

PLEASE TICK WHICH CATEGORY YOUR COMPLAINT FALLS UNDER:	
ADMINISTRATION	<input type="checkbox"/>
ADVICE	<input type="checkbox"/>
CLAIMS	<input type="checkbox"/>
COMMUNICATION	<input type="checkbox"/>
COMPLAINTS HANDLING	<input type="checkbox"/>
PRODUCT	<input type="checkbox"/>
SERVICE	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

DETAILS OF COMPLAINT (PLEASE ATTACH ANY SUPPORTING DOCUMENTATION)

DATE		SIGNATURE	
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