

Complaints Handling Policy

Document Control

a. Version Control / Revision History

This document has been through the following revisions:

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b. Authorisation

This document requires the following approvals:

Authorisation	Name
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1. Introduction

As the holder of an Australian Financial Services Licence (AFSL), under s912A(1)(g) and s912A(2) of the Corporations Act 2001 (the Act), Hyperion Asset Management Limited ("Company") must:

- have an internal dispute resolution procedure that complies with the standards and requirements made or approved by ASIC; and
- be a member of the Australian Financial Complaints Authority (AFCA).

The dispute resolution system is available for retail clients that the company provides financial services to under the AFSL. Currently, the company has no retail clients and has no intention of offering its services to retail clients.

1.1 Purpose and Coverage

The purpose of this Policy is to ensure that clients' complaints are properly identified, investigated and addressed effectively within appropriate timeframes.

1.2 Objective

To establish appropriate standards of behaviour so the company can ensure that it:

- complies with the conditions on its AFSL;
- resolves complaints quickly and directly;
- improves client confidence and satisfaction levels; and
- identifies systematic and recurring issues and to continually improve internal systems and controls;

1.3 References

This Policy was written with reference to:

- Regulatory Guide 271 Internal Dispute Resolution;
- Regulatory Guide 267 Oversight of the Australian Financial Complaints Authority;
- AS/NZS 10002:2014 Guidelines for complaint management in organizations.

2 What is a complaint?

2.1 A complaint is:

An expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

A response or resolution is 'explicitly expected' if a client clearly requests it. It is 'implicitly expected' if the client raises the expression of dissatisfaction in a way that implies the client reasonably expects the Company to respond and/or take specific action.

The complaint can be verbal or written.

Expressions of dissatisfaction made on social media channel or account owned or controlled by the Company that is the subject of the post, where the author is both identifiable and contactable is considered to be a complaint.

2.2 Who can make a complaint?

Complaints can be made by a natural person, an organisation, or a representative of an organisation.

The complaint can also be made by the client's representatives including financial advisers,

legal representatives, family, friends and members of parliament. Once we are notified that a complainant has authorised a representative to act on their behalf, we should not contact the complainant directly unless:

- the complainant specifically requests direct communication;
- we reasonably believe that the representative is acting against the complainant's best interests;
- we reasonably believe that the representative is acting in a deceptive or misleading manner with the complainant and/or the Company;
- we reasonably believe that the representative is not authorised to represent the complainant; or
- at the time we are dealing with the complaint, the representative has been excluded by AFCA from representing complainants in relation to any complaint lodged with AFCA.

Note that the Company is not expected to seek to identify complaint made on third party social media accounts or channels.

2.3 What is not a complaint?

The following are not considered to be complaints:

- employment-related complaints raised by company staff; or
- comments made about the company where a response is not expected, such as:
 - feedback provided in surveys; or
 - reports intended solely to bring a matter to the Company's attention.

2.4 Systemic issues

Complaints are a key risk indicator for potential systemic issues within the Company. The early identification and resolution of systemic issues by the Company should prevent these matters being escalated to AFCA.

The Company utilises Pinpoint (its GRC system) to capture, investigate, and analyse clients' complaints, as well as to identify any systemic issues.

Complaints and any systemic issues identified are reported to the Board.

AFCA also has a statutory responsibility to identify, refer and report systemic issues to a regulator where it considers that there is a systemic issue arising from its consideration of a complaint. AFCA must make a report to a regulator as soon as practicable but no later than 15 calendar days after AFCA considers that there is a systemic issue.

3 Roles and responsibilities

The following table sets out the roles and responsibilities of the Company's Board, executives and employees in managing complaints.

Owner	Responsibilities
Board	<ul style="list-style-type: none"> • Overseeing the IDR process; • Providing adequate resources, including training and support to staff managing complaints; • Establishing and promoting a complaint management policy; • Establishing clear roles and responsibilities for the management of complaints; • Promoting positive complaint management culture.

Executives / Line Managers	<ul style="list-style-type: none"> • Promoting awareness of this Policy, complaints handling procedures and encouraging a culture which is supportive of identifying and reporting complaints; • Ensuring that team members are trained with respect to this Policy and our complaints handling procedures; • Ensuring our complaints handling procedures are implemented effectively within their areas of responsibility; • Liaising with a Complaints Manager where the complaint relates to their areas of responsibility; and • Ensuring rectification action is taken, where possible, to prevent the subject of the complaint reoccurring; and • Ensuring systemic issues identified from complaints are analysed and rectified.
Complaints Manager (Any Risk and Compliance team member)	<ul style="list-style-type: none"> • Ensuring that all staff are educated as to this Policy; • Investigating and where necessary, escalating complaints; • Reporting on the outcome of investigations, including actions taken, in a timely manner to the relevant Executive responsible for the area relating to the complaint; • Maintaining accurate records including the Complaints Register in Pinpoint; • Reporting complaints to the Board; • Analysing complaints to identify systemic issues; • Promptly escalating possible systemic issues to the Board and Executives for investigation and rectification; • Monitoring the effectiveness of the complaints handling procedures and suggesting improvements; and • Referring unresolved complaints to the External Dispute Resolution Scheme, where appropriate.
Staff	<ul style="list-style-type: none"> • Understanding their roles and responsibilities in relation to the complaints handling process; • Undertaking training on this Policy and the complaints handling procedures; • Reporting all complaints they receive to a Complaints Manager; • Escalating possible systemic issues identified from complaints; • Liaising with complainants; and • Treating customers and other complainants in a courteous manner.

4 Guiding Principles for Handling Complaints

When managing a complaint, or a dispute, the Company always aims to apply the following guiding principles:

Commitment and culture	<p>We welcome and value complaints and aim to promote a positive complaints handling culture within the Company.</p> <p>We encourage staff to treat complaints with respect, be helpful and adopt a friendly approach to complaints handling.</p>
Visibility	<p>The Complaints Handling Policy is available on our website so complainants have visibility as to how their complaints will be managed.</p>

Responsiveness	Complaints must be acknowledged within prescribed timeframes. Complainants must be kept fully informed of the progress of their complaint and complaints should be resolved as quickly as possible. We aim to deal with complaints with as little formality as possible and avoid requirements that restrict complainants' access to the IDR process.
Accessibility	We aim to make the complaints handling process simple and accessible to all. The complaint can be lodged through different lodgement methods, including by mail, email or phone. We also allow representatives to lodge complaints on behalf of complainants.
Complainant Focus	We aim to put ourselves in the shoes of the complainant and understand the complaint from their point of view.
Completeness	We are committed to undertaking a thorough investigation of each and every complaint, speaking with people from both sides to establish common ground and verifying explanations.
Objectivity	Each complaint should be addressed, on its merits, in an equitable, impartial, objective and unbiased manner.
No Charge	Access to our complaints handling process is free.
Confidentiality	Personally identifiable information about complainants should only be available for the purpose of addressing the complaint and (unless the complainant consents) actively protected from disclosure. Complainants have the right to remain anonymous, with respect to a complaint, if they elect to do so.
Transparency	We aim to make the complaints handling process as transparent as possible and in responding to a complaint will, where practical, give reasons for our decision in writing, referring to applicable provisions in legislation, codes, standards or internal procedures.
Treatment of Personnel	Where a complaint specifies actions of a particular individual, we will apply principles of responsiveness, accessibility, completeness, objectivity, confidentiality and transparency to that individual.
Recording Information	Whenever dealing with a complaint, and in particular when recording information relating to the complaint, we take the view that this information may at some time in the future be requested by the complainant or may be made public as a result of litigation (whether related to or unrelated to the particular complaint).

5 Complaints handling process (Internal Dispute Resolution – IDR Procedure)

The steps outlined below are intended to provide guidance as to how to handle complaints generally. Complaints must be addressed promptly in accordance with their urgency and in any event, we must aim to acknowledge receipt of a complaint or dispute immediately, and seek to resolve all complaints within prescribed timeframes. Refer to section 6 Timeframes for Managing Complaints below.

Step 1 - Receiving complaints

Verbal Complaint

When a complaint is received verbally, either over the telephone or during a face-to-face meeting, it is important to follow the general guidelines below:

- **Listen** – this is the first step in reducing the tension. In face-to-face meetings, listening involves body language as much as the ears.
- **Acknowledge the complainant's feelings** – denying that the complainant is upset, or has the right to be upset may antagonise them.
- **Empathise** – put yourself in the shoes of the complainant. This relieves tension and so

- opens channels of communication.
- **Do not offer excuses or argue** with the complainant.

It is also important that the facts of the incident be gathered without judgement. The following guidelines are designed to assist in this regard:

- Ask open questions to elicit the facts about the complaint in a polite and even-handed manner;
- Record the facts you gather and confirm the details you have recorded before you finish the conversation with the complainant;
- Outline the process for investigating the complaint without appearing to dictate terms;
- Advise that the matter will be referred to a Complaints Manager and that a representative of the Company will make contact shortly.

To ensure all complaints received are managed properly, staff must record details of the complaint in the Complaints Register and advise a Complaints Manager.

Written Complaint

All written complaints must immediately be recorded in the Complaints Register through Pinpoint and forwarded to a Complaints Manager.

Unreasonable complainant conduct

Unreasonable complainant conduct can be defined as any behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint. Unreasonable complainant conduct may include, but are not limited to the following:

- Habitual or obsessive conduct. This includes behaviour by a person who cannot 'let go' of their complaint, cannot be satisfied despite the best efforts of the Company or makes unreasonable demands;
- Rude, angry and harassing conduct; or
- Aggressive conduct.

Dealing with unreasonable complainant conduct can be challenging, however all complaints must be dealt with respect and in accordance with this Policy. The following techniques can assist you to deal with unreasonable complainant conduct:

- **Control** – controlling your interaction with the complainant, as well as your own anger;
- **Show empathy** for the stress and anger they are feeling;

You might say:

I understand how you might feel that way.

- **Acknowledge their point of view** without agreeing with it.

You might say:

I can see that you believe ... We have come to a different conclusion;

I do understand that your position is Our position is a little different.

- **Acknowledge the complainant's anger** and giving them an opportunity to 'let off steam';

You might say:

I've got a sense of how strongly you feel about this.

It sounds like you are very upset/angry about this.

- **Refocus** – refocusing the conversation onto the substantive issues;

Ask questions to maintain control of the interaction. This way the complainant is forced to respond to you, rather than the other way round. Use 'when', 'what', 'where' or 'how'. These types of questions can be effective when responding to accusations by a complainant because they deflect the issue back onto the complainant without being confrontational.

You might say:

What has led you to believe that I'm not taking you seriously?

When did you start thinking that I don't care about your complaint?

- **Problem solve** – finding solutions to the issues and problems that you've identified.
- **Keep your verbal and non-verbal cues nonthreatening** – be aware of your tone of voice, facial expressions and gestures.

Step 2 - Screening complaints

At this stage, the Complaints Manager will screen the complaint and:

- either accept or reject the complaint; and if accepted:
- establish a target resolution date.

The Complaints Manager will also log details of the complaint on the Complaints Register in Pinpoint.

Step 3 – Acknowledge the complaint

In the event that a complaint is received and cannot be immediately resolved, the Complaints Manager must ensure that a written acknowledgement of the complaint to the complainant is sent. This written acknowledgement should be forwarded immediately (either by email or post), or in any event within no more than one business day (24 hours) of receipt of the complaint. The Company will consider the method used by the complainant to lodge their complaint and any preferences they may have expressed about communication methods.

Step 4 – Investigate the complaint

Staff Related Complaint

In the event that the complaint involves a specific staff member, the investigation will be conducted as follows:

- The Complaints Manager will immediately contact the relevant staff member (if applicable) named within the complaint and agree a time to meet to discuss the matter and gain access to relevant documentation.
- At this meeting, the Complaints Manager will provide the staff member with details of the complaint, interview the staff member and ask them to provide their version of events. The meeting will be documented.
- The Complaints Manager will match the facts of the complaint with the staff member's response and, through communication with the staff member and the complainant, clarify why any facts differ.

- The Complaints Manager will prepare a report summarising key findings of the investigation. A summary of these findings will be entered into the Complaints Register in Pinpoint.

Other Complaint

In the event that the complaint concerns a matter which is not related to a specific member of staff (e.g. misleading and deceptive material in a publication), the Complaints Manager will conduct an investigation based on priority set by severity, complexity, impact and the need and possibility of immediate action.

Step 5 – Complaint Resolution

The extent of any remedy will depend upon the nature of the complaint. Some complaints are administrative in nature and the remedy may be to rectify the administrative error and issue a verbal apology or acknowledgement to the complainant. Other remedies are more complex and may involve financial compensation.

Where a financial remedy is considered appropriate, the aim is to provide fair compensation for any loss suffered.

In formulating a proposed resolution, other matters to be considered include:

- The extent to which others may have suffered in the same way as the complainant but did not make a formal complaint;
- Level of authority required internally to implement the proposed resolution;
- Implementation of a strategy for following-up, where appropriate; and
- How information will be disseminated to relevant personnel within the organisation.

Regardless of whether a complaint or dispute has been resolved, it is important that we consider the circumstances that led to the complaint and whether we need to improve our systems and procedures to reduce the risk of such a complaint recurring.

In order to clarify whether or not rectification work is required, the Complaints Manager will meet with the line manager responsible for the relevant area of work, review the underlying factors leading to the complaint and make a recommendation as to what, if any, rectification work is required. It will ultimately be the responsibility of the line manager to ensure that any recommended rectification work is undertaken.

Step 6 - Presenting a Final Response

The IDR response must be in writing and contain the following information:

- the final outcome of their complaint following the IDR process (either confirmation of actions taken by the Company to fully resolve the complaint or reasons for rejection or partial rejection of the complaint);
- their right to take the complaint to AFCA if they are not satisfied with the IDR response; and
- AFCA's contact details.

If the Company rejects or partially rejects the complaint, the IDR response must clearly set out the reasons for the decision by:

- identifying and addressing the issues raised in the complaint;
- setting out the financial Company's findings on material questions of fact and referring to the information that supports those findings; and

- providing enough detail for the complainant to understand the basis of the decision and to be fully informed when deciding whether to escalate the matter to AFCA.

All final responses and any offers of compensation/redress should be approved by the Managing Director or delegate.

Step 7 – Closure

The complaint will be closed on the Complaints Register in Pinpoint once:

- The complaint has been resolved with the complainant (either internally or externally) or all reasonable internal and external options of recourse have been exhausted;
- All relevant information has been captured in the Complaint Register;
- Consideration has been given to the underlying risk associated with the complaint and where appropriate, the risk has been included on our risk register; and
- Any recommendations with respect to rectification work have been recorded with a corresponding risk treatment / task allocated to the relevant line manager.

6 Timeframes for managing complaints

Timeliness in responding to complaints is a key element of successful complaints handling. Important measures of timeliness include the length taken to acknowledge a complaint and to provide the complainant with an IDR response.

6.1 Acknowledgement of complaint

We aim to acknowledge the receipt of complaints within 24 hours of receiving it and address them promptly in accordance with their degree of urgency. Where we cannot acknowledge a complaint or dispute within 24 hours, acknowledgement should be made as soon as practicable.

6.2 Resolution within 21 days

It is our aim to resolve complaints within 21 calendar days with the initial investigation completed within 14 days.

The Complaints Manager will ensure that the complainant is contacted prior to the target resolution date and keep in regular contact, advising the status of the matter and each time confirming when the next communication should be expected.

6.3 Final response within a maximum of 30 days

The final response must be provided to a complainant within a maximum of 30 calendar days unless:

- the complaint is resolved to the complainant's complete satisfaction by the end of the fifth business day after the complaint was received and the complainant has not requested a response in writing; or
- the complaint or dispute has been referred for external dispute resolution.

The 30-day timeframe to provide a final response does not recommence where new information is provided in respect of the complaint.

6.4 Additional time to respond

The Company is not required to provide a complainant with an IDR response within the maximum timeframe to provide a final response if:

1. There is no reasonable opportunity for the Company to provide the IDR response within the timeframe because:

- resolution of the individual complaint is particularly complex (e.g. an individual complaint is about a transaction or event that occurred more than six years ago and requires additional time to obtain account information;); and/or
 - circumstances beyond the Company's control are causing complaint management delays (e.g. information must be obtained from third parties).
2. The Company must give the complainant IDR delay notification before the relevant maximum IDR timeframe expires. IDR delay notification must contain the following information:
- the reasons for the delay;
 - their right to complain to AFCA if they are dissatisfied; and
 - the contact details for AFCA.

6.5 Complaints closed within 5 business days of receipt

The Company does not need to provide an IDR response to a complainant if the Company closes the complaint by the end of the fifth business day after receipt because the Company has:

- resolved the complaint to the complainant's satisfaction; or
- given the complainant an explanation and/or apology when the Company can take no further action to reasonably address the complaint.

The Company must ensure that:

- the complainant has confirmed in writing that they are satisfied with the action(s) taken by the Company response to the complaint and do not wish to take the matter further; or
- other circumstances exist that make it reasonable for the Company to form the view that the complaint has been resolved to the complainant's satisfaction.

However, if the complainant requested written response then it must be provided irrespective of whether the complaint was closed by the end of the fifth business day.

7 External Dispute Resolution

AFCA

If a complaint has been through our internal dispute resolution procedure and remains unresolved or has not been resolved within the maximum IDR timeframe, the Complaints Manager should:

- inform the complainant that they have the right to pursue their complaint with our external dispute resolution service, being AFCA; and
- provide the complainant with details about how to access AFCA.

AFCA (<https://www.afca.org.au/>) is the Company's ASIC approved external dispute resolution service that deals with disputes in relation to financial services provided to retail clients.

The AFCA dispute resolution process is outlined below in general terms.

The external dispute resolution process

A complainant may lodge a dispute with AFCA by letter or with an AFCA dispute form. AFCA will send the letter or dispute form to the Company with a requirement of 21 days to respond to the dispute. An extension of time to respond may be sought if the matter is complex.

An AFCA case manager will identify the issues in the dispute as part of an investigation process.

The case manager may try to resolve the dispute by:

- negotiation
- a conciliation conference, or
- providing a view on the merits of the dispute.

If a dispute is not resolved by agreement between the parties, then it will be resolved by a decision about the merits of the dispute. The decision will be in the form of a Determination and will take into account all the information provided by the parties.

A **Determination** is a final decision on the merits of a dispute made by an Ombudsman or a Panel of three decision-makers chaired by an Ombudsman. All Ombudsmen and all Panel members are appointed by the Financial Ombudsman Service Board.

There is no further “appeal” or review process within AFCA. The complainant has the right to accept or reject the Determination within 30 days of receiving it (or within any additional time they have been allowed). If the complainant accepts the Determination, then it is binding on both parties. If the complainant does not accept the Determination, then it is not binding on the Company and the complainant may take any other available action against the Company, including action in the courts.

The Company itself cannot accept or reject the Determination.

8 Record Keeping

Complete records of all individual complaints received, together with data regarding the overall performance of our complaints handling process, are recorded and are readily accessible to management.

We adopt the guiding principle whenever we deal with a complaint, and in particular when recording information relating to a complaint, that this information may at some time in the future, be requested by the complainant or a regulator, or may be made public as a result of a litigation (whether related or unrelated to the particular complaint). Our complaint records are maintained in a format which allows them to be provided to a regulator, or a complainant, if so requested.

In the event that any particular information relating to a complaint is requested by an external party, we will consider all of the circumstances of the request and if necessary, seek legal advice as to what, if any information, we are legally required to provide.

All records are maintained for a minimum of seven (7) years.

9 Monitoring, review and audit

All complaints are analysed to identify systematic, recurring and single incident problems and trends, and to eliminate the underlying cause of complaints.

We continually monitor the overall performance of our complaints handling processes including taking action to determine the levels of satisfaction of complainants.

Any update to the Complaints Register or complaints summary is provided to the Board at the following meeting.

Risk & Compliance conducts reviews and audits of the IDR process at least every two years to:

- consider the suitability, effectiveness and efficiency of the IDR system;

- assess whether systemic issues are being promptly identified and remedial action taken to address the issues;
- assess whether the remedial action is prioritised and effective;
- identify improvements that need to be made; and
- assess customer satisfaction.