



DISPUTE RESOLUTION PROCEDURE

January 2024

Responsibility

N1 Loans Pty Ltd Australian Credit Licence Compliance Manager is the Responsible Person for overseeing this area.

The Responsible Person:

- has sufficient training and competence to deal with complaints or disputes;
- has the authority to settle complaints or has unfettered access to the person who has the necessary authority to settle complaints;
- will ensure that the following system is in place to handle complaints genuinely, promptly, fairly and consistently;
- ensures that all staff who deal with customers (including new and existing staff) have an understanding of the complaints handling process and procedure; and
- will introduce, where necessary, procedural changes, disciplinary action or training that may be required as a result of the complaint.

This procedure is reviewed annually by the company director.

Overview



We define a complaint (and a dispute) as an expression of dissatisfaction made to us, related to our products or services, or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.

This definition and this procedure have been developed with reference to the Essential Elements of Australian Standard ISO 10002-2006 and the minimum requirements of ASIC's RG 165.

Dispute resolution procedure

This procedure is available to clients:



- on our website;
- in disclosure documents;
- upon request; and
- when the client makes a complaint.

Where necessary, the information in this procedure will be made available in alternative formats.

Internal procedure

All complaints (or potential complaints) should firstly be referred to the Responsible Person, if possible.



We ensure that we have simple and accessible arrangements for making and handling complaints. Accordingly, complaints do not need to be in writing. They can be made by phone, email or in person. Also, at the time a complaint is made, the Responsible Person will offer the complainant some assistance with making their complaint if required. For example, where a complainant's literacy skills are

limited or they have legitimate special needs, assistance will be given with completing forms or expressing their complaint. Wherever possible, a complaint should be investigated by a staff member who is not involved in the subject matter of the dispute. This is then recorded into the complaints register.

Oral complaints



The following procedure must be followed when a complaint is received orally:

1. Identify yourself, listen, record details and determine what the complainant wants.
2. Identify whether it is an application for hardship variation or request to postpone enforcement proceedings.
3. Confirm the details received.
4. Empathise with the complainant in a courteous and respectful manner.
5. Explain the courses of action available.
6. Do not attempt to lay blame or be defensive.
7. Resolve the complaint if possible or commit to doing something immediately, irrespective of who will ultimately handle the complaint.
8. Don't create false expectations.
9. Inform the complainant of the name and contact details of the person who will be formally dealing with the complaint (i.e. the Complaints Officer or Responsible Person).
10. Refer the matter immediately to the Responsible Person (even if you resolved the matter).
11. Record the date and time of complaint/enquiry into the complaints register.
12. Inform the complainant of external dispute resolution (**EDR**) avenues available.

Written complaints, and follow on from oral complaints



Where a written complaint is received, it must be date stamped and registered in the Complaints Register by the Responsible Person or other authorised person. Details that need to be recorded on the Complaints Register include the following:

- client name;
- date received;
- credit product or service complained about;
- brief details of complaint; and
- action taken and decisions made (remedy, determination, result).

Following the registration of the complaint:

1. Send a written acknowledgement of receipt to the complainant immediately or as soon as practicable. The letter will:
 - a. inform the complainant that we will attempt to resolve the complaint within 45 days;
 - b. outline the dispute resolution process and the availability of ASIC and EDR avenues / schemes, such as the Australian Financial Complaints Authority (**AFCA**), including relevant contact and membership details; and
 - c. include documentation from ASIC and AFCA outlining their complaints handling process.

2. The Responsible Person will then consider the complaint and seek appropriate supporting information and advice, where necessary, within 7 calendar days.
3. The request for additional information or clarification from the complainant must clearly state that the complainant's response is required within 14 calendar days to comply with the stipulated response times. The Responsible Person will ask the complainant to sign file notes where possible of relevant conversations to confirm they contain a complete and accurate record of the complaint and subsequent negotiations. During this period the Responsible Person will check all correspondence addressed to the complainant prior to it being sent.

Until a complaint is finalised, the Responsible Person will remain responsible for:

- maintaining contact with the complainant to ensure that they are informed of the progress of their complaint;
- ensuring that the complaint is continued until either a final decision is made, or the complaint is dropped by the complainant;
- maintaining the Complaints File, including copies of all enquiries, information, documentation, investigations and decisions;
- liaising with our professional indemnity insurer; and
- liaising with our external lawyers (if necessary).

Remedies

Within 45 days of receiving the complaint, the Responsible Person will provide the complainant with a response. This will consist of one of the following:



- accept the complaint and, where appropriate, offer redress;
- offer redress without accepting the complaint; or
- reject the complaint, giving reasons.

When determining their response, the Responsible Person must consider the complaint in an objective, impartial and fair manner. When considering the appropriate remedy, the Responsible Person will consider:

- relevant legal principles;
- relevant codes of conduct;
- fairness; and
- relevant industry best practice.

Where appropriate, the Responsible Person will provide the client with a remedy, which may include:

- rectification;
- apology;
- refund;
- compensation;
- replacement; and/or
- action to ensure that other clients have not or will not be affected.

The Responsible Person will not be authorised to offer the client a particular remedy if final approval is required from company director.

The sooner a complaint is responded to, the greater the chance of resolving it internally. Complaints should be resolved internally as soon as practicable or in any case within 45 days of lodgement of the complaint by the customer. Complaints will be addressed in accordance with its urgency. This may require complaints being prioritised.

Where there are special circumstances relating to the complaint such that it is not reasonable for it to have been resolved in that period, the Responsible Person must inform the complainant of the reasons for the delay and that the complainant may refer it to ASIC or AFCA.

When responding to a complaint, the Responsible Person should give written reasons for their decision on the complaint, and adequately address the issues that were raised in the initial complaint. Where appropriate, the written reasons should refer to applicable provisions in legislation, codes, standards or procedures.

The Responsible Person will obtain legal advice if necessary.

Monitoring



The Responsible Person will be responsible for monitoring the Complaints Register from time to time, depending on the existence or frequency of complaints. The Responsible Person will ask the following questions:

- Are there systemic problems, trends, patterns, issues or conduct?
- Are they being addressed?
- Are problems being reported to the Responsible Person in a timely manner?
- Are the complaints being handled efficiently and fairly?

The Responsible Person ensures that all staff who deal with customers have an understanding of the complaints handling process and procedure.

The Responsible Person is responsible for both maintaining all complaints handling data, and also for analysing the data according to various categories such as:

- type of complainant;
- subject of complaint;
- outcome of complaint;
- timeliness of response; and
- breaches of law, such as:
 - failure to provide relevant disclosure documentation;
 - failure to disclose remuneration;
 - failure to meet responsible lending obligations;
 - misleading or deceptive conduct;
 - failure to meet consumer protection standards or codes of conduct;
 - fraud; and/or
 - hardship timeframes.

The Responsible Person will report complaints handling data, including details of decisions made and actions taken in respect of complaints, at quarterly compliance committee meetings and half-yearly directors meetings.



External Procedure

We have membership with AFCA, membership number 43178.



If membership with this scheme is changed or cancelled, the Responsible Person will notify ASIC within 10 business days after the change occurs in accordance with reg 9(2), *National Credit Regulations 2010* (Cth) (**Regulations**).

The Responsible Person will diarise when the membership is due for renewal.

Information Collection and Confidentiality

Collection

Complaints must be recorded and maintained in our complaints register, along with supporting documentation where relevant. The register must be stored in a secure location and each complaint must be maintained in this register for at least 7 years from the date that the complaint is received.

Confidentiality

Personally identifiable information relating to the complainant and their complaint should be available where needed for the purpose of addressing the complaint within the organisation.

Any statistical data based on our complaints register which is communicated outside of the organisation or within the organisation for a purpose other than addressing the complaint must be cleansed of any personally identifiable information.