



VAN DER BYL BERGH (Edms) Bpk. (Pty) Ltd.

FINANCIAL CONSULTANTS | FINANSIËLE KONSULTANTE
REG: 2001/011282/07 | FSP: 14596

COMPLAINTS POLICY

Van Der Byl Bergh (Pty) Ltd

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EXECUTIVE SUMMARY

The Complaints Policy of Van Der Byl Bergh delineates our commitment to a transparent, efficient, and responsive complaints management system. Upholding client trust and ensuring fair treatment is our priority, which is underscored by our adherence to the TCF (Treating Customers Fairly) guidelines. With strict protocols for confidentiality and a non-retaliation assurance, we ensure that complainants are protected and respected throughout the process. Multiple accessible channels are available for complaint submissions, and set timelines are in place to guarantee timely responses. Our overarching goal is to maintain open communication and continuously enhance our client relations through proactive management of grievances.

AIM

The aim of Van Der Byl Bergh through this document is to provide clear and concise guidelines for receiving, documenting, and resolving complaints in accordance with Board Notice 80 of 2008 – General Code of Conduct, as amended.

SCOPE

In terms of the General Code of Conduct outlined in Board Notice 80 of 2008, as amended, every Financial Services Provider (FSP) must have a complaint framework suitable for its business model, services, and clients. This framework should be proportionate to the nature, scale, and complexity of the business risks. This policy is available to each client upon request. All Van Der Byl Bergh staff must familiarize themselves with the contents of this document.

ALLOCATION OF RESPONSIBILITIES

Van Der Byl Bergh governing body is committed to effective complaints management and will oversee the successful implementation of this framework.

The Complaints Officer (CO) for Van Der Byl Bergh is: **Jaap Roux**
Email Address: **info@vanderbylbergh.co.za**

The CO is trained and possesses the right blend of experience, knowledge, and skills in complaint handling. The CO is the initial contact point and thereafter manages all complaints until resolution. The CO will be assisted by an external compliance officer.

CATEGORISATION OF COMPLAINTS - (AS LEGISLATED)

All reportable complaints are categorized as relating to:

- Design of a financial product, financial service or related service, including the fees, premiums or other charges related to that financial product or financial service;
- Information provided to clients;
- Advice;
- Financial products or financial service performance;
- Service to clients, including complaints relating to premium or investment contribution collection or lapsing of a financial product;
- Financial product accessibility, changes or switches, including complaints relating to redemptions of investments;
- Complaints handling;
- Insurance risk claims, including non-payment of claims; and
- Other complaints.

COMPLAINTS ESCALATION REVIEW AND PROCESS

Van Der Byl Bergh has one Key Individual and a small staff complement. All complaints are escalated to Senior Management for review. If a complaint cannot be addressed by the Senior Management, the external compliance officer, in conjunction with Senior Management, is notified to review and take appropriate action.

The complaints officer will review all complaints and if it can be resolved, such complaint is resolved immediately. Where a complaint is more complex or unusual, the Complaints Officer will escalate the complaint to Senior Management who will resolve the case in an impartial manner. The Complaints Officer will manage the process to ensure the fair treatment of complainants and ensures an expedient outcome.

COMMITMENT

- Our Complaints Policy and Procedures will be made available on request.
- We will attend to and resolve any complaint timeously and fairly by first logging the complaint and providing you with a receipt.
- TCF principles will be applied at all times when dealing with a complaint. No complainant will face any form of retaliation, including but not limited to intimidation, discrimination, or penalization, for lodging a complaint.
- Any act of retaliation against a complainant will be treated as a serious violation of this policy and may result in disciplinary action against the perpetrator.
- If a complainant believes they are facing retaliation due to their complaint, they are urged to contact the Complaints Officer immediately.
- To ensure transparency and efficiency, we adhere to the following timelines for complaint resolution:
 - Acknowledgement: Within 48 hours of receiving your complaint.
 - Initial Investigation & Response: Within 21 days of receiving your complaint.
 - Further Investigation (if required): If more time is needed, we will communicate this to you, providing reasons and a revised timeline.
- Should a complaint be escalated, the complainant will be informed of any new timelines associated with the escalation process.
- A register displaying all complaints from clients whether escalated to the FAIS Ombud or not, is kept and forms part of the Management Information report dealt with at the executive level. This will ensure that complaints are analysed, and changes effected where necessary.
- Where a client's needs have changed and the product is no longer appropriate, we will endeavour to adapt to the client's needs and requirements.
- All relevant staff are trained with regard to the resolution of complaints in accordance with the relevant provisions of the General Code of Conduct 80 of 2008 as amended.
- Records of all complaints will be kept for a minimum period of 5 years. It is a statutory recordkeeping requirement in terms of FAIS, and as such, all your personal information (as per the Protection of Personal Information Act–POPI) submitted will similarly be held for this period. The information will be made available to/processed by our staff where required, as well as our compliance officer for audit purposes, the Regulator (FSCA) and any Ombud who has jurisdiction.

CONFIDENTIALITY

At Van Der Byl Bergh, we respect the privacy of all complainants and understand the sensitive nature of complaints. As a result:

- All complaints will be treated as confidential.
- Information about the complaint will only be shared with those who need to know in order to resolve it.

Any records related to the complaint will be securely stored, with access restricted to designated personnel.

DECISIONS

Once a decision on a complaint has been made, we are committed to acting on it immediately, without undue delay.

If a complaint is rejected, we will provide the complainant with clear reasons for the decision and inform the client of the escalation processes, including how to use them and any relevant time limits.

RECORD KEEPING, MONITORING AND ANALYSIS OF COMPLAINTS

This framework includes a register where all complaints received are logged upon receipt. Once a complaint is received, a file is opened and all evidence and correspondence are filed in the complainant file. Complaints are categorised, and the progress of the complaint is logged.

On a monthly basis, the governing body receives the following information:

- Number of complaints received;
- Number of complaints upheld;
- Number of rejected complaints and reasons for the rejection;
- Number of complaints escalated by complainants to the internal complaint's escalation process;
- Number of complaints referred to an ombud and their outcome;
- Number and amounts of compensation payments made;
- Number and amounts of goodwill payments made; and

- Total number of complaints outstanding

Complaints information is scrutinised and analysed and utilised by management to manage risks and improve outcomes for clients. It is further used to prevent recurrences of poor outcomes and errors.

COMMUNICATION WITH COMPLAINANTS AND PROCEDURE

Upon receipt of your complaint, the Complaints Officer will:

- Acknowledge receipt, in writing, within 48 hours and add your complaint to our internal complaints register.
- Your complaint will be allocated to our Complaints Officer [NAME] for further investigation.
- We may ask for additional information if needed.
- We will investigate, attempt to resolve and respond within 21 days of receiving your complaint, or after receiving any additional information we require;
- You will be kept informed of the progress of the complaint and causes of any delay together with a revised timeline.
- If we require further time to investigate the complaint, this will be communicated to you in writing.
- Details of the internal complaints escalation and review process should the complainant not be satisfied with the outcome of the complaint.
- We will let you have our response in writing with full reasons for the decision taken.
- In the event of us not being able to resolve the complaint or if you are not satisfied with our response, the complaint may be pursued, within a six (6) month's period, with the FAIS Ombud, or any other Ombud who has jurisdiction, contact details are below. Alternatively, you may approach your own legal counsel.
- This procedure will be reviewed on an annual basis to ensure that service delivery to the client is acceptable and in line with TCF principles.

ENGAGEMENT WITH OMBUD AND REPORTING

If your complaint is referred to the Ombud, please consider the following:

Van Der Byl Bergh is required to be provided with a six-week period within which to resolve any complaint before the FAIS Ombud will have jurisdiction.

- The FAIS Ombud will not adjudicate in matters where the claim is in excess of R3500000 (Three and a half Million Rand).
- If you already instituted an action in a court of law in respect of this complaint the Ombud will not consider the complaint.
- If the complaint was not resolved through conciliated settlement, the Ombud may make a determination that has the same legal status as a civil court judgement.
- An award of costs may be made against the person complained against.
- An award of costs may be made against a complainant if the conduct of the complainant was improper or unreasonable, or if the complainant caused an unreasonable delay in the finalisation of the investigation.

THE FAIS OMBUD

FAIS OMBUD	
ALL FAIS ADVICE-RELATED COMPLAINTS	
Physical Address:	Menlyn Central Office Building
	125 Dallas Avenue
	Waterkloof Glen
	Pretoria
	0010
Website:	www.faisombud.co.za
Tel No:	+27 12 762 55000
E-mail:	info@faisombud.co.za

NATIONAL FINANCIAL OMBUD SCHEME	
LONG-TERM & SHORT-TERM INSURANCE RELATED COMPLAINTS	
Physical Address:	Claremont Central Building
	6 th Floor
	6 Vineyard Rd
	Claremont
	Cape Town
	7008
Website:	www.nfosa.co.za
Tel No:	860 800 900
E-mail:	info@nfosa.co.za

CONCLUSION

At Van Der Byl Bergh, we believe in forging an environment rooted in transparency, trust, and unwavering commitment to our clients. Our complaints policy, anchored by the Board Notice 80 of 2008-General Code of Conduct as amended, reflects our dedication not only to regulatory compliance but also to the principles enshrined in our Treating Customers Fairly (TCF) policy. Each complaint provides us with a vital opportunity to reinforce our commitment to these principles, offering avenues for reflection, adaptation, and continuous service enhancement. We deeply value feedback from our clients and stakeholders and assure them of our steadfast commitment to addressing concerns with the utmost respect, diligence, and fairness. As we forge ahead, we remain aligned with our vision of fostering client-centricity and upholding the highest standards in all our interactions.