

Dispute Resolution and Complaints Handling Policy

Purpose

Consumer and small business access to fair, timely and effective dispute resolution is an essential part of the financial services consumer protection framework. And effective IDR provides Gameplay Capital Pty Ltd ("Gameplay") the opportunity for redress to customers and small businesses.

Definitions

What is a complaint?

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.

The following expressions of dissatisfaction are complaints:

- posts on a social media channel or account owned or controlled by the financial firm that is the subject of the post, where the author is both identifiable and contactable,
- an objection to a proposed decision about how and to whom to pay a superannuation death benefit distribution,
- complaints about a matter that is the subject of an existing remediation program or about the remediation program itself (e.g. delays, lack of communication), and
- complaints about the handling of an insurance claim (e.g. excessive delays or unreasonable information requests).

What is *not* a complaint?

For avoidance of doubt, ASIC does not consider the following to be 'complaints':

(a) employment-related complaints raised by financial firm staff, and

(b) comments made about a firm where a response is not expected, such as:

(i) feedback provided in surveys, or

(ii) reports intended solely to bring a matter to a financial firm's attention—for example, that an email address was bouncing back as not available or a telephone number was disconnected.

Who is a Complainant?

The person who has made the complaint or to whom the complaint pertains to.

How to Manage a Complainant

Acknowledge the complaint Gameplay should acknowledge receipt of each complaint promptly, within 24 hours (or one business day) of receiving it or as soon as practicable possible.

Complaints can be acknowledged verbally or in writing (email, post or social media channels). When responding, it is expected that Gameplay will take into account the method used by the complainant to lodge their complaint and any preference they may have expressed about communication methods.

What an IDR response must contain An IDR response must be a written communication from Gameplay to the complainant, informing them of the final outcome of their complaint:

- either confirmation of actions taken by the firm to fully resolve the complaint, or
- reasons for rejection or partial rejection of the complaint.

Rejecting or partially rejecting the complaint If Gameplay 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 Gameplay'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

Level of Detail in the IDR The level of detail in an IDR response should reflect the complexity of the complaint and the nature and extent of any investigation conducted by Gameplay. It is not expected that Gameplay will provide information in an IDR response that would breach the company's privacy or legislative obligations (eg AML/CTF provisions)

Timeframe for providing an IDR Gameplay must provide an IDR response to a complainant no later than **30 calendar days** after receiving the complaint.

There are many variables that can affect complaint response times, including complexity of the issue raised and the availability of information (including from third parties). However, it is considered that the pursuit of best practice should result in Gameplay regularly meeting or outperforming the maximum IDR timeframes.

Complaints management delays Gameplay is not required to provide a complainant with an IDR response within the maximum IDR timeframe in the following circumstances:

- Resolution of the individual complaint is particularly complex. (For example, an individual complaint is about a transaction or event that occurred more than 6 years ago and requires reconstruction of account information)
- Circumstances beyond Gameplay's control are causing complaint management delays. For example:
 - the complainant is unable to respond to [company name] due to illness or absence
 - information must be obtained from third parties to a complaint (excluding an authorised representative who is a party to the complaint)

IDR Delay Notification

If there is a delay, before the relevant maximum IDR timeframe expires Gameplay must give the complainant an 'IDR Delay Notification' that informs the complainant about the reason for the delay.

Complaints closed within 5 business days of receipt

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

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

A written IDR response is still required for complaints closed within the fifth business day if:

- the complainant requests a written response; or
- the complaint is about:
 - hardship;
 - a declined insurance claim;
 - the value of an insurance claim; or
 - a decision of a superannuation trustee.

Determining whether the complaint has been satisfactorily resolved

When determining whether the complaint has been resolved to a complainant's satisfaction, it is expected that Gameplay will consider whether:

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

How to Manage Systemic Issues

Gameplay's Board/Compliance Committee must set clear accountabilities for complaints handling functions, including the management of systemic issues identified through consumer complaints. To manage systemic issues, Gameplay will:

- encourage and enable staff to escalate possible systemic issues they identify from individual complaints,
- regularly analyse complaints data sets to identify systemic issues,
- promptly escalate possible systemic issues to the appropriate areas within Gameplay for investigation and action, and
- report internally on the outcome of investigations, including actions taken, in a timely manner.

If an investigation confirms that a systemic issue exists, Gameplay must take prompt action to identify affected customers and provide fair remediation.

Gameplay's Nominated Complaints Manager?

Complaints are to be directed to the Complaints Manager immediately upon receipt. The Complaints Manager is expected to manage the complaint and handle all responses in accordance with the Complaints Management process outlined above.

Enabling Complaints

Gameplay encourages complaints and make it easy for people to voice their concerns in the following ways:

1. Publicising how and where complaints may be made on customer accessible material including as their FSG and website
2. Providing complaints training to all staff, not just those who directly manage complaints, so that they are adequately equipped to identify, support and assist people who have a complaint
3. Offering multiple ways to lodge a complaint – including telephone, email, letter, social media, in person and online
4. Enabling authorised representatives of the Complainant (such as financial counsellors, legal representatives, family, friends and members of parliament) to lodge a complaint on their behalf (refer to RG 271.139 for further information)
5. Continuously review the effectiveness of IDR communications
6. Making the IDR process free of charge to the complainant, both in the process and any materials distributed to the complainant.

Internal Dispute Handling Procedure

Gameplay have a documented IDR as follows;

1. Gameplay will write to the client within 1 business day of receiving the complaint, acknowledging receipt of the complaint and informing the client a written response will be provided within 30 calendar days from initial receipt.
2. Gameplay may ask the client to confirm Gameplay's understanding of the complaint as set out in Gameplay's written confirmation to ensure the document accurately and fully records the scope of the complaint.
3. In accordance with the size and nature of Gameplay's business, Gameplay may engage the services of an external service provider in assessing complaints.
4. Where complaints are received and resolved by the end of the 5th business day after the day on which the complaint was received, Gameplay will include details within its Complaints Register. The following procedures would then not be applicable if resolved.
5. The Responsible Manager will confer with external legal counsel immediately in relation to any complaint, including whether the complaint highlights any matters that require internal remediation by Gameplay, including:
 - (a) notification to ASIC under the provisions of section 912D of the Corporations Act 2001 (i.e. significant breach notification to ASIC); and
 - (b) the need to notify Gameplay's professional indemnity ("PI") insurer.
 - (c) The Responsible Manager must obtain and review all relevant material prior to making a determination in relation to the complaint.
 - (d) Gameplay should seek to resolve the complaint within 30 days of receipt of complaint.
 - (e) Any communication between Gameplay and the complainant may be vetted by Gameplay's legal counsel, and may be submitted to Gameplay's PI insurer for their comment, prior to communication to the complainant.
 - (f) At the conclusion of the internal dispute resolution process, a written determination (the "IDR Determination") should be sent to the complainant within 30 calendar days, outlining Gameplay's position and proposed course of action or settlement of the complaint.
 - (g) The IDR Determination should, prior to being sent to the complainant, have been sent to Gameplay's PI insurer for their comment, feedback, suggested amendments, and their consent to the letter being sent to the complainant.

Related Laws and Regulations

- RG 267 *Oversight of the Australian Financial Complaints Authority*
- Australian Standard AS/NZS 10002:2014 Guidelines for complaint management in organizations (AS/NZS 10002:2014)
- s912A(1)(g) and 1017G(1) of the Corporations Act

Consultation processes

This policy shall be updated, reviewed or further developed in consultation with the stakeholders of Gameplay.

The Responsible Manager is responsible for the operational controls outlined in this policy and for the coordination of the annual review of the policy.

Approvals

This policy is approved for use by the Compliance Committee/Board and takes effect immediately.