

State Bank of India South Africa
COMPLAINTS HANDLING AND REDRESSAL POLICY

Version Number	1.5
Applicable for Year	2023-24

Document Information

Document Owner	Chief Operating Officer, State Bank of India, Johannesburg Bank Branch, South Africa
Document Prepared By	Chief Operating Officer South Africa
Document Reviewed By	Branch Risk Management Committee
Document Approved By	Regional Head Office, Mewana



STATE BANK OF INDIA, SOUTH AFRICA

COMPLAINTS HANDLING AND REDRESSAL POLICY

June 2023

1. Commitment To Good Complaints Handling

State Bank of India, South Africa (The Bank) comprising Johannesburg and Durban offices takes customer satisfaction as its utmost priority and is constantly striving to ensure that all our valued customers are treated with respect and always given excellent customer service.

2. Scope of Policy

This policy is intended to apply to any complaint, regardless of who makes it. It could be a customer, or a prospective customer of the Bank who has a direct interest in utilising the Bank's services excluding complaints falling under the ambit of the Financial Advisory and Intermediaries Service Act, 2002 (FAIS). Complaints made in terms of FAIS are dealt with in terms of the FAIS Complaints Policy attached as Annexure 1.

We regard a "Complaint" as an expression of dissatisfaction by a complainant, relating to a product or service provided or offered by the Bank, or to an agreement with the Bank in respect of its products or services.

3. Governance

The Executive Management Committee, which is the highest governance committee within the Bank, is responsible for effective complaints management within SBI and will approve the complaints management framework.

4. Availability of this Policy

This policy is available on the bank's website, za.statebank or can be made available upon request by a customer or a person acting on the customer's behalf.

5. Applicability

In applying this policy, and in dealing with any customer complaint, the Bank will ensure that:

- Complaints and disputes are handled and resolved in a process that is fair and transparent to the customer, the Bank and its employees.
- The policy will be readily available to all bank staff and they will be adequately trained on its requirements.
- The complaints process will be accessible to any customer at all available channels to lodge a complaint.
- All customers will be informed of this policy, including the procedure to escalate unresolved complaints.
- This policy will be freely available to employees and customers through every branch of the Bank, and through the Bank's intranet, postal and fax services;
- The complaints will be dealt with promptly and the customer will be kept updated on a regular basis regarding the complaint;
- The customer will be treated with respect and consideration at all times.

6. How Complaints May be Made

Any person wishing to lodge a complaint against the Bank may do so in the following way:

- **Written Complaints-** Written complaints may be e-mailed to the Bank on complaints.rsa@statebank.com, posted to P.O. Box 2538, Saxonwold, Johannesburg 2132 or couriered to our offices at 3rd Floor, The Mall Offices, 11 Cradock Avenue, Rosebank, 2196.
- **Telephonic Complaints-** Customers may contact the Bank on 011 778 4500 to lodge a complaint.
- **Walk-In Complaints-** Customers may also visit our Branches and complete a Complaints Form to submit a complaint.

7. Categorisation of Complaints

As per the requirements of the Conduct Standards for Banks, all complaints must be categorised into the following categories:

- a) Complaints relating to the design of a financial product or financial service, including the fees or charges related to that financial product or financial service;
- b) Complaints relating to disclosures made to financial customers;

- c) Complaints relating to advertising of financial products and financial services;
- d) Complaints relating to advice;
- e) Complaints relating to the performance of a financial product and financial service;
- f) Complaints relating to financial customer service, including complaints relating to the way in which staff dealt with the financial customer, the administrative processing of payments to or by the financial customer as well as breaches of confidentiality;
- g) Complaints relating to the accessibility to funds, changes or switches;
- h) Complaints relating to complaints handling; and
- i) Other complaints

It is the responsibility of the concerned department who has captured the complaint in the complaints register to correctly categorise the complaint as per the above categories

8. Responsible Person/Department

The concerned department is responsible for ensuring that a complaint, related to its area, is resolved timeously and fairly in a transparent manner. The complaint Register is to be maintained by the Assistant (Banking) which will be under supervision of Key Individual for the entire Branch and any complaints received should be entered in the Register by the respective department on the day of receipt if received till 4.00 PM or on next working day if received after this time.

Complaints are reported on a monthly basis in the Risk Committee Meeting

9. Complaints Resolution Process

a) Step 1

- The complainant submits the complaint to the Bank.
- The complaint is captured by the relevant staff member on the complaints register
- SBI must acknowledge receipt of the complaint and promptly inform a complainant of the process to be followed in handling the complaint, including:
 - i) Contact details of the person or department that will be handling the complaint;
 - ii) Indicative timelines for addressing the complaint;
 - iii) Details of the internal complaints escalation and review process if the complainant is not satisfied with the outcome of a complaint; and
 - iv) Details of escalation of complaints to the office of a relevant Ombud where applicable

- The following information should be recorded accurately:
 - Date of complaint;
 - Full name, address and contact details of the customer;
 - All relevant details of the complainant and the subject matter of the complaint;
 - The amount involved;
 - Short description of the complaint;
 - How and when the complaint was resolved.
 - The complaint categorisation as set out in Section(7) above

- The relevant staff member will resolve the complaint immediately say within 24 hours. If this is not possible, he/she needs to advise the customer and escalate the complaint to the relevant Department Manager.

b) Step 2

- The Department Manager will investigate the complaint, reach a decision and notify the relevant staff member of the decision so that it may be communicated to the customer. This will be done within 5 business days.
- If the Department Manager is unable to reach a decision within the time specified, the customer will be informed of this, within 2 business days, with an explanation for the delay and an indication of when a decision will be made.
- If the customer is unsatisfied with the resolution of the complaint by the Department Manager, the matter should be escalated to the CH & CEO SBISA.

c) Step 3

- The CH & CEO SBISA will investigate the complaint further and reach a decision. The decision, with reasons thereof will be communicated to the relevant staff member who will inform the customer accordingly. This will be done within 5 business days.
- Once a complaint has been escalated to CH & CEO SBISA, the decision made regarding the complaint should be given to the customer in writing, via e-mail or letter.
- Copies of all relevant evidence, correspondence and decisions must be kept on record for a period of at least 5 years from date of the complaint.
- Progress and status of the complaint, including whether such progress is within or outside any set timelines must also be kept on record.

Timeframe for implementing the remedial action decided in response to the complaints upheld or payment of any goodwill amount: The complaints that are upheld through the above process or if the discretionary authority decides to pay a goodwill amount, the same shall be done within 10 working days of such decision.

d) Fraud Investigation

If an allegation of fraud is made and the Bank is required to investigate, the time periods for resolution of fraud complaints as per this policy will not be applicable. Fraud investigations are a lengthy process and an extended time period is required for resolution of these complaints.

e) Ombudsman for Banking Services

If the Bank is unable to resolve the customer's dispute within 6 weeks or the customer is not satisfied with the outcome of the complaint, the customer should be advised of their right to pursue that complaint with the Ombudsman for Banking Services office.

The Bank is liable for supplying the customers with the Ombudsman for Banking Service address, telephone and fax numbers and should ensure that the details of the Ombudsman for Banking Service are displayed on the Bank's website-za.statebank.

Any communication received from Ombudsman for Banking Service is shared with the Key Individual, as the official identified for communicating with/ responding to communication received from Ombudsman for Banking Service. Key Individual, on receipt of any such communication, interacts with the Department Manager for the respective department and taking into consideration all the inputs thus provided and shall accordingly respond to the Ombudsman for Banking Service.

The current contact details of the Ombudsman for Banking Service are:

Postal Address:

The Ombudsman for Banking Service

PO Box 87056

Houghton
2041
South Africa

Physical Address:

1st Floor, Houghton Place
51 West Street, Houghton
Johannesburg

Telephone: 011 712 1800

Fax: 011 483 3212

E-mail: info@obssa.co.za

10. Data to be Maintained

The following data is to be maintained and reported on a monthly basis in the Risk Committee meeting:

- a) number of complaints received;
- b) number of complaints upheld;
- c) number of rejected complaints and reasons for the rejection;
- d) number of complaints escalated by complainants to the internal complaints escalation process;
- e) number of complaints referred to an Ombud and their outcome;
- f) number and amounts of compensation payments made;
- g) number and amounts of goodwill payments made; and
- h) Total number of complaints outstanding

FAIS COMPLAINTS HANDLING POLICY

In accordance with the Financial Advisory and Intermediary Services Act 37 of 2002

1. PROTECTION OF CONSUMERS

The Financial Advisory and Intermediary Services Act 37 of 2002 (the FAIS Act) protects consumers by regulating the financial advice and intermediary services provided by a Financial Services Provider (FSP), ensuring that consumers are adequately informed about the products they purchase and the product suppliers, in order for them to make informed decisions.

2. REGULATION OF ADVICE GIVING ACTIVITIES

The FAIS Act requires that State Bank of India's staff that appear on the Financial Services Conduct Authority register, to be equipped with the necessary skills, qualifications and experience (fit and proper requirements) to provide a financial service suited to the customer's needs. The key individuals of State Bank of India, South Africa (SBISA) have to comply with similar fit and proper requirements in order for SBISA to maintain its FAIS license.

3. TRANSPARENCY

In terms of the FAIS Act, SBISA must:

- Disclose to the customer that it holds a licence to provide such services;
- Provide all the necessary information regarding the product;
- Where appropriate and where advice was given directly to the customer, provide details of remuneration, e.g. fees charged.

4. CONSUMER PLATFORM FOR COMPLAINTS

The FAIS Act also provides consumers with a platform to address their complaints in a fair and procedural manner. In terms of the FAIS Act, a complaint must relate to a financial service rendered by SBISA to the complainant, in which it is alleged that SBISA:

- Has contravened or failed to comply with the FAIS 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 financial prejudice or damage to the complainant, or which is likely to result in such prejudice or damage; or
- Has treated the complainant unfairly.

5. DEFINITION OF A COMPLAINT

- a. There exist grounds for a complaint when the FSP “... *has contravened or failed to comply with a provision of this Act (FAIS Act) and that as a result thereof the complainant has suffered or is likely to suffer financial prejudice or damage*”

Some guidelines and examples:

- If there are allegations that no quote or no disclosures were made when the product was taken;
 - Lack of disclosure and explanation of the structure of the product before selling it to the complainant;
 - Complaints about not having received the documents detailing the product information and therefore not knowing the features of the product;
 - Complaint that confidential information regarding a customer was disclosed to a third party without the customer’s consent, unless the SBISA was required to disclose the said information by law;
 - The customer alleging that he/she signed or was asked to sign a blank document.
- b. There exist grounds for a complaint when the FSP “... *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*”

Some guidelines and examples:

- Complaint that the incorrect product was sold to the customer;
- Complaint that a product was sold without the customer’s knowledge;
- Complaint that SBISA acted without the customer’s knowledge or consent.

- c. There exist grounds for a complaint when the FSP “... *has treated the complainant unfairly*”

Some guidelines and examples:

- Complaints that customer has been pushed from pillar to post without resolution;

- Complaints about rude behaviour;
- Complaints that a previous complaint was not handled fairly and objectively;
- Complaints that different staff provided different information when contacted about the same issue;
- Complaints that the provider promised to do one thing and then did another.

6. COMPLAINTS TO BE DEALT WITH BY SBISA

Relevant complaints arise from advice, actions or inaction by SBISA's:

- Key Individuals; and
- Appointed representatives (Internal staff/ employees).

To qualify in principle as a FAIS complaint, the answer to one of the following questions must be **“yes”**:

- Has SBISA contravened or failed to comply with any provision of the FAIS Act, and that as a result thereof, the complainant has suffered or is likely to suffer financial prejudice or damage?
- Has SBISA 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?
- Has SBISA treated the complainant unfairly?

If the answer to any of the abovementioned questions is **“yes”**:

- The customer should submit his/her complaint in writing to the Bank or make use of the complaint form
- The Bank will acknowledge receipt of the complaint within 2 business days and the procedure for lodging complaints as per the general Complaints Handling Policy will be followed.

7. THE FAIS OMBUDSMAN

- a. The role of the FAIS Ombudsman is to resolve disputes between Financial Service Providers and their customers in a procedurally fair, informal, economical and expeditious manner, with reference to what is equitable in all circumstances. The Ombudsman will only proceed to investigate an officially received complaint once it has notified all interested parties of the particulars of the complaint in writing, and is satisfied that all parties are provided with the opportunity to submit a response. The FAIS Ombudsman's jurisdiction is limited to violations which occurred on or after 30 September 2004 and to claims not exceeding R800 000.00.

- b. The customer may refer the complaint to the FAIS Ombudsman within 6 months of receipt of the response from SBISA to his/her complaint.
- c. The FAIS Ombudsman is accessible at the following address:

The FAIS Ombudsman

c/o Financial Services Board, P.O. Box 74571, Lynwood Ridge 0040.

Telephone: +27 12 470 9080 Facsimile: +27 12 348 3447,

E-mail Address: info@faisombud.co.za ; Website: www.faisombud.co.za

- d. Any communication received from FAIS Ombudsman is shared with the Key Individual, as the official identified for communicating with/ responding to communication received from FAIS Ombudsman. Key Individual, on receipt of any such communication, interacts with the Department Manager for the respective department and taking into consideration all the inputs thus provided and shall accordingly respond to the FAIS Ombudsman.