

**PUBLIC**



# **INTERNAL DISPUTE RESOLUTION POLICY**

Version 1.2 - October 2021

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## 1. Introduction

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### 1.1 Terms and Definitions

- “we” and “our” refer to **Data Zoo** and **IDU-X**
- “staff” and “users” means all of those who work under our control, including employees, contractors, interns etc.
- “IDR” refers to the internal dispute resolution
- “EDR” refers to the external dispute resolution
- “AFCA” refers to the Australian Financial Complaints Authority.
- “Complaint” refers “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”. (This is the definition given in AS/NZS 10002:2014).

### 1.2 Scope

This document outlines our arrangements for dealing with client complaints or disputes in a genuine, prompt, fair and consistent manner. IDR will offer -

- a) The opportunity to resolve complaints or disputes quickly and directly.
- b) The ability to identify and address recurring or systemic problems (which can then lead to product or service improvements).
- c) The capacity to provide solutions to problems rather than have remedies imposed by an external body.
- d) The chance to improve levels of customer and investor confidence and satisfaction.
- e) The ability to solve complaints or disputes directly with clients, so that a complaint or dispute is dealt with at the earliest possible stage following IDR procedures.
- f) Informing complainants about the availability and accessibility of the relevant external dispute resolution scheme.

### 1.3 Responsibilities

Managers and supervisors are responsible for the implementation of these arrangements within the scope of their responsibilities and must ensure that all staff under their control understand and undertake their responsibilities accordingly.

## 2. Internal Dispute Resolution Principles

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### 2.1 Visibility

We will take necessary steps to ensure customers know about the existence of our IDR procedure and how to make a complaint. This visibility can be demonstrated by:

- Ensuring the IDR process is published on our website (<https://www.idux.io/>)
- What a customer needs to do to lodge a complaint.
- What process we follow to deal with the complaint.
- Our EDR scheme.

### 2.2 Commitment

We are actively committed to effective and efficient complaint and dispute handling. This commitment can be demonstrated by:

- Ensuring all relevant staff are aware of and educated about IDR procedures.
- Ensuring that adequate resources are allocated to IDR.
- Implementing management systems and reporting procedures to ensure timely and effective complaint or dispute handling and monitoring.

### 2.3 Resources

The adequacy of resources relates to documentation, specialist support, materials and equipment, computer hardware and software, and finances. When implementing IDR procedures, we:

- Establish a contact point for complainants or disputants.
- Nominate staff to handle complaints or disputes who have sufficient training and competence to deal with those complaints or disputes, including the authority to settle complaints or disputes or ready access to someone who has the necessary authority.
- Ensure adequate systems are in place to handle complaints or disputes promptly, fairly, and consistently.

### 2.4 Accessibility

We ensure the arrangements for making complaints or disputes are simple and accessible. Information about making and resolving complaints or disputes is easy to understand and is in plain English. A link to this IDR Policy is also provided in our Product Disclosure Statements. We provide the following medium to submit complaints or disputes.

**Telephone:** +61280144807

**Email:** [info@idux.com.au](mailto:info@idux.com.au)

**Postal address:** Bay 8, 1-3 Middlemiss St, North Sydney, NSW, 2060

**Website:** [www.idux.com.au](http://www.idux.com.au)

### 2.5 Responsiveness

We will respond to complaints or disputes promptly in accordance with the urgency of the complaint or dispute. Where immediate acknowledgement of a complaint or dispute is not possible, the acknowledgement will be made as soon as practicable.<sup>1</sup>

### 2.6 Objectivity

We address complaints and disputes in an equitable, objective, and unbiased manner. The complaint/dispute handling process ensures:

- Adequate opportunity for each party to make their case (and where a credit dispute involves a credit representative, for the credit representative to provide relevant information to its credit licensee).
- Allow other persons who may request an information return (e.g., beneficiaries), and who may reasonably have an interest in the outcome of a traditional services complaint, to be identified, notified and their views considered, where relevant to the efficient and fair handling of the complaint
- Investigate a complaint/dispute by staff not involved in the subject matter of the complaint or dispute.

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<sup>1</sup> RG271.51 (RG165 pg. 41 Guiding Principle 4.4)

- Provide reasons for reaching a decision on the complaint or dispute and adequately address the issues that were raised in the initial complaint or dispute. Where practicable, reasons for a decision should be in writing and should refer to applicable provisions in legislation, codes, standards, or procedures.

## 2.7 Collection of Information

We have established a recording system for managing complaints/disputes while protecting personal information and ensuring complainant or disputant confidentiality. The system specifies the steps for identifying, gathering, maintaining, storing, and disposing of records. It records information on complaints or disputes handling and takes the utmost care in maintaining and preserving such items as electronic files and magnetic recording media. However, no personally identifiable information is stored in our system.

## 2.8 Analysis and Evaluation of Complaints

All complaints/disputes are classified and then analysed to identify systematic, recurring, and single incident problems and trends. This helps in eliminating the underlying causes of complaints/disputes. To do this, it will be important to be able to analyse complaints or disputes according to categories, such as type of complainant, subject of the complaint, outcome of a complaint, and timeliness of response. We handle complaints by following the below categories:

Category	Definition	Action	Priority
1. Critical risk complaints	Complaints that have legal implications and can impact the company's reputation	Quick action required	1
2. High risk complaints	Complaints regarding service access made by one customer may potentially apply to a large number of customers facing the same issue	More urgent action required	2
3. Medium risk complaints	Complaints that are linked to a single customer and may not have a drastic impact on business operations	Ongoing but not serious	3
4. Low risk complaints	Complaints that are made for improving any service	Less urgent	4

## 2.9 Timeframes

The responsible manager will:

- record details of all complaints and responses in the Complaints Register (Appendix 2) including the date they are received and the date of the response.
- provide a final written response to standard complaints within 30 days<sup>2</sup> (21 days for disputes involving default notices<sup>3</sup>) after receiving the complaint.

In our pursuit of best practice, we will always endeavour to outperform the established timeframes whenever possible. Where we conclude complaints within five business days,<sup>4</sup> no IDR response will be provided unless requested by the complainant (or where other exceptions<sup>5</sup> apply). Despite our best endeavours, there are many variables that can affect complaint response times, which include the

<sup>2</sup> RG 271.56

<sup>3</sup> RG271.86 and RG 271.91

<sup>4</sup> RG 271.71

<sup>5</sup> See RG 271.75 for exceptions including those related to hardship, declined insurance claim or value of an insurance claim

complexity<sup>6</sup> of the issues raised, the availability of information (including from third parties) and other circumstances beyond our control.<sup>7</sup>

Where such circumstances give rise to complaint management delays, we will provide the complainant with an 'IDR delay notification'<sup>8</sup> prior to the expiration of the relevant IDR timeframe. This will inform the complainant about the reasons for the delay; their right to complain to AFCA if they are dissatisfied; and the contact details for [AFCA](#) as outlined below (under [External Dispute Resolution](#)).<sup>9</sup>

## 2.10 Documenting

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We maintain adequate documentation to:

- Enable the relevant staff to understand and follow the procedures.
- Promote accountability and transparency of the procedures.
- Facilitate the ease of understanding and accessibility of the procedures for consumers (i.e., via the production of user-friendly guides).

## 2.11 Charges

We ensure:

- Material explaining IDR procedures is provided free of charge to complainants or disputants.
- Complainants or disputants should not have to pay to access the complaints or disputes handling process.

## 2.12 Confidentiality

We ensure the confidentiality of the information. Our data handling policy is transparent with no transactional Personal Identifiable Information (PII) stored in the system.

## 2.13 Continual Improvement

The continual improvement of the complaints or disputes handling process and the quality of products and services we offer is one of our central objectives. This involves conducting regular reviews of IDR procedures to identify areas for improvement. We consider that reviews should be conducted at least every two years to ensure that the complaints or disputes system is operating effectively.

## 2.14 Customer-focused approach

We adopt a customer-focused approach which involves being open to customer feedback, offering customer helpful and user-friendly response in plain English. We will show commitment to resolve complaints or disputes by its actions.

## 3 External Dispute Resolution

### A. Australian Financial Complaints Authority (AFCA)

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Complainants and consumers have the right to refer to our ASIC approved External Dispute Resolution provider, AFCA, for both resolved and unresolved complaints. This is a free service established to provide an independent mechanism to resolve specific complaints. Details for AFCA will be provided with all Product Disclosure Statements (PDS) together with a [link](#) to the current AFCA operational guidelines and instructions on how the service can be accessed. The current [AFCA Complaint Resolution Process Map](#) details the complaint process detailed on their website.

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<sup>6</sup> RG 271.67

<sup>7</sup> RG 271.63-68

<sup>8</sup> Previously referred to as RG 165.92 'delay letters'

<sup>9</sup> RG271.66

Complaints may be submitted by using AFCA's [online form](#) on their website ([www.afca.org.au](http://www.afca.org.au)); writing to AFCA (by email at: [info@afca.org.au](mailto:info@afca.org.au) or by post at: Australian Financial Complaints Authority, GPO Box 3, Melbourne, VIC, 3001), or by contacting AFCA by telephone on 1800 931 678 (free call)

#### **B. The Office of the Australian Information Commissioner (OAIC)**

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Complaints involving your Privacy/ Consumer Data Right (CDR), and how we have handled your personal information, are addressed by the [OAIC](#). Privacy complaints can be lodged [online](#) or by contacting the OAIC using the details below:

**Website:** [www.oaic.gov.au](http://www.oaic.gov.au)

**Phone:** 1300 363 992

**Postal Address:** GPO Box, 5218, Sydney NSW 2001

#### **4. Breach of Policy**

We will take all necessary measures to remedy any breach of this policy including the use of our disciplinary or contractual processes where appropriate.

**Appendix 1**

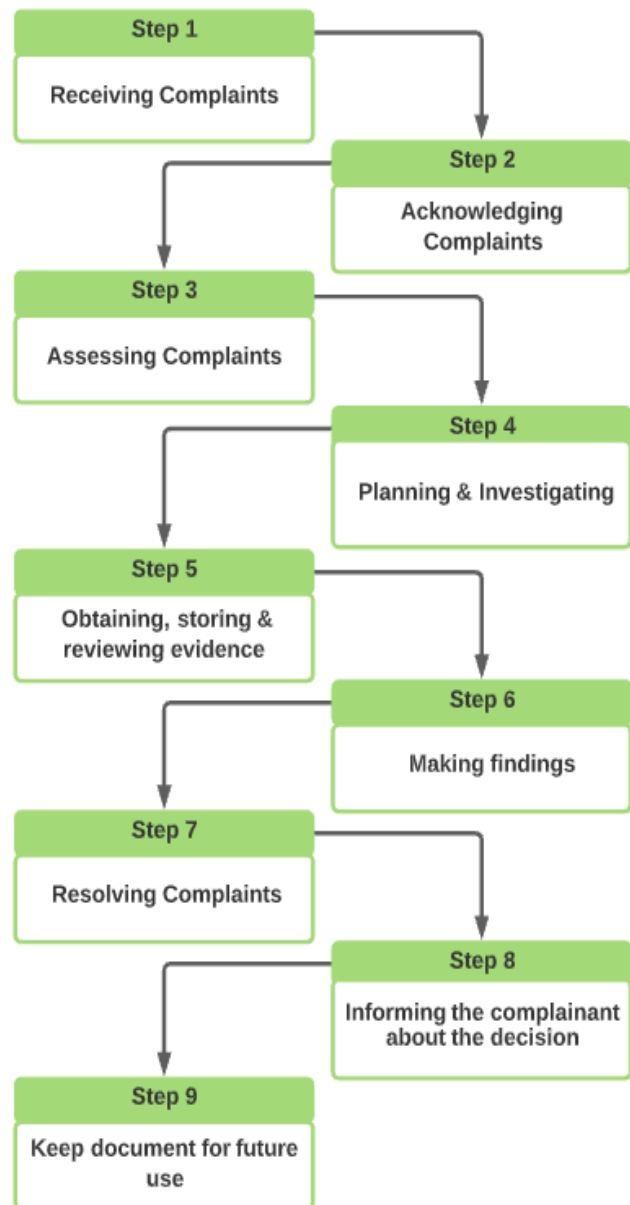
**IDU-X Complaint Handling and Dispute Resolution Steps**

We handle complaints or disputes following nine steps:

1. **Receiving Complaints:** The initial record of the complaint identifies:
  - The contact details of the complainant,
  - The issues raised,
  - Any other information required to appropriately respond to the matter.
2. **Acknowledging Complaints:** The receipt of each complaint is acknowledged promptly. Copies of any correspondence acknowledging a complaint are kept on file.
3. **Assessing Complaints:** After acknowledging a complaint, each issue is addressed separately by their priority. Evaluating a complaint involves determining what action is required based on importance.
4. **Planning and Investigating:** When conducting a formal investigation, we prepare a written investigation plan. This outlines the scope and sequence of investigative activities and highlights any risks that may need to be managed. The length and complexity of the plan will depend on the nature and seriousness of the complaint being investigated. However, it is not too rigid or detailed. It is flexible and able to be revised or entirely replaced if new evidence or inquiry lines emerge. Evidence and documentation provided by the customer is analysed and assessed by the relevant department and the outcomes are communicated to company management to decide action.
5. **Obtaining, Storing & Reviewing Evidence:** During the investigation, sufficient important reliable information is gathered, so that findings and recommendations can be made.
6. **Making Findings:** Once all the relevant evidence has been gathered and reviewed, an investigation report is prepared. This is an official record and will be used to help decide what action will be taken in response to the complaint.
7. **Resolving Complaints:** Based on the finding's, resolution of complaints or disputes are determined, including details of any appropriate remedies.
8. **Informing the Complainant about the Decision:** The final written response to the complainant provided by the responsible officer will be made subject to and within the timeframes established. The decision will address all issues, provide reasons for the decisions and findings, outline details of the remedies available, and options for further review/ appeal including the consumers right to take the complaint to EDR through AFCA.<sup>10</sup>
9. **Keep document for future use:**

After a complaint has been closed, a comprehensive record is kept about:

  - How the complaint was managed.
  - The outcome of the complaint – including any aspects that were substantiated, adequacy of remedies available, any recommendations provided to address problems identified, and any decisions made on those recommendations.
  - Any outstanding issues that need to be followed up.



**Figure 1: Complaint handling and Dispute Resolution steps**

**Appendix 2: Form of Complaints Register**

<sup>10</sup> RG 165.87

**Appendix 3: Complaint Outcome Table<sup>12</sup>**

Complaint No.	Customer Name / ID	Account No.	Date Received	Complaint Category	Complaint Details	Investigator	Complaint Outcome <sup>11</sup>	Response Date	Customer Satisfaction	Status

Complaint outcome number	Complaint type	Definition
1	Service - Based Remedy	The complainant received a service-based resolution to their complaint. For example, We: provided the complainant with assistance or support; provided the complainant with the service requested; corrected incorrect or out-of-date contact details; or undertook to set in place improvements to staff training, systems, or procedures.
2	Monetary remedy	The complainant received a monetary remedy of any kind (e.g. a payment, refund, or waiver or reduction of fees or charges) in resolution of their complaint. This would include, for example: direct payments to compensate for direct financial loss or non-financial impacts (e.g. stress or inconvenience); an ex gratia or goodwill payment, with no decision made by the financial firm as to liability; a premium refund or waiver (in full or in part); a waiver of debt, interest, or fees (in full or in part); a reduction in ongoing fees or charges payable by the complainant (including a reduced interest rate); an increase in the amount paid out to the complainant as part of an insurance claim; or an increase in the amount of death benefit distributed to the complainant. Note: If the monetary remedy also involved a contract or policy variation, use both complaint outcome code 2 (Monetary remedy) and 3 (Contract/policy variation). Likewise, if the monetary remedy also involved a change in our decision, use both complaint outcome code 2 (Monetary remedy) and 4 (Decision changed)
3	Contract/ policy variation	The complainant received a variation in their contract or policy terms in resolution of their complaint. For example, We: cancelled or released the complainant from the contract or policy; entered into a repayment arrangement with the complainant; agreed to a timeframe for refinancing or for the sale or surrender of assets; or changed the ongoing arrangements for fees or charges (including interest rates). Note: If the contract or policy variation also involved a monetary remedy, use both complaint outcome code 2 (Monetary remedy) and 3 (Contract/policy variation).
4	Decision changed	We changed or reversed its previous decision in resolution of the complaint. For example, the financial firm: accepted and paid out an insurance claim, or increased the amount paid out; changed how it distributed a superannuation death benefit; made credit reporting amendments to correct the record on behalf of the customer; or ceased legal or other action. Note: If the change in decision also involved a monetary remedy, use both complaint outcome code 2 (Monetary remedy) and 4 (Decision changed)
5	Other remedy	The complainant received a remedy in resolution of their complaint that does not fit into any of the previous categories.
6	Withdrawn/ discontinued	The complainant withdrew their complaint or contact with the complainant was lost
7	Referred to another financial firm	The complaint was referred to another financial firm to resolve (e.g. where a complaint was initially received by the product distributor but was referred to the product manufacturer to resolve because they were best placed to do so)
8	No remedy provided/ apology or explanation only	The complainant did not receive any remedy, outcome, or compensation, or they received only an apology and/or explanation of the circumstances giving rise to the complaint. This includes where the outcome of the complaint was that the financial firm maintained or reaffirmed its previous decision.

**REFERENCES**

<sup>11</sup> See Appendix 3: Complaint Outcome Table

<sup>12</sup> Adapted from the [ASIC Internal Dispute resolution: Data glossary \(pilot version\) published 19 July 2021](#), pg. 48-49; RG 271.161



## Change History

Standard		Title	Description	
ASIC Regulatory Guide <b>165</b>		Licensing: Internal and external dispute resolution	This guide explains what AFS licensees, unlicensed product issuers, unlicensed secondary sellers, credit licensees, credit representatives, unlicensed carried over instrument lenders (unlicensed COI lenders) and securitisation bodies must do to have a dispute resolution system in place that meets ASIC's requirements. This guide applies to complaints received by financial firms before 5 October 2021.	
ASIC Regulatory Guide <b>271</b>		Internal Dispute Resolution	This revised regulatory guide explains what financial firms must do to have an internal dispute resolution (IDR) system in place that meets ASIC's standards and requirements as of 2 September 2021. This guide applies to complaints received by financial firms on or after 5 October 2021.	
ASIC Data Glossary		<a href="#">ASIC Internal Dispute resolution: Data glossary (pilot version) published 19 July 2021</a>	ASIC Glossary of IDR applicable terms. The Complaint outcome table at Appendix 3 is adapted from this document.	
<a href="#">ASIC Regulatory Guide 267</a>		Oversight of the Australian Financial Complaints Authority	This regulatory guidance sets out how ASIC perform their oversight role in relation to the Australian Financial Complaints Authority (AFCA). It also includes the financial firms' AFCA membership obligations.	
AS/NZS 10002:2014; AS ISO 10002-2006		Guidelines for complaint management in organisations	This is the standard that ASIC adheres to.	
Version	Date	Record of Changes	Created By	Approved By
1.1	21/04/2021	Initial Issue	KN	MA
1.2	01/10/2021	Updated CDR Policy in line with new template; updated in line with RG 271 and other guides; insertion of complaint outcome table at Appendix 3; updated references; and addressed shortfall highlighted by ACCC feedback.	FK	MA