EDR Response Guide

Life Insurance remediation

This guide has been prepared to assist financial firms in preparing a quality external dispute resolution (EDR) response for complaints about remediation. This is a **guide only**.

It is important to note the following:

* All issues raised in a complaint should be addressed. If there are multiple issues, please refer to the additional EDR response templates available or consider addressing them in a separate section as it is important that all issues are addressed.
* This is your EDR response. As such it is to be sent to both AFCA and the complainant. It is to the benefit of all parties for the complainant to understand the reason for your position.
* AFCA will generally seek more information if a complaint does not resolve at Registration & Referral. AFCA still expects a response to any subsequent requests for information.

This guide may change over the time to reflect any feedback.

To ensure a comprehensive response for remediation complaints, an EDR response should include the sections outlined below.

## Complaint summary

|  |  |
| --- | --- |
| Complaint details | |
| Financial firm name |  |
| Financial firm reference |  |
| Complainant name |  |
| AFCA reference |  |

## Policy Summary

|  |  |
| --- | --- |
| Policy Details | |
| Life Insured |  |
| Policy number |  |
| Policy type |  |
| Cover type |  |
| Sum Insured |  |
| Policy commencement date |  |
| Policy end date |  |

## Complainant’s position

[Outline the financial firm’s understanding of the complainant’s position.

Include necessary background information including (but not limited to):

* resolution sought by the complainant
* any payments made to the complainant.]

## Financial firm’s position

[Briefly outline the financial firm’s position in regard to each of the complainant’s issues].

If the financial firm has taken steps to attempt to resolve include details: (eg. the financial firm provided a response to the complainant, offering to [ ]. The complainant rejected the offer and said [ ].)

## Financial firm’s reasons for position

Outline how you have considered all of the issues raised in the complaint and set out the financial firm’s reasons for its position, noting what information you have considered to reach this view. It is important you consider your obligations and whether you have met them.

## Jurisdictional issues?

Include the details of any jurisdictional issues the financial firm wishes to raise. Ensure you refer to the AFCA Operational Guidelines and any relevant approach documents.

Full details of the section of the AFCA Rules must be included to ensure that AFCA and the complainant understand the jurisdictional issue(s) being raised.

## Proposals to resolve the complaint

Set out any action the financial firm is willing to take/accept to resolve the complaint.

[If you require further information before you can offer a resolution offer, please provide details of what information is required.]

## Supporting information

Provide a list of all the supporting information provided. In relation to a complaint about remediation, the following information is usually required:

* how the remediation program will affect the complainant
* how much has been paid to the complainant under the remediation program (with confirmation of payment), or how much will be paid as part of the resolution of the dispute. Provide calculation of any amounts paid and an explanation of any other resolution (such as non-monetary) provided/offered
* a copy of any documentation detailing the remediation program (as appropriate)
* are the issues in the current complaint to AFCA entirely within the scope of the remediation program? Please explain by reference to the relevant dates and issues
* if the complainant is dissatisfied with the outcome of the remediation, details of this and why the financial firm does not agree with the complainant’s resolution request
* all material relied upon in reviewing the circumstances of the complainant
* a copy of correspondence to complainant in relation to remediation process
* IDR response
* the policy document including any PDS as at the policy start date
* the welcome letter with the original policy schedule
* the relevant policy schedules
* details of any policy upgrades

If other issues are raised, we offer a range of resources in the member resources section of the Secure Services portal. These include other EDR response guides, specific complaint topic guides and the Complaint Information Documentation guide.