

Independent Assessor

The Independent Assessor reviews complaints about the standard of AFCA's service and works independently of AFCA's internal complaints process.

The Independent Assessor does not have the power to review the merits or substance of an AFCA decision on a financial firm complaint.

Once the Independent Assessor has reviewed and assessed a complaint about AFCA's service, it is not possible to appeal against their findings or recommendations.

Who is the Independent Assessor?

The Independent Assessor is appointed by, and reports to, the AFCA Board and works in accordance with the Independent Assessor's Terms of Reference. The Independent Assessor is not part of the day-to-day running of AFCA and does not answer to AFCA's senior management or Chief Ombudsman.

The current Independent Assessor of AFCA is Melissa Dwyer. Melissa has over 20 years' experience as a senior executive in the private, public and not-for-profit sectors, specialising in governance, internal audit and integrity reform. She was the Victorian Department of Education and Training's Chief Audit Executive and architect of its integrity reform program following investigations by the Independent Broad-based Anti-corruption Commission (IBAC).

Who can complain to the Independent Assessor?

Any person or business directly affected by how AFCA deals with a financial firm complaint can complain to the Independent Assessor, including:

- complainants
- financial firms
- representatives
- joined parties.

Complaints the Independent Assessor can assess

The Independent Assessor can assess complaints about the standard of service provided by AFCA in handling a complaint, including, but not limited to, complaints about:

- the professionalism, competence and attitude of staff
- communication
- fairness and impartiality
- timeliness
- adherence to AFCA's process.

Complaints the Independent Assessor cannot consider

The Independent Assessor cannot consider complaints about:

- the actions or inactions of a financial firm or complainant
- decisions or findings by AFCA, including preliminary assessments, determinations and jurisdictional decisions
- AFCA's handling of a systemic issue
- AFCA's fees charged to financial firms.

The Independent Assessor cannot change the outcome of an AFCA decision

The Independent Assessor cannot change or overturn an AFCA determination or jurisdictional decision on a financial firm complaint. It is not an appeal or review mechanism for a decision or judgements on the facts or merits of a financial firm complaint.

Outcomes the Independent Assessor can provide

If the Independent Assessor finds that AFCA has not met its service standards in the handling of your complaint, they may make a recommendation to AFCA's Chief Ombudsman, such as:

- that AFCA apologises for the poor service
- that AFCA pays an amount of non-financial compensation for any distress or inconvenience caused by the poor service
- that AFCA takes some other action to address the service failing.

When you can lodge a complaint with the Independent Assessor

Before the Independent Assessor can consider a service complaint, the following must apply:

1. Your related financial firm complaint has been closed (unless exceptional circumstances apply)
2. AFCA has been provided with an opportunity to address your concerns (i.e. you must first have submitted your service complaint to AFCA and received a response)
3. It is fewer than three months since you received AFCA's service complaint response.

How to lodge a service complaint with the Independent Assessor

Complaints to the Independent Assessor about AFCA's service must generally be made in writing. You can:

- Submit a complaint electronically via the online form at afca.org.au/independentassessor
- Download, print, and complete the form and submit it by post or email. You can download the form at afca.org.au/independentassessor

Email: independentassessor@afca.org.au

Post to:

Independent Assessor
Australian Financial Complaints Authority
GPO Box 3
Melbourne VIC 3001

