

# How to resolve a complaint



**The Australian Financial Complaints Authority (AFCA) helps individuals and small businesses to resolve complaints about financial products and services.**

**Our service is fair, free and independent.**

### **Our values**

- fair and independent – we make balanced decisions, and we ensure that everyone is properly heard
  - transparent and accountable – we will explain the reason for the actions that we take
  - honest and respectful – we are professional and treat everyone with dignity
  - proactive and customer focussed – our services are accessible to everyone
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## Who can lodge a complaint with AFCA?

Anyone who has an unresolved complaint with a financial firm can lodge a complaint, if the financial firm is an AFCA member. This includes:

- individuals
- partnerships of individuals
- small businesses
- clubs or incorporated associations.

Complaints that we can consider are set out in our Rules. To learn more about our Rules and complaint resolution process, contact us or go to our website [afca.org.au/rules](https://afca.org.au/rules)

## What sorts of complaints can AFCA deal with?

We can consider a broad range of financial problems, including:

- errors in banking transactions and credit listings
- difficulty repaying loans, credit cards and short-term finance where your financial position has changed
- denial of an insurance claim (such as car, home and contents, pets, travel, income protection and trauma)
- inappropriate investment advice
- a trustee's decision about the distribution of a superannuation benefit.

**Credit, finance & loans**



**Insurance**



**Banking deposits  
& payments**



**Investments &  
financial advice**



**Superannuation**



# What is the best way of resolving a complaint?

## Step one: Contact your financial firm

Many complaints can be fixed by contacting your financial firm directly. Most businesses have a complaints area that you can email, call or send a letter to.

If you have not already contacted them about your concerns, we recommend you do so first. Once you lodge a complaint, there are set timeframes for your financial firm to respond:

- 90 days for superannuation or traditional trustee complaints
- 21 days for complaints involving financial difficulty, or
- 45 days for all other complaints.

If you don't receive a reply to your complaint within the set timeframe, or you are not happy with the reply you have received, contact us.

## Step two: Lodge a complaint with AFCA

Making a complaint is easy. You can use our online form, or contact us by any of the methods described in the Contact Us section of this brochure.

You can check if your financial firm is a member of AFCA before you contact us. We have thousands of members, so there's a good chance we can help. For more details visit our website [afca.org.au/find-a-financial-firm](https://afca.org.au/find-a-financial-firm).

### Step three: Reaching an outcome

Once we receive your complaint, we will work with you and your financial firm to resolve it.

We may try to resolve your complaint through negotiation or conciliation. However, if we need to investigate the complaint further and make a decision, we will.

We make our decisions based on what is fair in the circumstances of the complaint, considering relevant laws, codes of practice and information provided by you and your financial firm.

There are some important differences between how we make decisions about superannuation complaints in comparison to other financial products and services. For more information, contact us.



## Checklist

Here are some steps to consider before you lodge a complaint with us:

- Have you complained to your financial firm directly?
- Have you given the financial firm the appropriate time to respond?
- Is the financial firm a member of AFCA? Go to **[afca.org.au/find-a-financial-firm](https://www.afca.org.au/find-a-financial-firm)**.
- Have you received a Statement of Claim or some other court document from your financial firm advising that it has commenced legal proceedings? If yes, lodge your complaint immediately.

Please note that we do not provide legal or financial advice. Details of free and confidential consumer advocacy and legal services are provided on our website.



## Useful information

### Will you need help lodging your complaint?

Our service is free to the public and you do not need to pay someone to help you lodge a complaint with AFCA.

Individuals might qualify for free legal aid or financial counselling assistance. For more information visit the National Legal Aid website [nationallegalaid.org](https://nationallegalaid.org) or visit the Financial Counselling Australia website [financialcounsellingaustralia.org.au/corporate/find-a-counsellor](https://financialcounsellingaustralia.org.au/corporate/find-a-counsellor) for more information.

### Time limits

There are time limits for lodging a complaint with AFCA. In most cases you have two years to lodge a complaint with us after you have received a final response to your complaint from your financial firm. If you have not complained to your financial firm, in most cases you have six years from when you first became aware of your loss to lodge a complaint.

Shorter time limits apply to some superannuation complaints. If you have a superannuation complaint and it relates to payment of a death benefit, there is usually a time limit of 28 days from when you received the final decision from your superannuation fund about payment of the death benefit.

We may still consider some complaints lodged after the relevant time limit, if we believe special circumstances apply.



## What if we can't help with your complaint?

If we can't deal with your complaint, we can often suggest other organisations that may be able to help. You can also call the Australian Securities and Investment Commission hotline on 1300 300 630 or visit their website **asic.gov.au** for advice on who else you can ask for help.

## Additional assistance

Information is available on the AFCA website in a range of languages. We can also arrange access to a free interpreter service.

### Interpreter service

Call the free interpreter service on 131 450 or call us on 1800 931 678 (9am to 5pm Melbourne time from Monday to Friday) and we will organise an interpreter for you.

### National Relay Service

If you are deaf or have a hearing or speech impairment, contact us through the National Relay Service.

TTY / Voice call 133 677 (local)

Speak & Listen 1300 555 727 (local)

Go to the National Relay Service website **relayservice.gov.au**, select the type of call and enter our number, 1800 678 931.



## Contact us

**Australian Financial  
Complaints Authority**

**1800 931 678** (free call)

(9am to 5pm from Monday to Friday)

**(03) 9613 6399** (fax)

**info@afca.org.au** (email)

**afca.org.au/complaints** (complaint form)

GPO Box 3 Melbourne VIC 3001

[www.afca.org.au](http://www.afca.org.au)