

# MEMBER'S GUIDE TO OUR COMPLAINTS PROCESS

Updated September 2024

The Trustee is committed to ensuring that your membership of FireSuper is a positive and trouble-free experience. However, if you do have a problem, please tell us so we can investigate the complaint, answer your questions and do all we can to resolve the situation.

## Who can make a complaint?

To lodge a complaint, you need to be a current or former member of FireSuper.

## What sort of complaints are covered?

Your complaint can relate to a problem about aspects of FireSuper or the service you have received.

## Who do I complain to?

If you have a complaint, you must first contact FireSuper's Complaints Officer, Jenny Taylor. Jenny's contact details are:

Jenny Taylor  
Complaints Officer  
FireSuper  
C/- Mercer (N.Z.) Limited  
PO Box 2897  
Wellington 6140

**Phone:** 04 819 2657

**Email:** [jenny.taylor@merceroz.co.nz](mailto:jenny.taylor@merceroz.co.nz)

Your complaint should be acknowledged within five working days of its receipt. If you don't receive an acknowledgement, please contact Jenny, as above.

## What do I need to do?

You can tell us about your concerns by telephone, email or letter. We would prefer the complaint to be made in writing to avoid any misunderstanding or misinterpretation at our end.

Before you make a complaint, gather all the supporting information, think about the questions you have and decide what you think would be a reasonable solution.

So that your concerns can be addressed promptly, please include:

- your full name
- your address
- your date of birth
- your membership number
- your preferred method of contact (e.g. email, telephone)
- whether you wish for your complaint to be anonymous (please note this may not always be practicable)

## How will I be notified of a decision?

Following the Complaints Officer's acknowledgement of receipt, you will need to allow time for sufficient investigation to be conducted into your complaint.

The Complaints Officer will seek to inform you of the decision in writing within 20 working days of receiving your complaint. In the event of any delays, you will be told via the preferred method of contact you have selected above when you can expect the decision. However, the Complaints Officer must inform you of the decision in writing within two months of receiving your complaint.

### **What will the decision say?**

The Complaints Officer will issue a written decision on your complaint. This will refer to any legislation and any provision(s) in the Trust Deed which were relied upon in reaching the decision and tell you what you can do if you are still not satisfied. The decision will be sent to you by email if this is selected as the preferred contact method at the time of complaint or, failing email, by post at the address provided when you lodged your complaint.

### **What are my options if I am unhappy with the Trustee's decision?**

You can appeal against the Trustee's decision by putting your appeal in writing to the Complaints Officer, advising that you are still unhappy with the decision and the reasons for your appeal. The Trustee will then either attempt to find an alternative resolution to your complaint or advise you in writing that "deadlock" has been reached.

If you have made a complaint to us following the process described above and:

- more than 20 working days have passed and the Trustee has not notified you in writing that it has good reason to extend the time for resolving your complaint and what that good reason is; or
- the Trustee has not made a final decision within two months of the date your complaint was received; or
- the Trustee has made a final decision about your complaint within the above timeframe but you do not accept the Trustee's decision; or
- you have appealed the Trustee's original decision, and the Trustee informs you that no alternative resolution is available (i.e. "deadlock" has been reached)

you can refer your complaint to Financial Services Complaints Limited (FSCL) – A Financial Ombudsman Service. FSCL is an independent external ombudsman and dispute resolution service that has been approved by the Minister of Commerce and Consumer Affairs under the Financial Service Providers (Registration and Dispute Resolution) Act 2008. FSCL's service is free of charge to you.

### **How do I make a complaint to FSCL?**

To make a complaint to FSCL, complete and return the FSCL Complaint Form available from [www.fscl.org.nz](http://www.fscl.org.nz) or call 0800 347 257.

FSCL can be contacted at:

PO Box 5967  
Wellington 6140  
[complaints@fscl.org.nz](mailto:complaints@fscl.org.nz)

### **Do I have to make my complaint within a set timeframe?**

FSCL can only deal with your complaint if you lodge it within six years of the date you became aware, or should reasonably have become aware, of the facts or events giving rise to your complaint.

FSCL can only deal with a complaint after you have first made that complaint to us. If we do not make a final decision within two months of receiving your complaint then you can complain to FSCL. If you disagree with our decision then you can also complain to FSCL.

Please note that if we have made a final decision about your complaint within the above timeframe, we can also issue you with a “deadline notice” that means you cannot make a complaint to FSCL more than three months after the date on which you receive our final decision in writing together with the deadline notice (unless FSCL decides to extend the deadline period by up to nine months in exceptional circumstances).

Denis Fitzmaurice  
**Chairman**  
**FireSuper Trustee Limited**