

Dispute Resolution Procedure

APRIL 2016

Enquiries and Complaints

The *Superannuation Industry (Supervision) Act 1993* requires the Trustee of the Scheme to establish formal procedures for handling enquiries and complaints from any member or beneficiary of the Scheme. The Scheme's internal enquiries and complaints procedure, which is outlined below, has been established to ensure that any enquiry or complaint is properly considered and dealt with within the prescribed 90 days of the date it was made. In most cases, much quicker resolution is achieved.

The procedure can only deal with an enquiry or complaint that concerns or affects the member or beneficiary personally, such as a member's rights, contribution requirements and benefit entitlements. It does not extend to complaints about the general management or operation of the Scheme, its investment policy or any other matter of policy decided by the Trustee.

Enquiries or complaints regarding possible breaches of the Commonwealth *Privacy Act 1988* or the Victorian *Health Records Act 2001* can also be dealt with under this procedure - refer below for details.

Members who have an enquiry, or who wish to make a complaint, should contact ANZ Staff Super (toll free) on **1800 000 086** in the first instance. However, formal enquiries and complaints should be made in writing and lodged with ANZ Staff Super. Its contact details are as follows:

ANZ Staff Super
GPO Box 4303
MELBOURNE VIC 3001

Fax 03 9245 5827
Email anzstaffsuper@superfacts.com

Making an Enquiry

Formal enquiries will normally be made in writing (by email or post) but can be made verbally and should include an address for a reply. A written response to enquiries will normally be provided within 28 days although in some circumstances the time for a response may be extended to a period not exceeding 90 days of the date they were made.

Making a Complaint

Complaints will normally be made in writing (by email or post) but can be made verbally. Complaints should include an address for a reply. The submission should clearly state that a "complaint" is being made. ANZ Staff Super will then investigate the complaint and will generally report to the Trustee via the ANZ Group Superannuation Department within 42 days with a recommendation of how the complaint may be handled or resolved. The Trustee will then make a decision and advise the complainant in writing within 48 days of receiving the report. If a complainant requests written reasons for a decision, the Trustee will provide a response within 28 days of receiving the request.

If the complaint relates to a possible breach of the Commonwealth *Privacy Act 1988* or Victorian *Health Records Act 2001* in respect of the privacy of a member's personal or health information, a response will normally be made by ANZ Staff Super within 28 days of the date the complaint was made.

Superannuation Complaints Tribunal

The Superannuation Complaints Tribunal (“SCT”) is an independent body established by the Federal Government to further help resolve complaints by mutual agreement between a member and the Scheme. If a member’s complaint is not resolved by the Scheme to their satisfaction within 90 days of making the complaint, the member may refer it to the SCT for resolution.

The SCT is based in Melbourne and will attempt to resolve disputes and complaints by conciliation or through the review of the Trustee’s decision.

The contact details of the SCT are:

Superannuation Complaints Tribunal
Locked Bag 3060
MELBOURNE VIC 3001

Telephone 1300 884 114

Email info@sct.gov.au

In considering whether to refer a matter to the SCT, members should be aware of the following:

- the SCT cannot consider the complaint unless the member has already been through the Scheme’s internal enquiries and complaints procedure;
- the SCT can only deal with specific issues and cannot deal with complaints about general operational issues, such as investment policy or investment performance;
- the SCT must determine if the Trustee’s decision leading to the complaint was fair and reasonable. The SCT has the power to review and either change or confirm the Trustee’s original decision.

Australian Information Commissioner – *Privacy Act 1988*

The Australian Information Commissioner oversees the application of and compliance with the Privacy Act 1988. If a member’s complaint about a privacy matter is not resolved to their satisfaction by the Scheme, they may refer their complaint to the Commissioner for resolution.

The contact details of the Commissioner are:

Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 1042

Telephone 1300 363 992

Fax 02 9284 9666

Email enquiries@oaic.gov.au

In considering whether to refer a matter to the Commissioner, members should be aware of the following:

- the Commissioner will normally expect the member to have referred their complaint in the first instance to the Trustee, i.e. by using the Scheme’s internal enquiries and complaints procedure;
- the Commissioner will normally try conciliation to resolve the complaint;
- after investigating the complaint, the Commissioner may make a determination to dismiss the complaint, to take no further action or to find the complaint substantiated in favour of the member.

Victorian Health Services Commissioner – *Health Records Act 2001*

The Victorian *Health Records Act 2001* commenced from 1 July 2002. The Victorian Health Services Commissioner deals with any complaints in relation to the privacy of members’ health information. Complaints are normally dealt with by conciliation followed by a ruling.

The contact details of the Commissioner are:

Victorian Health Services Commissioner
Level 26 / 570 Bourke Street
MELBOURNE VIC 3000

Telephone 1300 582 113

Fax 03 9032 3111

Email hsc@health.vic.gov.au