



Fidelity Fund NT

Complaints Policy

Purpose

This policy outlines the process for handling written complaints received by the Fidelity Fund NT, ensuring they are addressed fairly, promptly, and transparently. The Fidelity Fund NT:

- is committed to delivery of an effective and professional complaint handling system;
- will adhere to the principles of good complaint administration including fairness, transparency, accountability, accessibility and efficiency; and
- will handle complaints with respect, confidentiality, and diligence.

Scope

This policy applies to all written complaints submitted by builders, owners or beneficiaries (**Complainant**) regarding the operation of the scheme or decisions made by or on behalf of the Trustees.

Lodging a Complaint

Complaints must be submitted in writing to the Secretary of the Trustee board and provide the following information:

- The Complainant's name and contact details;
- Sufficient details to identify the decision or circumstance giving rise to the complaint; and
- State the desired outcome.

Complaints must be lodged within 28 days of the date of the decision or the circumstance which gave rise to the complaint. Complaints submitted outside this timeframe may not be considered.

Complaint Acknowledgement and Handling

The Fidelity Fund NT shall provide written acknowledgment within 7 days of receiving the complaint. A complaints officer with appropriate authority and experience will be assigned to manage the complaint.

Fidelity Fund NT may request further information and or documentation to assist in investigating the complaint. If the Complainant fails to provide the requested information or documentation within a reasonable time frame the complaint may be dismissed.

A Complainant may withdraw their complaint at any time by writing to the Secretary of the Trustee board.

The Fidelity Fund NT may dismiss a complaint without investigating it if satisfied that:

- the complaint is without foundation or is frivolous or vexatious;
- the complaint is on substantially similar grounds to a previous complaint by the Complainant for which the Fidelity Fund NT has already provided written reasons for;
- at any time, the Complainant is abusive, threatening, bullying, discriminatory or otherwise unreasonable towards Fidelity Fund NT employees or its contracted administrators;
- the matter complained of is insubstantial; or
- the Complainant does not comply with a request for further particulars about the complaint.

Complaint Process

Step 1: Internal Review or Reassessment

Where appropriate to the nature of the complaint, the Complainant may request an internal review of the decision or circumstances which gave rise to the complaint. The Trustees shall consider any submissions or further information provided by the Complainant and make a final determination within 28 days of receipt of material relevant to the complaint.

Where the complaint relates to the assessment of a builder's risk profile, the builder may request a reassessment be conducted by an independent assessor (**Assessor**) with relevant experience in actuarial advice, construction and insurance, appointed by the Fidelity Fund NT. The cost of the reassessment shall be paid by the Complainant, and those costs may be required to be secured by the Complainant for the benefit of the Fidelity Fund NT prior to the Assessor being engaged. If an Assessor cannot be agreed, the Assessor will be nominated by the President for the time being of the Law Society Northern Territory.

The Assessor shall provide a written recommendation to the Trustees within 28 days of engagement. The Trustees will consider the recommendation and make a final determination within 28 days of receipt of the Assessor's findings which shall include reasons if the Trustees do not adopt the Assessor's findings.

Step 2: Independent Expert Review

If the complaint is not resolved by Step 1, the Complainant may request a review by an independent expert (**Expert**). If an Expert cannot be agreed, the Expert will be nominated by the President for the time being of the Law Society Northern Territory. The Expert will have not less than 5 years' specialist knowledge or experience:

- in the particular area of the complaint; or
- in a field similar to the complaint.

The parties shall provide the Expert with sufficient information to enable the Expert to assess whether the complaint should reasonably be dismissed or upheld and/or whether the Trustees

should reconsider their decision under Step 1. The cost of the Expert's review shall be shared equally by the Complainant and the Fidelity Fund NT, unless the Expert recommends one party should bear all the costs. The Complainant may be required to secure half or all the Expert's costs prior to the Expert being engaged.

The Expert's written opinion will be provided to the Trustees and the Complainant. While not binding, the Trustees must give due and proper consideration to the Expert's recommendation and respond to the Complainant within 28 days, including reasons if they choose not to follow the Expert's recommendation.

Review

The Trustees shall periodically review this complaints policy and make any necessary amendments.