



**AGA**  
BENEFIT  
SOLUTIONS

## **Complaints and Dispute Handling policy**

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# Complaint processing and dispute resolution policy

## **AGA Benefit Solutions**

The purpose of this policy is to ensure that complaints received from our clients are processed fairly.

Our policy is intended to establish a framework for:

- Implementing a complaint processing service that is free, accessible and easy to use for our clients;
- Providing detailed information to clients so they understand how their complaints are processed; and
- Managing complaints, from receipt to resolution.

The policy is also intended to help improve our services by enabling us to identify causes common to the complaints we receive and implement solutions to correct problem situations.

## 1. What we consider a complaint

A complaint expresses a client's reproach or dissatisfaction in respect of the services or products we offer and the client's expectation that we take action to address the complaint (e.g., when they expect compensation or an apology from us or ask us to take steps to address or put a stop to the situation giving rise to the complaint).

### Certain communications are not considered complaints

The following are not complaints:

- A request for information or materials in respect of an offered product or service
- A claim for an indemnity or an insurance claim
- A request for correction of a clerical error or mistake in calculation, such as an error in transcribing information or mistake in calculating an amount owed
- A request for access or amendment of personal information
- Comments or feedback about our firm

## 2. Our complaints officer

Our complaints officer makes sure the complaints we receive are processed fairly and our policy is complied with and implemented across our firm so that, among other things,

- our management and staff understand and apply our complaint processing policy;
- our clients can readily obtain information on how we deal with complaints and the processing of their complaints;
- our staff does the necessary follow-up to ensure our clients' complaints are processed properly;
- the persons tasked with processing complaints have the necessary competence to process the complaints assigned to them; and
- each complaint is treated objectively and processed in a manner that considers the client's interests.

## Please note!

We do, however, consider a request to correct a clerical error or mistake in calculation to be a complaint when the error or mistake has further consequences for the client or one or more of our clients (e.g., if the error results in costs that must be refunded to the client(s)).

## 3. Steps in the complaint process

We process each complaint objectively while considering the interests of the complainant, and we communicate with complainants in clear and plain language.

### Contact us

Our clients may contact us at any time to obtain information on how we process complaints or how they can file a complaint or inquire about a complaint they have made.

Our clients can contact us by

- Phone: 514-935-5444
- E-mail: [compliance@aga.ca](mailto:compliance@aga.ca)
- Mail: 3500, De Maisonneuve Blvd West, Suite 2200, Westmount (Quebec) H3Z 3C1

### File a complaint

Our clients may file a complaint

- with one of our representatives;
- by phone, e-mail or mail, or
- by completing our online [form](#)

### 3.1 We determine if the communication received by us is a complaint

When a client expresses a reproach or dissatisfaction, we determine whether what is communicated is a complaint by considering and assessing all the elements provided by the client. If there is any uncertainty, we contact the client to better understand the situation and assess whether the client is making a complaint.

We assist clients in properly filing their complaints by, for example, asking them questions to better understand the situation. We also make sure we understand what they are expecting from us so that, among other things, we know what they are asking for (e.g., a correction, a refund, an apology, etc.).

### 3.2 We take charge of the complaint

Each time a complaint is received, it is entered in our complaints register.

We make sure complaints are assigned quickly and processed in a timely manner.

### 3.3 We acknowledge receipt of the complaint

We verbally confirm receipt of the client's complaint as soon as it is brought to our attention. When we consider that written acknowledgement of receipt is required, we send it within a maximum of 10 calendar days. In this case, we also inform the client of their right to have their complaint record examined by the AMF, as well as the timeframes for communicating our response or for any requests for information concerning the handling of their complaint.

## 3.4 We document each complaint

We create a record for each complaint and make sure it remains current by adding the relevant documents and information to it as the complaint is being processed.

The complaint record is kept for the same retention period as the client record and in accordance with our privacy policy [Data Security and Protection | AGA Benefit Solutions](#).

## 3.5 We analyze the complaint

### Understanding the client's complaint and the outcome they expect

The person who analyzes the complaint must obtain all the information required to process the complaint by requesting additional information from the client or asking members of our staff or the representative to provide the information or documents required to analyze the complaint.

## 3.6 We provide a written final response

A final response is provided in writing within 60 days.

Our final response can take one of 3 forms, We may:

- offer the client what they are asking for (e.g., correct a situation, provide a refund, apologize, etc.);
- propose a solution that gives the client some of what they are asking for or offer an alternative solution: we try to seek common ground; or
- reject the client's complaint if our analysis shows that the complaint has no merit or cannot be resolved.

In our response to the client, we explain how we analyzed the complaint and what led to our response and the proposed solution to the complaint. The client is also reminded of their right to request to have their complaint record examined by the AMF.

Communications with the client do not end when we provide our response. If the client contacts us, we continue to respond by, among other things, answering their questions, following up on their comments or allowing them to submit new facts that are relevant to the processing of their complaint.

### Extension of the period for providing our response

The person analyzing the complaint may find that the complaint is taking more time or is more complex to process than anticipated and may therefore determine that additional time is required for the analysis. The additional time may not exceed 30 days.

An extension of time may be warranted where:

- Circumstances beyond our control delay the processing of the complaint, (e.g., when documents, such as statements or reports, need to be obtained from a third party in order to analyze the complaint); or
- Exceptional circumstances arise that warrant an extension of the complaint analysis period (e.g., when we experience a sharp increase in our complaint volume following a natural disaster).

In such an event, the person analyzing the complaint will notify the client in writing on or before the date the response was expected to be provided to them.

### 3.7 Assessment of the offer and resolution of the complaint

When we propose a solution to a client complaint, we give the client a reasonable amount of time to assess our offer. The amount of time has to reflect the complexity of the complaint and provide the client with sufficient opportunity to seek advice for the purpose of accepting or rejecting our offer or presenting a counteroffer.

Once we reach an agreement with the client to resolve their complaint, we must give effect to the offer within 30 days. We may agree upon a different time period with the client provided it is in the client's interest.

We never require a complainant to withdraw another complaint they have filed with us. Moreover, we never attach to an offer conditions that are intended to prevent the client from:

- exercising their right to have their complaint record examined by the AMF; or
- communicating with the AMF, the Chambre de la sécurité financière, the Chambre de l'assurance de dommages or the Canadian Investment Regulatory Organization.

### 3.8 Examination of the complaint record by the AMF

A client has the right to request to have their complaint record examined by the AMF if they are not satisfied with how we handled the complaint or the response we provided.

A client can ask us to transfer their complaint record to the AMF or make the request directly to the AMF. In either case, we make sure their complaint record is sent to the AMF within 15 days following receipt of the request.

### Official respondent

The official respondent is the person officially designated by us to interact with the AMF. The official respondent ensures follow-up on the processing of a complaint or when a complaint record is examined by the AMF. The person is also the point of contact with the AMF when it seeks our participation in any conciliation or mediation proposed by it.

### 3.9 Simplified process for certain complaints

We may follow a simplified process for certain complaints. This process is used for complaints that we can resolve to the satisfaction of clients within 20 days.

We consider a complaint to be resolved to the satisfaction of the client when the client accepts our proposed solution to their complaint or when the explanations we provide are sufficient to resolve the complaint.

Under the simplified process, complaints may be referred to a member of our client service team. In addition, a written acknowledgment of receipt or written final response does not have to be sent to the client. The person that handles the complaint can process it verbally (e.g., in a phone call).

The person who processes the complaint must, for each complaint:

- inform the client that their complaint has been received and that they have the right to request to have their complaint record transferred to the AMF (within 10 days); and
- provide the client with our response and the proposed solution to their complaint (within 20 days).

These exchanges may be summarized in a document placed in the complaint record or may be recorded in full in the complaint record. The complaint record, including the information used in processing and resolving the complaint, may be kept in the client record.

## Please note!

If we determine that a complaint cannot be resolved to the client's satisfaction within 20 days, the client is informed of this by way of a written notice sent before the end of the 20-day period.

## 4. Sound complaint management

### 4.1 We handle complaints proactively

We help our clients understand the complaint process and assist them in filing their complaints properly.

Once the complaint process is initiated, we ensure that the client is able to obtain all the information sought by them in connection with their complaint. We let clients know how to stay up to date on the status of their complaints.

#### When the complaint involves another stakeholder

When analyzing a complaint, if we find that the complaint affects another stakeholder, we:

- inform the client of this fact;
- explain the extent to which the complaint involves the stakeholder;
- provide the client with the stakeholder's contact information, if any; and
- invite the client to also file their complaint with the other intermediary or insurer (without withdrawing it for our firm).

#### When a complaint could affect other clients

If, in analyzing a client's complaint, we find that the facts raised could have consequences for other clients, we take the measures available to us to rectify the situation for all our clients.

### 4.2 We keep a complaints register

When we receive complaints, we promptly enter them in a register. There may be times when a complaint is not entered in our register on the day we receive it. For example, when we receive a complaint during non-business hours, we make sure it is entered in the register as soon as possible.

We record in the register information that will enable our officers to be apprised of the complaints we receive and any follow-up we do.

We make sure to keep our register up to date.

### 4.3 We assign each complaint based on predefined criteria

Complaints are handled by our complaints officer or assigned to a person under the complaints officer's supervision.

When complaints are handled by the complaints officer or a person under the complaints officer's supervision, that person provides the client with a written final response within the time period specified in our policy.

Some complaints may be handled by someone else (e.g., one of our representatives or a member of our administrative staff). That person may follow the simplified process for the complaint. If the complaint cannot be resolved to the client's satisfaction under the simplified process, the complaints officer or a person under the complaints officer's supervision takes charge of the complaint in order to complete the process and send a written final response to the client.

To determine who will handle the complaint, we consider such factors as:

- how complex the complaint is;
- who has the necessary competence (knowledge, training and professional experience) to handle the complaint; and
- what that person's workload is like.

In all cases, we make sure the person processes each complaint in accordance with our complaint processing policy and has access to all the information required to process the complaint.

## 4.4 We implement measures to improve our practices

### We regularly update our officers on the complaints we receive

We periodically report our officers with regard to the complaints we have received. We communicate to our officers:

- the number of complaints received and processed and our responses to them;
- the causes common to the processed complaints and the problem situations identified when determining those causes; and
- issues related to the implementation and dissemination of, and compliance with, the policy.

We use the information to target recurring issues that are flagged.

### We take action to improve our practices

We address the issues at the root of the complaints. We assess, in particular, the causes common to the complaints we receive. This enables us to better understand the concerns expressed by our clients, identify problem situations, and take appropriate corrective action.

## 4.5 Our responsibilities

### Our representatives and employees

Any representative or employee who receives a complaint must promptly send it to the persons tasked with processing complaints. The representative or employee must cooperate in the processing of any complaint and provide any documents or information required to process the complaint.

### Our staff assigned to processing complaints

A person tasked with processing a complaint must not process it if they cannot do so in an objective manner. They must ensure they have the required competence or knowledge to process the complaint and, if necessary, seek assistance from individuals who can help them ensure the processing of the complaint. They must also gather the information or documents needed to analyze the complaint from our staff. If necessary, the person contacts the client to obtain clarification regarding their expectations or the situation giving rise to the complaint.

### The responsibility of our firm and officers

We make sure all our staff are familiar with our policy and everyone knows what their responsibilities are. For example, we provide a copy of our policy to all staff at the beginning of their employment and inform them whenever there is a change to our policy or complaint processing practices.

We develop the procedures and implement the processes required to handle the complaints we receive and see to it our staff responsible for processing complaints receives proper training. We designate a complaints officer after ensuring that the person has the necessary competence to fulfill their responsibilities. We also ensure that our staff and officers cooperate in the processing of complaints.