

# Deseret Benefit Plan for Australia

## Enquiries and Complaints Policy

We try to ensure that the Plan's level of service meets your expectations. Sometimes, however, problems can arise. The Trustee of the Plan has established a policy for dealing fairly with enquiries and complaints from members and other interested persons.

### Initial enquiries

In the first instance, enquiries or complaints should be directed to the Plan's helpline. We aim to satisfactorily resolve the majority of enquiries and complaints over the telephone, however, in some cases we may ask you to put your enquiry in writing so we can properly investigate it and provide you with a written response. You can contact us in the following ways:

Helpline: 1800 115 885 (if calling from overseas +61 2 8571 5000)

In writing: Deseret Benefit Plan for Australia  
The Plan Administrator  
Australian Administration Services Pty. Limited  
PO Box 1442  
PARRAMATTA NSW 2124

By email: [deseret.australia@towerswatson.com](mailto:deseret.australia@towerswatson.com)

The Plan's website has a lot of information that may help you, including Plan documents such as Member Booklet, annual reports and the Plan's trust deed. You can also find details of the Plan's Trustee, service providers, and a summary of recent significant event notices issued to members. You can find the Plan's website at: <https://super.towerswatson.com/super/deseret/>. Personal information about your benefits and contributions can be found on the *Member Centre*. You will need your *Member ID* and password to access your personal information.

If your enquiry is in relation to the personal information that the Plan holds about you, or if you have a concern regarding your privacy, we have a Privacy Policy that includes information on how and why we collect, use and disclose your personal information. A copy can be obtained from the website or a hardcopy will be sent to you free of charge on request to the Plan Administrator.

### Formal enquiries and complaints

If you are not satisfied with the telephone response you receive, you can choose to formally lodge an enquiry or complaint with the Trustee.

#### ***Who can lodge a formal enquiry or complaint?***

Formal enquiries and complaints can be made by current and former members of the Plan, by the legal personal representative of a deceased member or, in the case of a death benefit, by any person with an interest in such a benefit.

#### ***How do I make a formal enquiry or complaint?***

You should inform the Trustee of your enquiry or complaint by writing to the Plan Secretary. The attached Enquiry and Complaint Form can be used, or you can simply email or write to us using the address on the Form. You should clearly confirm your identity and the nature of your enquiry or complaint.

On receipt of your enquiry or complaint, the Plan Administrator will liaise with the Trustee and will prepare a written response. Usually you can expect to hear from us within 30 days of receipt of the enquiry or complaint. In some cases we may take up to 90 days to investigate the issue thoroughly.

### ***What if I'm not happy with the response?***

If you are not happy with the Trustee's handling of your complaint, you may then contact the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers. AFCA deals with complaints relating to decisions and conduct of trustees, insurers, and other decision-makers in relation to superannuation funds. AFCA does not, however, have an unlimited jurisdiction to deal with all superannuation-related matters.

There are certain complaints that AFCA cannot deal with by law. These include:

- complaints that are lodged outside certain time limits set by law (see below for details)
- complaints that relate to the management of the Plan as a whole
- complaints solely about the investment performance of a financial investment, other than a complaint concerning non-disclosure or misrepresentation
- a complaint against an employer about a failure to pay contributions.

Generally, AFCA will attempt to resolve your complaint by facilitating negotiations between you and the Trustee or by conciliating a complaint. If this attempt is not successful, AFCA may provide a preliminary assessment or proceed to determine the complaint.

For privacy related complaints, the Office of the Australian Information Commission (OAIC) may review your complaint if it is not addressed to your satisfaction by the Trustee.

Contact details for AFCA and the OAIC are set out below.

### ***How long do I have?***

Generally, it is in your interests to raise any concerns or complaints as soon as possible. Some complaints cannot be heard by AFCA if they are outside certain time limits.

AFCA can only deal with a complaint about the Trustee's decision relating to the payment of a total and permanent disablement (TPD) benefit in the following circumstances:

- if you permanently ceased employment because of the physical or mental condition that caused you to lodge the TPD claim, then your claim must be made to the Trustee within **two years** of you permanently ceasing employment and your complaint must be made to AFCA within **four years** of the Trustee's decision about your claim
- if you did not permanently cease employment because of the physical or mental condition that caused you to lodge the TPD claim, your complaint must be made to AFCA within **six years** of the Trustee's decision about your claim.

Where the Trustee has provided you with a written notice about its proposed payment of a death benefit and has given you 28 days to lodge any objection with the Trustee, you must lodge your objection within that time. The Trustee will then send you a second notice setting out its final decision and advising you that you have 28 days from the date of receipt of the letter to lodge a complaint with AFCA. You must lodge your complaint with AFCA within those 28 days, or AFCA cannot hear your complaint. The only exception to this rule is if the Trustee does not follow this procedure, in which case the 28 day time limit does not apply.

If the Trustee has notified you that it has given a contributions statement to the Australian Taxation Office (and given you a copy), you must lodge any complaint relating to that statement with AFCA within 12 months of the date of notification.

Any other complaints should generally be lodged with AFCA within two years of receiving a response from the Trustee to your complaint. If the decision or conduct is more than two years old, AFCA has discretion to extend this two year timeframe.

### ***Can I ask for reasons for the Trustee's decision?***

The Trustee must provide reasons for final decisions (i.e. after considering any objections to initial decisions) in relation to complaints about death benefit distributions.

If your complaint was about a matter other than a death benefit distribution, you can request reasons for the Trustee's decision on your complaint. If you do, we must provide those reasons within 28 days of receiving your request.

If we fail to make a decision on your complaint within 90 days of receiving it, you can request reasons for our failure to do so. We must provide those reasons within 28 days.

### **Contacts**

#### ***Australian Financial Complaints Authority***

GPO Box 3  
MELBOURNE VIC 3001

Enquiry line: 1800 931 678  
Email: [info@afca.org.au](mailto:info@afca.org.au)  
Website: [www.afca.org.au](http://www.afca.org.au)

#### ***Office of the Australian Information Commissioner***

GPO Box 5218  
SYDNEY NSW 2001

Enquiry line: 1300 363 992  
Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Website: [www.oaic.gov.au](http://www.oaic.gov.au)

**Deseret Benefit Plan for Australia  
ENQUIRIES AND COMPLAINTS FORM**

**PERSONAL DETAILS OF BENEFICIARY (if applicable)**

Given name: ..... Surname: .....  
Address: .....  
.....  
Member no: ..... Telephone no: .....  
(if applicable)

**ENQUIRY OR COMPLAINT**

*A description of my enquiry or complaint is set out below. I have included all details of relevant dates and events and I have attached a copy of all relevant correspondence and documents.*

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Signature of Beneficiary: ..... Date signed by Beneficiary: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Please return your completed form to:**

Nick Wilkinson  
Deseret Benefit Plan for Australia  
C/- Towers Watson Australia Pty Ltd  
Level 16, 123 Pitt Street  
SYDNEY NSW 2000  
Telephone: (02) 9253 3140