

BCCC Finding CX4213 - Appendix 1

Good Practice Guidance

The Banking Code Compliance Committee (BCCC) issues this guidance based on the Findings it made in relation to investigation CX4213. It sets out the BCCC's expectations for how Code-subscribing banks (banks) should ensure ongoing compliance with the Code.

Complaints Handling

1. Chapter 48 of the Code sets out how banks will deal with a customer's complaint. The BCCC notes that banks' complaints handling processes will comply with ASIC's regulatory guidelines.
2. Where a customer has lodged a complaint, the BCCC expects banks to make reasonable attempts to contact that customer to resolve their complaint and to be flexible in their methods of communication when they experience difficulty making contact. Where a bank has an ongoing relationship with the customer, it may be able to contact them by a variety of means including, telephone, email, SMS, internet banking and mobile banking applications.
3. If a bank is unable to contact the customer, then a final response letter should address the customer's concerns, meeting the requirements of Chapter 48 of the Code and ASIC's regulatory guidelines.
4. The BCCC acknowledges that ASIC has released a revised version of Regulatory Guide (RG) 165.
5. [RG271](#) will come into effect in October 2021 and outlines the requirements for a bank's final response to a customer's complaint.
6. RG271.53 requires banks to inform customers of the:
 - a. final outcome of their complaint through the bank's internal dispute resolution (IDR) process
 - b. their ability to take the complaint to the Australian Financial Complaints Authority (AFCA), if they are not happy with the outcome of the bank's IDR process, and
 - c. the contact details for AFCA.
7. The BCCC expects banks to provide their staff with adequate and appropriate training to ensure that they notify the customer about their ability to take their complaint to AFCA in the bank's final response.
8. The BCCC reiterates the importance of ongoing monitoring and quality assurance activities to identify Code compliance issues and to prompt process improvements, and enhanced training, guidance and support for staff.
9. The BCCC encourages banks to continue to update their complaints handling processes to ensure customers benefit from RG 271's enhanced standards.