

Re: Review of the Australian Financial Complaints Authority

Dear Treasury,

I write in response to the review noted above, as a member of the public who has utilised AFCA's services. My submission primarily relates to item 1.2 in the "guidance for submissions", relating to systemic issues.

I complained to AFCA in around September 2019 (case number available on request). The complaint related to a standard procedure of Bankwest during a mortgage application which I was undertaking at that time. I understood the matter of my complaint was also a standard procedure in the industry, not just at Bankwest, hence can be considered inherently systemic in nature.

In short, the complaint was settled in my favour. I note that I was impressed at the speed and efficiency at which my individual complaint was handled once I escalated this to AFCA – this exceeded my expectations and is a credit to them.

However, I am still in the dark as to the final outcome resulting from this report, noting it was of a systemic issue. AFCA informed me via email that they do not communicate with individual complainants in relation to systemic matters. I accept that this is their stated role in things, and that at times this may be appropriate, but in cases like mine this is deeply unsatisfying.

To properly resolve my complaint to my full satisfaction requires not just that I be treated correctly as an individual, but that the standard procedure which gave rise to my complaint be changed. I have no way to know whether this has actually occurred. Since the main incentive for making my report was to report a systemic problem for it to be fixed so as to not affect others, this discourages me from taking the time to make similar reports in the future. I assume this is not the outcome you would desire.

I suggest that the relevant legislation or procedures of AFCA be reformed, such that a complainant reporting an example of a systemic issue (such as a feature of a standard process, or something they allege as systemic) be properly informed as to its resolution, if they so desire. This will encourage such matters to be dealt with as the systemic issues they are by AFCA and will encourage the public to report such matters as they come across them.

Yours Sincerely

Name withheld for confidentiality