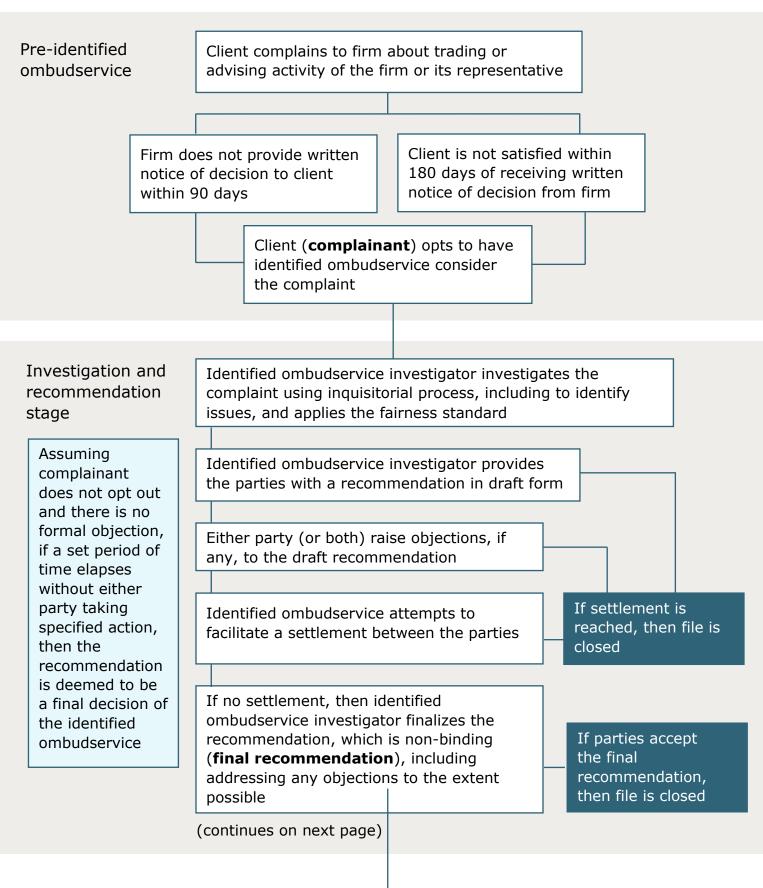
Annex D

Overview and Flowchart of Identified Ombudservice Processes under Proposed Framework

How a complaint will flow through the identified ombudservice's process



Review and decision stage

Formal objection by either (or both) parties to the final recommendation, objecting to specific points in the recommendation and seeking both a review and a binding decision (**formal objection**)

More senior decision-maker of identified ombudservice considers objections raised by parties during the review and decision stage, applying the fairness standard and the essential process test

Either party may request a particular process, but identified ombudservice's decision-maker decides what process is essential.

Following the review process, identified ombudservice issues decision taking into account the final recommendation, any objections raised by parties, and any issues not addressed in the final recommendation (**final decision**)

Final decision may include compensation awards up to \$350,000 and may also direct some corrective actions.

Post-final decision

> No appeal mechanism included under the proposed framework, but a complainant may consider litigation where they were not a party that objected to the final recommendation. A firm is always bound by a final decision unless the complainant either abandons the process or commences litigation. Parties may also be able to apply for judicial review of the decision, where available.

Unless they are a party that objects to the final recommendation, a complainant may abandon the process or commence litigation during or after the review and decision stage

A final

recommendation is deemed to be a final decision where neither party objects to the final recommendation within a certain length of time.

If parties accept final decision, then file is closed

If a firm refuses to comply with the final decision of an identified ombudservice, then either the identified ombudservice or a complainant may file the final decision as an order of the court.