



### Tips for challenging penalty fees in a telephone complaint

Calling your bank and making a complaint over the phone may be daunting, but having personal contact with the bank can often yield better results than sending in a letter. Below is our step-by-step guide for trying to claim back your penalty fees over the phone.

1. First, tell the bank that you want to lodge a formal complaint regarding fees that you have been charged, and that you would like these fees repaid to your account.
2. State the type of penalty fees that you are challenging (eg overdrawn account fees, late payments fees etc) and let the complaints officer know the total amount you are trying to claim back. Be prepared to give dates for the fees.
3. Share your personal story of why the fees were unfairly charged in your circumstances. Be as specific as possible. Points that you might make include:
  - whether you were aware that a transaction would be made on your account or there was not enough money in your account to cover the transaction
  - why there was not enough money in your account to cover a transaction or why a payment to your account was late
  - how small the amount your account was overdrawn by was (especially in comparison with the fees charged)
  - whether you were also being charged interest on any overdrawn amount or credit card debt
  - how the fees impact on you financially
4. Let the complaints officer know that you believe these fees to be excessive. Tell them that you believe the fees are out of proportion in comparison with the loss suffered by the bank in processing your defaults.
5. Tell the complaints officer that as a consumer you had no opportunity to negotiate the terms of your account contract and in any case you would have no ability to change any of the terms imposing fees and charges.
6. Ask what the process is for dealing with your complaint and when and how you can expect to hear back from your financial institution.
7. Finally, be sure to ask for a reference number for your complaint and keep a record of the number, along with details of the date, time and person you are speaking to.

NB: The Fair Fees site provides comprehensive information about some of the common responses by banks to these claims. Check out [www.fairfees.com.au/banks](http://www.fairfees.com.au/banks) for information on what the banks say in response to consumers trying to reclaim back their fees.