



**AF Access Retirement Fund:
Pension Section & Provident Section
Complaints Management Policy
Implemented: 1 July 2021
Reviewed: August 2024**

1. INTRODUCTION

The Trustees have adopted a Treating Customers Fairly (TCF) framework as a basis of how they manage the Fund. The Trustees are also cognisant of members' rights to privacy and will ensure that the Fund protects personal information per the requirements of POPIA. Fair management of all complaints is therefore central to the culture of the Fund.

The Fund is committed to providing timeous, efficient service to all its members. The Fund takes all complaints seriously and aims to resolve them promptly. Care is taken to ensure that the review of outcomes of complaints are evaluated as a strategic tool for continuous improvement.

The Fund will maintain a Complaints Register as well as records relating thereto for a period of 5 years.

This policy will be updated following any changes in legislation and will be reviewed annually.

2. DEFINITIONS

“complaint” Section 1 of the Pension Funds Act 24 of 1956 defines a “complaint” as a complaint of a complainant relating to the administration of the Fund, the investment of its funds, or the interpretation and application of its rules, and alleging –

(a) that a decision of the Fund or any person on authority of the Fund purportedly taken in terms of the rules was in excess of the powers of the Fund or person, or an improper exercise of its powers;

(b) that the complainant has sustained or may sustain prejudice as a consequence of the maladministration of the Fund by the Fund or any person, whether by act or omission;

(c) that a dispute of fact or law has arisen in relation to the Fund between the Fund or any person and the complainant; or

(d) that, the employer which participates in the Fund, has not fulfilled its duties in terms of the rules of the Fund;

but shall not include a complaint which does not relate to a specific complainant.

A complaint is therefore NOT a day-to-day query or enquiry in respect of information. However, it is important to note that a query may become a complaint should such query not be given the proper consideration it deserves to the satisfaction of the member or beneficiary submitting the enquiry.

“complainant” means any person who has submitted a complaint to the fund or to its service provider and who is a –

- (a) person who is, or who claims to be –
 - a member or former member of the Fund;
 - a beneficiary or former beneficiary of the Fund;
 - nominee or dependent of a member or former member of the Fund;
 - a spouse or a former spouse of a member or former member of the Fund;
- (b) group of persons referred to in paragraph (a);
- (c) board of a retirement fund or member thereof; or
- (d) person who has an interest in a complaint in respect of the Fund.

“POPIA” The Protection of Personal Information Act, 4 of 2013, as amended from time to time.

3. CATEGORIES OF PERSONS QUALIFYING AS COMPLAINANTS

A complainant includes a member or former member of the Fund, or his or her lawful successor in title, a beneficiary or former beneficiary of the Fund, an employer which participates in the Fund, a spouse or a former spouse of a member or former member of the fund, any group of persons referred to above, or any person who has an interest in submitting a complaint on behalf of a complainant.

4. COMPLAINANTS RESOLUTION PROCEDURE

COMPLAINTS PROCEDURE

The Fund will deal differently with complaints related to the Fund and complaints related to service providers of the Fund.

(a). The procedure for complaints against the service providers of the Fund is as follows:

The Principal Officer will report/refer the complaint to the relevant service provider, if the Principal Officer receives it directly (as opposed to the member complaining directly to a service provider).

The Principal Officer will request, at least on a quarterly basis, Fund reports from the service providers regarding complaints against that service provider by stakeholders of the Fund. This will include complaints notified by the trustees, Information Officer and those made directly.

(b). The procedure for complaints against the Fund is as follows:

1. The Fund utilizes the services of Alexander Forbes Financial Services (Pty) Ltd (“AFFS”) for administration and consulting. The Administration and Group Escalations of AFFS records the details of all complaints brought to their attention in the complaints register on behalf of the Fund. The complaints register is tabled on a quarterly basis for the Governance, Audit and Risk Sub-Committee to review.
2. Alexforbes Group Escalations accepts and logs all complaints via telephone and in writing (email, social media, media, etc...)
3. The Fund, through the complaints division of AFFS will acknowledge receipt of the complaint in writing within twenty-four (24) hours (excluding weekends and public holidays) and provide the complainant the name(s) and contact details of the person(s) responsible for the resolution of the complaint. The complainant will also be provided with the expected timelines involved in resolving the complaint, as well as the name and contact details of who the complainant can contact if they are dissatisfied in the way the complaint is being handled.
 - a. Complaints are investigated and managed by the Alexforbes Group Escalations. Complaints are logged, investigated and resolutions are provided to complainants telephonically or in writing. In instances where the complaint cannot be resolved timeously, the Alexforbes Group Escalations division informs the complainant accordingly. On resolution of the complaint notify the complainant of the outcome and resolution with detailed supporting evidence of resolution. Once the internal review has been conducted by the Alexforbes Group Escalations division and the complaint could not be resolved in the complainants favor, the complainant will be referred to the Pension Funds Adjudicator or relevant Ombud office by the Alexforbes Group Escalations.

4. If the Principal Officer and consultant are unable to resolve the complaint - notify the complainant giving full written reasons and notify the complainant that they may seek legal redress by referring the complaint to the relevant Ombud or the Office of the Pension Funds Adjudicator.
5. Alexforbes Group Escalations will update the Complaints Register with all developments and activities.

COMPLAINTS RECEIVED FROM THE OFFICE OF THE PENSION FUNDS ADJUDICATOR (OPFA) OR THE FINANCIAL SECTOR CONDUCT AUTHORITY (FSCA)

The Fund will deal with all formal and informal PFA complaints in accordance with the Alexforbes Group PFA complaints procedure, as agreed by the Board of Trustees. The detailed process document is appended below as Annexure A.

This procedure will be used to ensure consistency of the way complaints are managed, and ensure resolution within specific timeframes (aligned to the requirements of the PFA).

A register of all PFA complaints is maintained by the Complaints team and is shared with the Board of Trustees at each trustees' meeting.

COMPLAINTS REGISTER

The **Non-PFA related complaints** register will contain the following fields:-

- **Date received:** This will reflect the date on which the complaint was received. The handling period starts its calculation here.
- **Complaint reference number:** This contains the complainant's reference number.
- **Complaint Channel:** This indicates the platform/medium the complaint was lodged.
- **Complainant's surname and initials:** This contains the surname of the person/complainant lodging the complaint.
- **Complainant's date of birth, identity number or membership number**
- **Complaint description:** Short summary of the complaint.
- **Received by:** The name of the person who received the complaint.
- **Responsible person:** Who will deal with the complaint and ensure that it is resolved.
- **Category:** the category in which the complaint falls into
- **Treating Customers Fairly (TCF) outcome:** the mapping of the complaint to the relevant TCF outcome.
- **Activity update:** Record all developments, interactions, documents and movements. This must reflect a full and fair investigation.
- **Outcome of complaint:** Summary of what decision was taken, whether outcome was in favour or not in favour of the complainant, and whether the complainant accepted the matter as resolved.
- **Date of final communication to complainant:** Date of response to complainant.

The **PFA complaints register** will contain the following fields:

- **Date received:** The date when Alexforbes received the complaint from the PFA
- **Client:** This will reflect the participating member in the Fund or complainant
- **Fund/Employer/AF:** This will reflect the participating employer in the Fund
- **PFA reference number:** This will be the complaint reference number to ensure unique identification

- **Summary:** This will reflect a summary of the complaint received from the PFA
- **Legal Advisor:** The complaint officer/advisor managing the complaint
- **Category:** This will provide an indication of whether the complaint is informal or formal
- **Comments:** This confirms when Alexforbes responded to the PFA with the complaint outcome
- **Determination/Settlement:** This provides an indication on whether the PFA agreed or disagreed with the response provided by Alexforbes:
 - **Settlement** – The response submitted by Alexforbes is accepted by the PFA. The PFA is in agreement with the response and outcome of complaint. No further steps or responses required
 - **Determination** – PFA disagree with the response and outcome of the complaint and provide further steps for resolution/actioning from Alexforbes/Employer
- **AF Status:** This is Alexforbes status to confirm the PFA has been provided with a response, this is therefore resolved on Alexforbes' side
- **PFA Status:** This is the status of the complaint at the PFA based on the following:
 - **Unresolved:** The complaint was responded to by AF, but no settlement/determination was received from the PFA (this record will remain unresolved for up to 4 months). Regular follow ups are sent to the PFA for a response.
 - **Resolved:** Either a settlement/determination was received from the PFA, or 5 months had passed since the complaint was responded to and no feedback was received from the PFA. In these cases, an email is sent to the PFA advising that AF has recorded the complaint as resolved.

A complainant may either send a letter, e-mail or complete an online complaint form, whichever is more convenient. The Fund will in return send a written acknowledgement of receipt of the complaint to the complainant. In the case of an oral complaint only, a statement of the Fund's understanding of the nature of the complaint will be sent by the Fund to the complainant with a request for the complainant to confirm in writing the accuracy of the Fund's understanding including any correction of details that are incorrect.

In cases where a member lodges a PFA complaint against the Fund in terms of Section 37D, the complaint must be lodged within 3 years of the member first being notified that their benefit is being withheld. Failure to submit the complaint within the 3-year period, may result in the complaint not being considered.

The Fund has the following turnaround times in which to address complaints:

- 4 Working days for escalations and complaints
- 21 Working days for informal PFA complaints
- 14 Working days for formal PFA complaints

-. There may be exceptions to these timeperiods if there is a need to take various factors into account, such as potential complaints received from a complainant that pertain to historical issues, and in particular matters relating to former funds, in which case the Fund may require more time in which to investigate before responding to the complainant.

If it is likely that investigation of the complaint will exceed the time frames stipulated above, the Fund will inform the complainant with a written update on progress and the expected date of resolution. The response to the complainant may be given either by the Fund, or by the employer, depending on the nature of the complaint.

Email address of the Principal Officer: nomonde.zwane@gmail.com

E Mail address of the Information Officer: Watkinsc@aforbes.com

If after receiving the final decision, a complainant is not satisfied with the outcome of the investigation, the matter will be escalated to the Board of Trustees, for review and decision.

If the Board of Trustees is unable to resolve the complaint, the complainant must be notified giving full written reasons that he/she may seek legal redress by referring him/her to the office of the relevant Ombud mandated to address the complaint or to the Office of the Pension Fund Adjudicator. The Ombud is an independent body set up in terms of the legislation to hear complaints between members and retirement funds that have not been resolved satisfactorily.

5. REGULATORY BODIES WHERE A COMPLAINT CAN BE SUBMITTED

Should the complainant wish to refer his or her complaint to the **Pension Funds Adjudicator**, the contact details of the Office of the Pension Funds Adjudicator are as follows:

Office of the Pension Funds Adjudicator

Registered office

Block A, 4th Floor, Riverwalk Office Park
41 Matroosberg Road
Ashlea Gardens
Pretoria
0181

Postal address:

PO Box 580
Menlyn
0063

Telephone Number: 012 748 4000 and 012 346 1738

Fax Number: 086 693 7472

Email Address: enquiries@pfa.org.za

Website: www.pfa.org.za

Telephone Number: (012) 674-0209

Fax Number: (012) 674-0815

Should the complainant wish to refer his or her complaint to the **FAIS Ombudsman**, the contact details of the Ombudsman are as follows:

FAIS Ombudsman

Registered office

Menlyn Central Office Building
125 Dallas Avenue
Waterkloof Glen
Pretoria
0010

Postal address:

PO Box 41
Menlyn
0063

Telephone Number/s: 012 762 5000

Sharecall: 086 066 3274

Email Address: info@faisombud.co.za

Website: www.faisombud.co.za

Should the complainant wish to refer his or her complaint to the **National Financial Ombud Scheme**, their contact are as follows:

The National Financial Ombud Scheme

National Financial Ombud Scheme South Africa NPC (the NFO)

Company Registration No.: 2023/162407/08

VAT Reference No.: 4080315593

Head Office, Postal Address and JHB Physical Address: 110 Oxford Road,
Houghton Estate, Illovo, Johannesburg, 2198 (Insurance, Banking and Credit
Divisions)

CPT Physical Address: Claremont Central Building, 6th Floor, 6 Vineyard Road,
Claremont, 7708 (Life Division)

Tel: 0860-800-900

Email: info@nfosa.co.za

Website: www.nfosa.co.za

If the complainant is not satisfied with the response provided by the Information Officer, he/she may lodge a complaint with the Regulator by completing the form "lodging of complaint" that is available on the website: <https://www.justice.gov.za/inforeg/>

The Information Regulator of South Africa:

Postal Address: P O Box 31533
Braamfontein
Johannesburg
2017

Physical Address: JD house
27 Stiemens Street
Braamfontein
Johannesburg
2001

General emails: enquiries@inforegulator.org.za
Complaints email: POPIAComplaints@inforegulator.org.za; and
PAIAComplaints@inforegulator.org.za

Adopted at the meeting held on this 10 day of December 2024.

Chairperson

Principal Officer

Deputy Chairperson