



MCUBED EMPLOYEE BENEFITS (PTY) LTD
(Section 13B Administrator)

Internal Complaints Resolution Manual

Version 2:

Date: August 2020

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www.mcubed.co.za

Directors: Richard Olfen, Tarryn Lobbecke, Richard Farrow, Tertius van Eeden | **Registration Number:** 2000/004475/07



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|-------------------------|--|
| Overview | This is the official Complaints Resolution Manual implemented for mCubed Employee Benefits (Pty) Ltd. |
| Purpose | <p>Treating Customers Fairly (TCF) Outcome 6 provides that “<i>Customers do not face unreasonable post-sale barriers imposed by firms to change product, switch providers, submit a claim or make a complaint</i>”</p> <p>This document not only provides a complaints procedure in conformance with legislative expectations but it also explains the procedure should you wish to complain about any of the services rendered by M Cubed Employee Benefits (Pty) Ltd, and sets out the process which our company will follow in order to resolve the complaint.</p> |
| Objectives | <ul style="list-style-type: none"> ○ To deliver a consistent, high-quality and accountable response to complaints across all departments of mCubed Employee Benefits (Pty) Ltd ○ To ensure that our complaints procedure is in line with the overall regulatory requirements and Treating Customer Fairly outcomes and industry ‘best practices’ |
| Services Covered | Section 13B administration services to pension and provident funds. (Umbrella Funds and stand-alone funds.) |
| Document Control | <i>Tertius van Eeden</i> |
| Date | <i>August 2020 (Version 2)</i> |

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|-----------------------------------|---|---------------------------|
| Author | Version 1: July 2015 - JA Law Version 2: August 2020 – T van Eeden | |
| Complaints Manager | Name: Tertius van Eeden | Tel No: 011- 677 7500 |
| | Department: Legal, Technical & Compliance | Fax: 011-388 3286 |
| | | Email: legal@mcubed.co.za |
| Reviewed by | RW Olfen - Business Owner (CEO) | |
| Next Review Date | August 2021 | |
| Senior Management Approval | | |



Definitions

1. **“Complaint”** means an expression of dissatisfaction by a complainant, relating to a product or service provided or offered by the Section 13B administrator, or to an agreement with the Section 13B administrator in respect of its products or services and indicating that -
 - a) the Section 13B administrator has contravened or failed to comply with an agreement, a law, a rule, or a code of ethics/conduct which is binding on the Section 13B administrator or to which it subscribes;
 - b) the Section 13B administrators’ maladministration or willful or negligent action or failure to act, has caused the complainant harm, prejudice, distress or substantial inconvenience; or
 - c) the Section 13B administrator has treated the complainant unfairly.

and regardless of whether such an expression of dissatisfaction is submitted together with or in relation to a customer query.

2. **“Complainant”** means a person who has submitted a specific complaint to the Section 13B administrator and who –
 - a) is a customer or prospective customer of the Section 13B administrator concerned and has
 - b) a direct interest in the agreement, product or service to which the complaint relates; or
 - c) has submitted the complaint on behalf of a person mentioned in (a),

provided that a prospective customer will only be regarded as a complainant to the extent that the complaint relates to the prospective customer’s dissatisfaction in relation to the application, approach, solicitation or advertising or marketing material contemplated in the definition of “prospective customer”

3. **“Customer”** of a Section 13B administrator means any employer, member, former member or beneficiary of one or more of the financial products or services provided by the Section 13B administrator, and their successors in title.
4. **“Customer Query”** means a request to the Section 13B administrator by or on behalf of a customer or prospective customer, for information regarding the financial products, services or related processes, or to carry out a transaction or action in relation to any such product or service.
5. **“Section 13B administrator”** means mCubed Employee Benefits (Pty) Ltd with License No 24/159 and place of business: Bradford Manor, 10 Bradford Road, Bedfordview, 2007.
6. **“Prospective customer”** means a person who has applied to or otherwise approached the Section 13B administrator in relation to becoming a customer, or a person who has been solicited by the Section 13B administrator to become a customer or has received marketing or advertising material in relation to the financial institution’s products or services.



7. **“Routine Complaints”** is where a customer submits an expression of dissatisfaction together with a customer query or relating to a customer query and which further can be resolved internally within a period of 15 days. Routine complaints are therefore customer queries which have been escalated by the customer previously but now the customer has become dissatisfied with the process being followed to resolve the customer query.
8. **“Serious Complaints”** are complaints that contravene regulatory requirements and are likely or may already have caused a customer to suffer financial prejudice.
9. **“Service Provider”** means another person to whose products or services the complaint relates has an arrangement in relation to the marketing, distribution, administration or provision of such products or services, regardless of whether or not such other person is the agent of the Section 13B administrator.
10. **“Resolved”** in relation to a complaint means that the **complaint has been finalised** in such a manner that the complainant has explicitly accepted that the matter is fully resolved or that it is reasonable for the Section 13B administrator to assume that the complainant has so accepted. A complaint should only be regarded as resolved once any and all undertakings made by the Section 13B administrator to resolve the complaint have been met.
11. **“TCF”** Treating Customers Fairly is an outcome based regulatory and supervisory approach designed to ensure that specific, clearly articulated fairness outcomes for financial services customers are delivered by regulated service providers. Regulated service providers are expected to demonstrate that they deliver the required 6 TCF Outcomes to their customers throughout the product life cycle, from product design and promotion, through advice and servicing, to complaints and claims handling – and throughout the product value chain.

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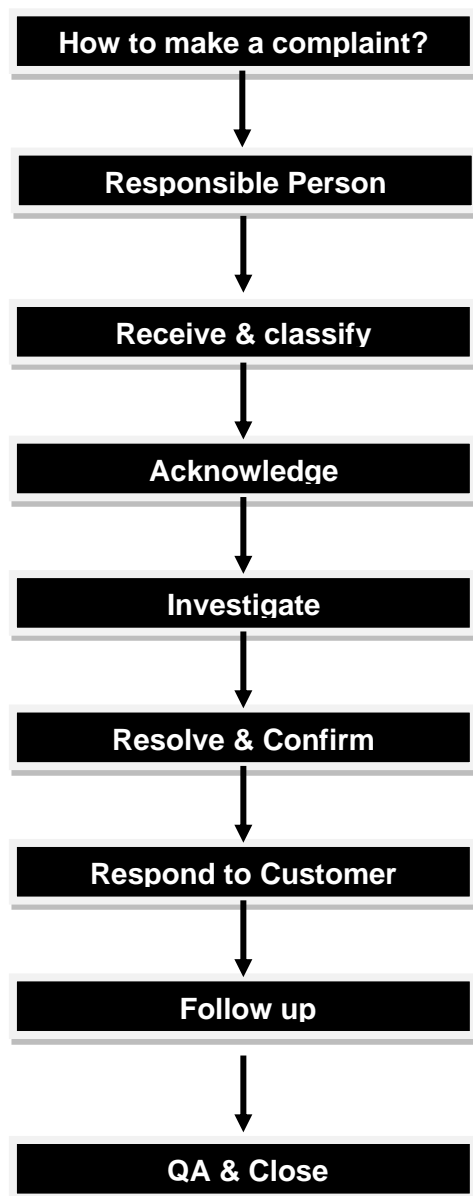
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Process Overview

The following key steps must be followed for all customer complaints received by any member of staff of mCubed Employee Benefits (Pty) Ltd:



The requirement for each step is detailed below.

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Process

1. How to make a complaint?

- 1.1. If you as a customer or prospective customer have a complaint against our company, it must be submitted to us in **writing**. It can be submitted either by hand, post, fax or email at the contact details that appear in this document.
- 1.2. You should provide sufficient detail of the complaint including membership number and employer details.
- 1.3. We will keep a record of the complaint and maintain such record for 5 years as required by legislation.

2. Who will handle your complaint?

- 2.1. Once your complaint has been received it will be allocated to and dealt with by adequately trained staff.
- 2.2. The person responsible for your complaint will furnish you with his/her contact details and the reference number of your complaint (if applicable).
- 2.3. Richard William Olfen, the *Business Owner* will have oversight over the complaints allocated to various personnel and you may direct any queries to the *Complaints Manager* whose details are recorded in this document.

3. Receive and classify

- 3.1. We will ensure that all potential issues are captured and classified for escalation, review and action as required.
- 3.2. Any complaint, issue or negative customer interaction must be reduced to writing and must be logged and classified for action.
- 3.3. A third party acting on behalf of a complainant must deliver a certified or original consent or power of attorney to act on behalf of a complainant. Should such third party fail to deliver a consent or power of attorney, no further dealings will be pursued with such third party until the proper authority is obtained. The complaint will however be taken up directly with the complainant on whose behalf the complaint is made.
- 3.4. All complaints must be formally logged using the following process:
All complaints will be recorded by the Complaints Manager on a complaint register and saved on the internal server.



3.5. Risk

All complaints will be prioritised as follows:

3.5.1. Risk 1 – routine complaints, potential low business impact. This requires a response to the customer within 15 working days.

- Routine complaints have the potential of becoming serious or official complaints should they be disregarded or ignored by the company.
- The staff member logging the complaint should review the complaint and its priority with the Complaints Manager before proceeding to the next step.
- The Complaints Manager will decide on the appropriate person(s) to carry out subsequent steps, including the investigation

3.5.2. Risk 2 - urgent, serious business impact. This requires a response to the customer within 5-10 working days.

- Serious complaints are complaints logged on media platforms, received from legal advisors or immediately evidence contravention of legislation requirements.
- These complaints from the outset may cause reputational harm to the service provider and/or may cause financial loss to a customer.
- These complaints should ideally be handled by the Complaints Manager or suitable senior person delegated to the task by the Complaints Manager.
- Complaints from third parties and/or legal advisors will be responded to within 24 hours, acknowledging receipt of the complaint and further requesting authority to act on the complainants behalf such as a power of attorney or consent by the complainant to deal with the complaint on the complainant's behalf.
- No information will be divulged to a third party who does not have the proper authority to act on a complainant's behalf.

3.5.3. Risk 3 – urgent official complaints received from regulators e.g. Pension Funds Adjudicator. The regulator usually stipulates a response time of 30 days from receipt of the complaint.

- Official complaints should be handled by the Complaints Manager.
- The investigation of the complaint may be delegated to a suitable senior person selected by the complaint manager and the required draft response and attachments may be collated by such senior person.
- The Complaints Manager will be ultimately responsible for compiling the response to the regulator.
- The response to the Regulator should be made within the stipulated turn-around time.

3.6. Categorisation:

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- Complaints will be categorised according to whether it's nature, e.g. service, product related, features, performance etc.
- These categories are then narrowed down to its impact on customer. The impact of the complaint is measured by further categorising it according to the following TCF Outcomes:
 - **TCF Outcome 2** – These are complaints relating to the **design of a product or service**. The categories which affect TCF outcome 2 would be product features and charges.
 - **TCF Outcome 3** – These complaints relate to unsuitable or inaccurate, misleading, confusing or unclear **information/advice provided to a customer** throughout the life cycle of a product. This could vary from, product information, information provided in advertising or marketing material about a product or service rendered etc. These disclosures would include conflict of interest disclosures.
 - **TCF Outcome 4** – These are complaints which relate to any information/advice **given** to a customer which was misleading, inappropriate and/or tainted with conflicts of interest which was not disclosed. Incorrect information/advice given as a result of lack of knowledge, skill or experience on the part of an employee or service being rendered, would also be included here.
 - **TCF Outcome 5** – Complaints in this category pertain to **product performance and service-related issues**. This would include complaints relating to customer's disappointment with limitations in a product or service performance of which they were unaware as well as the inability of a product to meet a customer's expectations. Complaints related to a product supplier's exercise of a right to terminate a product or amend its terms, would also be included in this category.
 - **TCF Outcome 6** – These complaints relate to **product accessibility, changes or switches, complaints** relating to complaints handling and complaints relating to claims would be categorised here.

4. Acknowledge

- 4.1. All complaints must be acknowledged within 24 hours of receipt.
- 4.2. Where an acknowledgement is made telephonically it will be followed up with a written response whether by email.
- 4.3. A complaint reference number will be despatched to the complainant on acknowledgment of the complaint.
- 4.4. The details of the person allocated to the complaint will be despatched to the complainant within 48 hours from receipt.

5. Investigate

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- 5.1. The investigation will be driven by analysing the root cause of the complaint to enable the complaint to be appropriately dealt with and to avoid, if possible, its reoccurrence.
- 5.2. This may require that both internal and external key facts are identified and clarified.
- 5.3. Should a complaint relate to product features or services handled solely by a product supplier, this matter will be escalated and appropriately dealt with in conjunction with the product supplier, ensuring that the matter is resolved to the satisfaction of the complainant.
- 5.4. All areas of interaction and communication will be documented and where appropriate, consent obtained from the complainant to ensure that no personal information is divulged or processed without the complainant's knowledge or consent.
- 5.5. During the investigation process the complainant will be kept appropriately updated of the progress of the investigation.

6. Resolve and confirm

- 6.1. Ensure that the proposed resolution meets Treating Customer Fairly Outcomes, does not prejudice the company or complainant and does not involve any unnecessary legal or financial implications.
- 6.2. The proposed action will be documented and discussed and agreed upon with the Complaints Manager and/or Business Owner.
- 6.3. The signed off resolution will then be discussed and reviewed with the complainant to ensure fairness and clarity and to further ensure that the resolution deals with the root cause of the complaint.
- 6.4. The review should include recognition and documentation of any underlying issues that have contributed to the complaint and recommendations for actions to prevent further occurrence.

7. Respond to Customer

- 7.1. The details of the findings and proposed resolution should be clearly explained (in written or verbal form as appropriate) to the customer within the agreed timescales.
- 7.2. Where a complaint cannot be addressed within three weeks by the company, it must as soon as reasonably possible after receipt of the complaint send to the complainant a written acknowledgment of the complaint with contact references of the Pension Funds Adjudicator or relevant Ombud.
- 7.3. If within six weeks of receipt of a complaint, mCubed Employee Benefits (Pty) Ltd has been unable to resolve the complaint to the satisfaction of a complainant, the complainant may:
 - refer the complaint to the Office of the Pension Funds Adjudicator and/or relevant Ombud if he/she wishes to pursue the matter; and
 - the complainant must do so within six months of receipt of such notification.

8. Follow up and Review

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- 8.1. Complaints will be diarised to ensure it remains within the appropriate turnaround times.
- 8.2. Should a complaint exceed the turn-around time due to unforeseen and reasonable circumstances, the complainant will be kept appropriately informed of the reasons for the delay and a speedy resolve will continuously be sought.
- 8.3. A complainant will be kept appropriately informed throughout the complaints process of the resolution being sought.

9. Quality Assurance and Close

- 9.1. The complaints manager will ensure that all employees of mCubed Employee Benefits (Pty) Ltd have access to the complaints resolution manual.
- 9.2. Customers will be made aware of the complaints resolution manual and will have access to the manual upon request.
- 9.3. All complaints will be reviewed monthly and would be further utilised as TCF Management Information utilised to improve overall TCF outcomes.
- 9.4. All complaints will be actioned with the aim of preventing reoccurrence, where feasible.

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IMPORTANT CONTACT DETAILS

Pension Fund Adjudicator (PFA)

Address: Pension Fund Adjudicator
Physical Address
4th Floor
Riverwalk Office Park
Block A, 41 Matroosberg Road
Ashlea Gardens
Pretoria
South Africa
0181

Telephone: 012 346 1738 or 012 748 4000

Fax: 086 693 7472

E-mail: enquiries@pfa.org.za

Website: www.pfa.org.za

Long Term Insurance Ombudsman

Postal Address: The Ombudsman for Long Term Insurance
Private bag X 45
Claremont
7735

Telephone: 021 657 5000 / 0860 103 236

Fax: (021) 674-0951

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E-mail: info@ombud.co.za

Website: www.ombud.co.za

Dear Mr / Mrs (name of customer)

T: +27 11 677 7500

T: +27 31 764 3166

E: newbusiness@mcubed.co.za

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ACKNOWLEDGEMENT OF RECEIPT OF COMPLAINT

We acknowledge receipt of your written complaint, received by us on _____.

We will investigate the matter and attempt to resolve the complaint within a period of _____. If we are unable to resolve the complaint within this time, we will notify you of the reasons for the delay.

The staff member who will be dealing with your complaint is _____ who may be contacted at the details that appear above.

While we regret that you have cause for concern regarding our services rendered, we are committed to try to resolve the complaint in a timely and fair manner.

A copy of our Complaints Resolution Manual is available from our offices upon request.

Yours faithfully

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