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**STAKEHOLDER
SATISFACTION
SURVEY REPORT**



PFA
Pension Funds Adjudicator



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“ This report highlights that our stakeholder satisfaction rating is 84%. The results of the survey provide us with the requisite assurance that the OPFA is on the right track and continues to strive for meaningful engagement with its stakeholders. ”

FOREWORD BY THE PENSION FUNDS ADJUDICATOR



Muvhango Lukhaimane
Pension Funds Adjudicator

It gives me great pleasure to present this 2023/24 stakeholder satisfaction survey report to all our stakeholders. In our 2023/24 Annual Performance Plan, we set ambitious stakeholder satisfaction targets as a commitment to deliver on our mandate to our stakeholders. The Pension Funds Act, Act 24 of 1956 (as amended), requires the Office of the Pension Funds Adjudicator (hereafter 'OPFA') to resolve pension fund-related complaints in a procedurally fair, expeditious and economical manner. Our work contributes to the overall national outcomes of consumer protection by providing an accessible, affordable and efficient alternative dispute resolution avenue for consumers and beneficiaries of pension fund products and services.

I am pleased to announce that the target of 60% stakeholder satisfaction was surpassed. This report highlights that our stakeholder satisfaction rating is 84%. The results of the survey provide us with the requisite assurance that the OPFA is on the right track and continues to strive for meaningful engagement with its stakeholders. As enshrined in our Strategic Plan, we are "committed to good customer service experience and interactions that add value to our stakeholders". This positive feedback is evidence that the initiatives and resources deployed to improve the quality of our stakeholder experience are bearing fruit.

The survey assessed stakeholders' perceptions of the work of the OPFA and stakeholders' experiences when interacting with officials of the OPFA on various platforms. The findings of this survey help us to understand what the OPFA means to our stakeholders, recognise where we are doing well, obtain insights on areas of development and use the inputs to improve our service standards and sharpen our approach to stakeholder engagement. As a commitment, we will analyse and respond to the recommendations and shortcomings highlighted by our stakeholders as detailed in this report.

To ensure that we obtain objective and honest feedback, the stakeholder survey was conducted by an external service provider, Calorb Consultancy, which also put together this report. All feedback was sourced directly through their own channel with no access from OPFA staff members. I offer my sincere appreciation to the Calorb Consultancy team for the professionalism, enthusiasm and diligence shown throughout this project. Also, thank you to our Chief Financial Officer for coordinating this project and providing outstanding support to the service provider.

In conclusion, over the past 25 years, the OPFA has been providing much-needed access to alternative dispute resolution in a complex area of law. We have contributed to developing retirement fund policy, legislation and regulatory amendments. The 2023/24 financial year is at the latter part of our five-year strategy, aligned to the current administration whose term ends in 2024/25. Input from our stakeholders is essential and welcome as we continue to assess the maturity of our organisation and constantly review our impact on stakeholders. I am humbled by these outcomes and the overall positive feedback. For that, I want to thank all the employees of the OPFA. The satisfaction of our stakeholders is a direct reflection of professional and technically competent staff members, efficient technological infrastructure and business processes, an organisational culture based on high performance, and ethical conduct.

Thank you to all our valued stakeholders who participated in the survey and took their valuable time to complete the survey and provide us with such useful feedback. The OPFA is always open to taking further inputs from our stakeholders regarding their experience when interacting with us. I now present this report as an outcome of the survey.

Muvhango Lukhaimane
Pension Funds Adjudicator

ACRONYMS

COFI	Conduct of Financial Institutions
FSB	Financial Services Board
FSCA	Financial Sector Conduct Authority
FSR Act	Financial Sector Regulation Act, Act 9 of 2017
FST	Financial Services Tribunal
FY	Financial Year
GCIS	Government Communication and Information System
GEPO	Government Employees Pension Ombud Office
LSM	Living Standards Measure
MoU	Memorandum of Understanding
NCU	New Complaints Unit
NDP	National Development Plan
OPFA	Office of the Pension Funds Adjudicator
PAIA	Promotion of Access to Information Act, Act 2 of 2000
PAJA	Promotion of Administrative Justice Act, Act 3 of 2000
PF Act	Pension Funds Act, Act 24 of 1956, as amended
PFMA	Public Finance Management Act, Act 1 of 1999
PSSPF	Private Security Sector Provident Fund
RTF	Refer-to-Fund
TCF	Treating Customers Fairly

DEFINITIONS

In this document:

"Administrative action" means a decision that deprives someone of rights or that determines what a person's rights are.

"Adjudicator" means the Pension Funds Adjudicator appointed in terms of section 30C of the Pension Fund Act 24 of 1956.

"Civil judgment" is a final decision made by a court in a civil lawsuit.

"Complainant" means a person or juristic person who submits a pension fund-related complaint, including a pension fund member, a pension fund representative, a pension fund member's successor, a fund administrator, an employer of pension fund members, a potential member of a pension fund or an insurance group scheme.

"Complaint" means a complaint related to the administration of a pension fund, the investment of its funds or the interpretation and application of its rules.

"Dependant", in relation to a retirement fund member, means (a) a person in respect of whom the member is legally liable for maintenance; (b) a person in respect of whom the member is not legally liable for maintenance, if such person (i) was, in the opinion of the board, upon the death of the member dependent on the member for maintenance; (ii) is the spouse of the member, including a party to a customary union according to the law; (iii) is a child of the member, including a posthumous child, an adopted child or an illegitimate child; or (c) a person in respect of whom the member would have become legally liable for maintenance had the member not died.

"Determination" is a decision of the Adjudicator, a court or administrative agency regarding a complaint, issue, case or claim.

"Financial year" refers to the financial year of the OPFA, which begins on 1 April and ends on 31 March.

"Member" refers to a person who belongs or belonged to a pension fund.

"Pension fund" is an association of persons (including juristic persons) established with the object of providing annuities or lump sum payments for members or former members of such association upon reaching their retirement dates, or for the dependants of such members or former members upon the death of such members or former members or any business carried on under a scheme or arrangement established with the object of providing annuities or lump sum payments for persons who belong or belonged to the class of persons for whose benefit that scheme or arrangement has been established.

"Remit" means to send back a case or proceeding for further consideration or action.

"Refer-to-Fund" is when the OPFA refers a premature complaint – where a complainant did not liaise with a fund and/or employer prior to lodging a complaint with the OPFA – for possible direct resolution between the complainant and the fund and/or employer.

"Respondent" refers to a person (juristic persons in the main) against which the complaint is lodged.

"Rights" are principles of entitlement that a person can claim or seek to protect on legal or moral grounds.

"Survey" refers to the OPFA Stakeholder Satisfaction Survey.

"Writ" is a form of written command or legal document written by a judge, the Adjudicator or other legal authority that has the jurisdiction to perform or cease performing a specified action.

1

EXECUTIVE SUMMARY

“ This report highlights that our stakeholder satisfaction rating is 84%. The results of the survey provide us with the requisite assurance that the OPFA is on the right track and continues to strive for meaningful engagement with its stakeholders. ”

The OPFA has a set of clearly articulated and measurable strategic objectives to guide its operations and to achieve its mission. They include the timeous resolution of complaints in a procedurally fair and economical manner; building effective relationships with key stakeholders, and striving for operational excellence. This document is a stakeholder satisfaction survey report that highlights the perception of stakeholders on how the organisation has achieved the three strategic objectives.

One of the key performance targets of the OPFA enshrined in the Strategic Plan 2023–2028 and the 2023/24 Annual Performance Plan was to achieve a 60% stakeholder satisfaction rating by the end of the 2023/24 financial year (FY) and a 90% stakeholder satisfaction by the end of the 2028/29 FY.

This is a very ambitious target that requires dedication and sustained levels of performance from the OPFA, including a continual evaluation of organisational strengths and weaknesses, exploiting identified opportunities and implementing precautionary measures to mitigate the risks identified in the Strategic Plan. In achieving these performance levels, the OPFA will strengthen its capacity to efficiently respond to concerns raised by stakeholders and thereby improve satisfaction.

The OPFA commissioned this 2023/24 survey to assess the level of satisfaction of external stakeholders with its services. The research population of 2 547 included

complainants or members of pension funds (including representatives of pension fund members), employers participating in pension funds, other ombud schemes, pension fund industry bodies, pension funds and/or fund administrators, regulators and media companies. Fifty-three percent (53%) of the targeted stakeholders participated in the survey. A mixed research methodology was used during the data collection process of the survey. The data was collected mainly through an online survey, face-to-face interviews and telephonic interviews. A quantitative research questionnaire was mainly used for the online channel and a qualitative research schedule was used for interviews. These were used to ensure consistency in the questions posed to the stakeholders.

The OPFA achieved an 84% stakeholder satisfaction rating in the 2023/24 FY, surpassing the target by 20%. Almost all industry bodies that participated in the survey were satisfied with their engagements and interactions with the OPFA in all the main strategic goal areas of the organisation. The OPFA achieved a Net Promoter Score (NPS) of 73, significantly above the global average NPS score of 44 for financial services (Gocheva, 2023). This exceptional performance needs to be sustained to ensure that the OPFA continues to enjoy the trust and confidence of its stakeholders. The OPFA will analyse the findings and recommendations of the survey and implement a programme of action to improve stakeholder satisfaction to achieve a 90% satisfaction rating by 2028/29.

Figure 1: Stakeholder satisfaction by category



Figure 2: Stakeholder satisfaction achieved against strategic goal targets



2

BACKGROUND AND INTRODUCTION

“ *The OPFA has evolved into a well-capacitated, important role player in the retirement funds value chain with a commendable track record in terms of performance.* ”

The OPFA was established in 1998 as an alternative dispute resolution service to resolve disputes between members of pension funds and their employers and pension funds in the private pension funds sector. Over 10 million registered members and beneficiaries of private pension funds in South Africa are the main stakeholders of the OPFA. On average, the OPFA handles approximately 10 000 pension fund complaints a year. Most of the complaints are lodged electronically, while a significant number of complainants still visit the offices of the PFA daily to lodge a complaint. In response to this critical service demand, the OPFA is committed to expeditiously disposing of complaints received, ensuring operational excellence and effective stakeholder engagement.

In its rolling Strategic Plan, the OPFA targeted reaching a 90% stakeholder satisfaction rating by the 2028/29 FY. The OPFA commissioned a stakeholder satisfaction survey to evaluate the progress made towards achieving this goal. This survey focused on external stakeholders who received services from the OPFA from the 2022/23 FY to the 2023/24 FY. It excluded employees as an organisational climate survey was conducted in 2022/23. The stakeholder satisfaction rating is a key performance indicator to measure the value-add of OPFA stakeholder interactions required under Strategic Goal 3: Effective Stakeholder Engagement of the OPFA Strategic Plan, and its Annual Performance Plans.

The survey is planned to be conducted at least once every three years. The OPFA

takes stakeholder satisfaction management seriously and has committed in its Strategic Plan to a high-quality customer service experience, impactful stakeholder engagement and professional conduct. The OPFA is committed to living its values of Professional and Technical Competence; Integrity; Collaboration; Stakeholder Synergy; Respect and Dignity; and Impartiality.

This stakeholder perception survey was conducted in quarters 3 and 4 of the 2023/24 FY. The findings of this survey are thus a contemporary barometer that will be used to measure perceptions of how well the OPFA matches up to its organisational values and its effectiveness in discharging its mandate. The report presents the findings of the survey according to five groups of OPFA stakeholders: pension fund complainants, employers, fund and fund administrators, industry bodies and media. The report presents the conclusions drawn from the analysis of the findings and the recommendations made by the stakeholders.

2.1 Survey Context

In the 2022/23 FY, the OPFA celebrated 25 years since its establishment in 1998, as mandated by the PF Act. The organisation has evolved into a well-capacitated, important role player in the retirement funds value chain with a commendable track record in terms of performance. Over the past five years, it has resolved over 9 000 complaints per annum, including finalising 82% of the complaints received in 2022/23 within six months,

providing quicker relief to complainants. Since the end of the COVID-19 pandemic, there has been an increasing trend of utilisation of the OPFA by complainants, with 9 190 complaints received in 2022/23, compared to 7 014 in 2020/21 during the pandemic. There has been continual innovation to ensure complaints are quickly resolved, including the use of a bespoke case management system and the introduction of a refer-to-fund (RTF) process to prompt the usage of internal dispute mechanisms before a formal complaint is registered with the OPFA. Legislative changes aimed at making the complainant experience seamless, affordable and worthy have had the following results:

- the OPFA's mandate and scope were amended to include "equity" when disposing of complaints;
- introducing a fee-free Financial Sector Tribunal (FST) for appeals against the Adjudicator's decisions available to all parties to a complaint;
- changes in the funding and governance structure to transition to a more independent ombud scheme of retirement funds.

Non-compliance with the payment of fund contributions and complaints regarding withdrawal benefits have persisted over the years. These two categories contributed approximately 80% of the complaints lodged in 2022/23. In addition, the work of the OPFA and the time required to resolve a complaint were impacted by delayed or poor-quality responses from pension funds. Pension funds that generated the largest number of complaints take on average 66 days to file responses instead of the allowable 30-day period. This behaviour stretches the organisational capacity of the OPFA and puts a strain on the case management teams who are required to send multiple reminders to funds to file responses on matters that are mostly factual and rudimentary.

The Commissioner of the Financial Sector Conduct Authority (FSCA) was the accounting

authority of the OPFA for PFMA purposes until 31 March 2023. The PF Act was amended and tasked the PFA as the accounting authority of the OPFA from 1 April 2023. The OPFA is also accountable as an ombud scheme to the Ombud Council in terms of the Financial Sector Regulation Act, Act 9 of 2017 (FSR Act), with the focus being on its effectiveness and efficiency in discharging its mandate.

The organisation has a complement of 72 staff and is structured into two interdependent functions: adjudication and corporate support services. The adjudication function consists of three departments: New Complaints Unit (NCU), Early Resolution (ER) and Case Management (CU). The NCU receives new complaints, assesses jurisdiction and allocates the complaints to the case management teams. The ER team seeks to drive the settlement of matters by referring matters to the funds for direct resolution before they may be processed at the CU. The CU teams investigate complaints, pursue settlements where possible and draft determinations in terms of Section 30M of the PF Act. Draft determinations are then submitted to the Adjudicator for consideration and finalisation. The Adjudicator approves and signs off determinations. The adjudication process, if all the required information is available, can take less than 30 days before a determination is issued.

2.2 About the OPFA

The OPFA is a PFMA Schedule 3A entity established in terms of section 30B of the PF Act. It investigates complaints lodged in terms of the PF Act and those complaints designated by the FSR Act to be within the PFA's ambit. Section 30D of the PF Act requires that the Adjudicator, in disposing of complaints:

- applies principles of equity where appropriate;
- considers the contractual arrangements or other legal relationships between complainants and any financial institution;



- has due regard for the provisions of the PF Act; and
- acts in a procedurally fair, economical and expeditious manner.

Legislation guiding how the OPFA discharges its mandate includes the:

- Pension Funds Act, Act 24 of 1956, as amended.
- Financial Sector Regulation Act, Act 9 of 2017.
- Public Financial Management Act, Act 1 of 1999.
- Financial Sector and Deposit Insurance Levies Act, Act 11 of 2022.

The OPFA acts within its mandate and is committed to achieving its strategic goals. It contributes to the social protection of consumers of pension products and services by:

- being a trusted, independent and impartial Pension Funds Adjudicator;
- leading by example and committing to service excellence;
- providing access to consumers;
- educating and informing consumers of their rights; and,
- establishing meaningful and collaborative relationships with stakeholders.

The OPFA strives to act professionally at all times and promotes the following values:

- Professional and technical competence;
- Integrity;
- Collaboration;
- Stakeholder synergy;
- Respect and dignity; and
- Impartiality.

The OPFA's strategic objectives over this period focused on discharging its mandate, improving and maintaining its operations and having informative and value-adding interactions with its stakeholders, guided by the following strategic goals:

- **Strategic goal 1:** Dispose of complaints received in terms of the PF Act.
- **Outcome:** To be a trusted, independent and impartial alternative dispute resolution avenue.
- **Strategic goal 2:** Achieve operational excellence.
- **Outcome:** To be an organisation that leads by example and is committed to service excellence.
- **Strategic goal 3:** Effective stakeholder engagement.
- **Outcome:** To contribute to informed consumers and establish meaningful, collaborative relationships with stakeholders.

The OPFA is committed to the realisation of the National Development Plan 2030. The OPFA holds role players in the retirement fund industry to account by reinforcing social protection measures put in place by the State to make pensions safe and sustainable. Through the effective and efficient disposal of complaints, the OPFA contributes to public acceptance of envisaged mandatory savings and enhances the integrity of the pension fund system in South Africa.

2.3 The OPFA Stakeholders

The stakeholders of the OPFA and subjects of this survey are individuals who are members of pension funds or persons (including juristic persons) who represent members of pension funds – collectively called complainants. These include former members of funds and dependants/beneficiaries of members of pension funds. Other stakeholders are the persons (juristic persons in the main) against whom the complaints are lodged. These stakeholders – called respondents – are predominantly pension fund administrators and employers. In the 2023/24 FY, the OPFA dealt with 12 960 stakeholders, comprising 9 109 complainants and 3 851 respondents. Other stakeholders include regulatory bodies and the FST for appeal matters, 22 industry bodies and 18 media companies (see section 8.1).

2.4 Stakeholder Satisfaction at the OPFA

Stakeholder satisfaction at the OPFA is a critical measure of how the entity renders its services to complainants while adding value to all its stakeholders; how the OPFA disposes of complaints received compared to expectations by its stakeholders; the quality of its services operationally; and the quality of its stakeholder interactions. Stakeholder satisfaction outcomes serve as a feedback loop enabling the OPFA to assess whether the stakeholders are satisfied with the discharge

of its mandate and how this role adds value to the retirement funds value chain for all stakeholders. Further, stakeholder satisfaction can indicate the strength of the OPFA brand in terms of its reputation and the levels of confidence and trust held in the organisation, leadership and staff of this important public entity.

2.5 Relevance of the OPFA Stakeholder Satisfaction Survey

Various best practices and strategies highlight the significance of active listening and responding quickly to stakeholders to achieve operational and service excellence. Article 6.4 of the Public Service Charter (2013) states that “the state must develop a feedback mechanism that will allow the public to compliment or raise complaints about the conduct and attitudes of public servants and the quality, timeliness and efficacy of the services they provide.”

This report is a feedback mechanism through which stakeholders can communicate to the Adjudicator regarding services not delivered in line with expectations relative to the eight Batho Pele principles and the strategy of the OPFA. This report is presented as the outcome of the stakeholder survey conducted in the OPFA 2023/24 financial year. The findings of the survey will be presented to the executive committee, management committee, the governance subcommittees and all OPFA staff members. Where there are shortcomings, the management will ensure that action is taken to address stakeholder concerns and recommendations.

3

AIM AND OBJECTIVES OF THE SURVEY

The objectives of the survey are to:

- a) Measure the perception, knowledge and impact of the organisation.
- b) Determine the levels of satisfaction of stakeholders with the work done by the OPFA.
- c) Identify ways of improving and enhancing the services, engagement and offerings of the organisation.

The survey is an objective assessment and assists in ensuring that the OPFA's work meets the needs of stakeholders. Questions answered in this survey included:

- a) What provides value to stakeholders of the OPFA?
- b) How do stakeholders perceive the accessibility and visibility of the OPFA?
- c) What is the overall brand/image perception, attitude and level of awareness of the stakeholders?
- d) How do stakeholders perceive the complaints management process and the disposal of complaints?
- e) Are stakeholders satisfied with the effectiveness of administration processes and timeframes when lodging complaints?
- f) What method of communication and frequency of communication do stakeholders prefer?
- g) What are the conclusions drawn and recommendations to be made from the findings of the survey to improve the services of the OPFA?

4

SURVEY METHODOLOGY AND DESIGN

“ *The primary purpose of an exploratory qualitative research design is to provide in-depth insight and understanding of a phenomenon. The qualitative element of the survey targeted organisations that were the OPFA’s key stakeholders (Malhotra and Nunan, 2017).* ”

The survey was conducted using a mixed research methodology. Both quantitative and qualitative collection methods were used.

4.1 Qualitative research methodology

Detailed research data was collected using observation and a semi-structured interview schedule. The primary purpose of an exploratory qualitative research design is to provide in-depth insight and understanding of a phenomenon (Malhotra and Nunan, 2017). In this instance, the research sought insights into stakeholders’ service experience, satisfaction, knowledge of, and perceptions about, the OPFA. The questions posed were open-ended, allowing participants to express themselves in their own words without limitations. Therefore, engagements with survey participants were longer and more flexible, resulting in greater depth and richness of data.

The qualitative element of the survey targeted organisations that were the OPFA’s key stakeholders. Malhotra and Nunan (2017: 71) suggest that a flexible, loosely structured and evolutionary research approach through personal interviews with industry experts should be considered. The qualitative element focused on regulatory bodies such as the FSCA.

4.1.1 Semi-structured interview schedule

The researcher developed and utilised an interview guide, which was a list of the open-ended questions and topics that the researcher covered in the interviews. The purpose of semi-structured interview questions is to ensure that topics of discussion, questions and important information are not missed in a one-to-one interview. This seeks to obtain reliable and comparable qualitative data with different participants and/or interviewers.

The questions were asked through face-to-face, telephonic virtual meeting interviews and online. Both random and non-probability purposeful sampling were used to select participants for the semi-structured interviews. Three entities – the FSCA, the FST and the Ombud Council – were purposefully selected because of their close working relationships with and intimate knowledge of the work of the OPFA. Their data was collected through face-to-face interviews.

Eighteen media companies that conducted media interviews with the OPFA were purposefully selected and they provided their responses through telephonic and virtual meeting interviews. Twenty-two industry bodies and 90 employers were requested online to provide their responses to the survey questions.

4.1.2 Observation

The researcher conducted naturalistic and participant observation methods. The naturalistic observation happened directly at the offices/premises of the OPFA, where the observer pretended to be a member of one of the pension funds. This observation was conducted anonymously and unobtrusively by observing how complainants were serviced and the general behaviour, without directly interacting with the survey participants. The research target population for the naturalistic observation were the complainants and the employees of the OPFA. The researcher did not communicate with the stakeholders but observed how the employees and complainants interacted with each other and behaved in a natural setting. The researcher also conducted interviews with the complaints staff members, inspected documents and observed the facilities and systems, especially the ease of access to the offices of the OPFA, availability of information and the time taken to process queries that were lodged in person.

4.2 Quantitative research methodology

The OPFA stakeholders were asked a set of mainly close-ended questions that were formulated into a questionnaire. The questionnaire used a four-point Likert scale. A question/statement was posed to the stakeholders, giving them a single choice to agree or disagree with the statement. The choices ranged from 'Strongly Disagree' to 'Strongly Agree'. The number of responses or the percentage of responses per question was synonymous with the number of people who responded to that particular question.

The questionnaire was administered through an online survey system. A special website (www.opfasurvey.org.za) was created for the survey. The questionnaire included a few open-ended questions that the respondents

were expected to complete. The open-ended questions enabled participants to add their thoughts and opinions to the close-ended questions.

An electronic data capturing, and analysis tool was embedded on the website of the survey which was linked to the OPFA website for stakeholders to access. Survey participants self-administered their questionnaires with only the service provider accessing all the data. The online survey system enabled immediate data capturing and analysis, secure keeping and retrievability of the survey data. The Likert scale and the data analytics system used in the survey enabled the calculation of average scores for all the focus areas. The calculation of average scores allowed statistical analysis to be used to explore changes in the levels of satisfaction over time.

4.3 Anonymity and confidentiality

The participants were assured that their responses would be treated with utmost confidentiality, meaning that their responses were anonymous, i.e. not linked to the respondent or the company represented. Anonymity allows stakeholders to provide objective and honest responses without fear of being disadvantaged or the hope of being advantaged by the OPFA for their responses. It can, therefore, be assumed that the survey findings are a true reflection of stakeholder views.

5

SURVEY LIMITATIONS

Data used for this survey was obtained from the OPFA. This included the population size of the different categories and the identified categories of stakeholders from which to obtain responses. The researcher was not able to confirm its accuracy and completeness.

The participation rate of the stakeholders in the survey was lower than expected. Reminders were sent to stakeholders and the participation numbers improved but remained lower than the targeted sample. This may be related to the

reliability of the contact information in the OPFA database that was provided by stakeholders.

The researcher could not identify the stakeholders who did not participate in the survey and those who did not complete all questions, because the survey was anonymous. There was thus no opportunity to motivate specific individuals to participate in and/or complete the questions. Bulk SMSs and emails were resent multiple times as reminders to stakeholders to participate in the survey.



6

LEGISLATIVE AND POLICY FRAMEWORK

6.1 Constitution of South Africa, 1996 (Act 108 of 1996)

Section 33(1) of the Bill of Rights, as enshrined in the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), outlines that “everyone has the right to administrative action that is lawful, reasonable and procedurally fair”. As the supreme law of the country, all laws of the republic must be consistent with the Constitution and all government institutions and entities derive their mandates from the Constitution. The Bill of Rights notes that everyone whose rights have been adversely affected by administrative action has the right to be given written reasons. The Bill of Rights notes that national legislation must be enacted to give effect to these rights and must:

- (a) provide for the review of administrative action by a court or, where appropriate, an independent and impartial tribunal;
- (b) impose a duty on the state to give effect to the rights in subsections 1 and 2; and
- (c) promote an efficient administration.

Section 34 of the Bill of Rights notes that “Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum”. The OPFA is an alternative dispute resolution institution between pension fund members, pension fund administrators and employers participating in pension funds.

6.2 Batho Pele Principles

Batho Pele (Sotho-Tswana: “People First”) is a framework for improved public service delivery adopted by the Mandela administration in 1997. The eight Batho Pele service delivery principles that aim to enhance the quality and accessibility of government services by improving efficiency and accountability to the recipients are:

- 1) **Consultation:** Citizens should be consulted about the level of quality of the public services they receive and, wherever possible, should be given a choice about the services that are offered.
- 2) **Service standards:** Citizens should be told what level and quality of public services they will receive so that they are aware of what to expect.
- 3) **Access:** All citizens should have equal access to the service to which they are entitled.
- 4) **Courtesy:** Citizens should be treated with courtesy and consideration.
- 5) **Information:** Citizens should be given full, accurate information about the public services they are entitled to receive.
- 6) **Openness and transparency:** Citizens should be told how national and provincial departments are run, how much they cost, and who is in charge.
- 7) **Redress:** If the promised standards of service are not delivered, citizens should be offered an apology, a full explanation and a speedy and effective remedy; and when complaints are made, citizens should receive a sympathetic, positive response.
- 8) **Value for money:** Public services should be provided economically and efficiently to give citizens the best possible value for money.

6.3 Citizen Complaints and Compliments Management Framework

The Citizen Complaints and Compliments Management Framework published by the Department of Public Service and Administration in 2013 noted that public services must be delivered professionally and in a courteous, efficient and cogent manner, which ensures predictable, affordable services to all citizens, all the time, within the baseline service standards promised to citizens. The framework notes that when challenges arise and citizens’ expectations are not met

“ Everyone has the right to administrative action that is lawful, reasonable and procedurally fair. Section 33(1) of the Bill of Rights. ”

promptly, citizens need to be given avenues to communicate with government and state-owned entities to resolve consumer complaints and dissatisfaction. Citizens also need to be able to compliment public servants when they have experienced outstanding service delivery.

6.4 Promotion of Access to Information Act (Act 2 of 2000)

The Promotion of Access to Information Act, Act 2 of 2000 (PAIA) allows access to any information held by the State and private bodies that may be required for the exercise and protection of any rights. It applies specifically to South Africa but is part of the global drive towards freedom of information. The Act recognises that the system of government in South Africa before 27 April 1994 resulted in a secretive and unresponsive culture in public and private bodies which led to the abuse of power and human rights violations.

Section 32 (1) (a) and (b) of the Constitution provides that everyone has the right of access to any information held by the State or any person (including juristic persons) when that information is required for the exercise or protection of any rights. The right of access to information held by a public or private body may be subject to limitations that are reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom as contemplated in section 36 of the

Constitution. The PAIA fosters a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information and actively promoting a society in which the people of South Africa have effective access to information to enable them to fully exercise and protect their rights. The objectives of PAIA are thus to promote transparency, accountability and effective governance of all public and private bodies, and to assist members of the public to effectively scrutinize and participate in decision-making.

6.5 National Development Plan 2030

The National Development Plan 2030 (NDP) aims to eliminate poverty and reduce inequality by 2030. Section 27(1) of the Constitution recognises rights to health care services, food and water as well as social security, and notes that all South Africans have the right to have access to "...social security, including, if they are unable to support themselves and their dependants, appropriate social assistance". Section 27(2) enjoins the state to "take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights".

The NDP expands on the constitutional right to social security, stating that "all working individuals should make adequate provision for retirement through mandated savings and that the state should provide measures to make pensions safe and sustainable".



6.6 Conduct of Financial Institutions Bill

The first draft of the Conduct of Financial Institutions (COFI) Bill was published in December 2018. The second draft was published on 29 September 2020. The Bill provides a regulatory framework for the conduct of financial institutions to protect customers. The COFI Bill seeks to:

- protect financial customers, including by promoting the fair treatment and protection of financial customers by financial institutions;
- support fair, transparent and efficient financial markets;
- promote trust and confidence in the financial sector;
- support innovation and the development of and investment in sustainable innovative technologies, processes and practices;
- support sustainable competition in the provision of financial products and financial services;
- promote financial inclusion;
- promote the transformation of the financial sector; and
- assist the South African Reserve Bank in maintaining financial stability.

6.7 Public Finance Management Act (Act No 1 of 1999)

The OPFA is a Public Finance Management Act (Act 1 of 1999) (PFMA) Schedule 3A entity. Section 38(1)(f) of the PFMA states that the accounting officer for a department, trading entity or constitutional institution "must settle all contractual obligations and pay all money owing, including intergovernmental claims, within the prescribed or agreed period". Treasury Regulation 8.2.3 states that "Unless determined otherwise in a contract or other agreement, all payments due to creditors must be settled within 30 days from receipt of an invoice or, in the case of civil claims, the date of settlement or court judgement".

Section 38(1)(j) of the PFMA states that the accounting officer for a department, trading entity or constitutional institution "before transferring any funds (other than grants in terms of the annual Division of Revenue Act or to a constitutional institution) to an entity within or outside government, must obtain a written assurance from the entity that that entity implements effective, efficient and transparent financial management and internal control systems, or, if such written assurance is not or

cannot be given, render the transfer of the funds subject to conditions and remedial measures requiring the entity to establish and implement effective, efficient and transparent financial management and internal control systems”.

6.8 OPFA Strategic Plan 2023–2028

The five-year strategy of the OPFA notes that the work of the entity is guided by its mandate. The OPFA is committed to achieving its strategic goals and contributing to the social protection of consumers of pension products and services by:

- being a trusted, independent and impartial pension funds adjudicator;
- being an organisation that leads by example and is committed to service excellence;
- providing access to consumers;
- educating and informing consumers of their rights; and
- establishing meaningful and collaborative relationships with stakeholders.

The OPFA's strategic objectives over this period focus on discharging the mandate of the organisation, improving and maintaining operations and having informative and value-adding interactions with stakeholders. The three strategic goals are:

- **Strategic Goal 1:** Dispose of complaints received.
- **Strategic Goal 2:** Achieve operational excellence.
- **Strategic Goal 3:** Effective stakeholder engagement.

6.9 Pension Funds Act, Act 24 of 1956, as amended (PF Act)

The OPFA was established in terms of the PF Act and is led by a Pension Funds Adjudicator whose main objective is to dispose of complaints lodged in terms of section

30A(3) of the FSR Act in a procedurally fair, economical and expeditious manner.

The Adjudicator shall not investigate a complaint if, before the lodging of the complaint, proceedings have been instituted in any civil court in respect of a matter which would constitute the subject matter of the investigation. Section 30I of the PF Act notes that the Adjudicator shall not investigate a complaint if the act or omission to which it relates occurred more than three years before the date on which the complaint was received by OPFA in writing. No party shall be entitled to legal representation at proceedings before the Adjudicator.

Section 30(O)(1): “Any determination of the Adjudicator shall be deemed to be a civil judgment of any court of law had the matter in question been heard by such court and shall be so noted by the clerk or the registrar of the court, as the case may be.” Section 30(O)(2): “A writ or warrant of execution may be issued by the clerk or the registrar of the court in question and executed by the sheriff of such court after expiration of a period of six weeks after the date of the determination, on condition that no application contemplated in section 30P has been lodged.”

Section 30(P): “Any party who feels aggrieved by a determination of the Adjudicator may, within six weeks after the date of the determination, apply to the division of the High Court which has jurisdiction, for relief, and shall at the same time give written notice of his or her intention so to apply to the other parties to the complaint. The division of the High Court shall have the power to consider the merits of the complaint in question, to take evidence and to make any order it deems fit. Section 13A of the PF Act states that employers must pay an employee's contributions to their fund “not later than seven days after the end of the month for which such a contribution is payable”. The PF Act further states that any person who contravenes or fails to comply with section 13A is guilty of an offence and liable on conviction to a fine not exceeding

R10 million or to imprisonment for a period not exceeding 10 years or to both such fine and imprisonment.

6.10 Financial Sector Regulation Act, Act 9 of 2017 (FSR Act)

The FSR Act came into effect on 1 April 2018. Before the FSR Act, a person aggrieved by a determination of the Adjudicator was constrained to make an application to the High Court in terms of section 30P of the PF Act. In terms of the FSR Act, the former FSB Appeal Board was disestablished and the FST was established. In the previous dispensation, parties to a complaint before the Adjudicator did not have recourse to the FSB Appeal Board. The FSR Act brought within the ambit of the FST decisions made by the OPFA, which could be remitted by the FST to the OPFA for reconsideration. The FST proceedings are presided over by experienced legal professionals (including retired judges) and experts from the financial services industry. This has been a positive development available for aggrieved persons to utilise a process conducted with less formality and technicality, and as expeditiously as the financial sector laws and a proper consideration of the matter permit. Section 30P High Court applications have shown a downward trend since the introduction of the FST. Simultaneously, more aggrieved persons have accessed the FST, which can be attributed to it being cost-effective and more efficient.

The work of the OPFA is positively influenced by the Ombud Council established in terms of the FSR Act to oversee the operations and governance of ombud schemes in the financial services sector. The objective of the Ombud Council is to assist in ensuring that financial customers can access affordable, effective, efficient, independent and fair alternative dispute resolution processes for complaints about financial institutions' financial products and services. The outcomes of these reforms are expected to significantly improve in

embedding the 'Treating Customers Fairly' principles throughout the financial services industry.

6.11 Promotion of Administrative Justice Act, Act 3 of 2000

The Promotion of Administrative Justice Act, Act 3 of 2000 (PAJA), ensures procedurally fair administrative action, giving people the right to request reasons for administrative action and decisions and to have such actions reviewed in court. The PAJA requires that the procedures followed to take administrative actions must be clearly stated and that affected people must be given notice of their right to review or appeal decisions, as well as be provided with the reasons for decisions. Challenging pension fund administrators and employers in courts can be very long, costly and daunting, especially for poor members of pension funds. The OPFA provides an alternative dispute resolution service to the public and pension fund administrators and thereby promotes the objectives of the PAJA.

6.12 OPFA PAIA Manual

The OPFA handles data from approximately 10 000 individuals (complainants) and 2 000 entities per year. Section 30L of the PF Act provides that the Adjudicator shall keep or cause to be kept permanent records of proceedings, whether in writing or by mechanical or electronic means, of proceedings relating to the adjudication of a complaint and the evidence given. The OPFA PAIA manual states that any member of the public may obtain a readable copy of the record on payment of a fee determined by the Adjudicator. Accordingly, a person may request a readable copy of the record of proceedings relating to the disposal of a complaint. The Adjudicator holds personal and personnel information, company records and procurement records, which will not be released without a PAIA request.

In terms of the PAIA, the OPFA is allowed to refuse access to certain documents to protect others. The grounds for refusal are to protect the privacy of another person; commercial information of another company; confidential information of another person; the safety of individuals and property; records privileged from production in legal proceedings; and research information. The Adjudicator notifies applicants in writing of whether a request has been approved or denied within 30 calendar days after receiving a completed Request for Access Form.

6.13 Treating Customers Fairly Framework

According to the FSCA website, Treating Customers Fairly (TCF) is an outcomes-based regulatory and supervisory approach designed to ensure that regulated financial institutions deliver specific, clearly set-out fairness outcomes for financial customers. Regulated entities are expected to demonstrate that they deliver the following six TCF outcomes to their customers throughout the product life cycle,

from product design and promotion, through advice and servicing, to complaints and claims handling:

- Customers can be confident they are dealing with firms where TCF is central to the corporate culture.
- Products and services marketed and sold in the retail market are designed to meet the needs of identified customer groups and are targeted accordingly.
- Customers are provided with clear information and kept appropriately informed before, during and after the point of sale.
- Where advice is given, it is suitable and takes account of customer circumstances.
- Products perform as firms have led customers to expect and service is of an acceptable standard and as they have been led to expect.
- Customers do not face unreasonable post-sale barriers imposed by firms to change products, switch providers, submit a claim or make a complaint.



7

BASELINE SURVEY

The OPFA conducted a stakeholder satisfaction survey in 2020. The average satisfaction in the 2020 survey was 64%. The respondents for the 2020 survey were complainants, industry bodies and the media. Their recommendations in the 2020 survey are noted below.

7.1 Recommendations by industry bodies

- Improve overall effectiveness.
- Create greater clarity on the investigation process and manage expectations of how long the process takes.
- Improve feedback, both in terms of turnaround time on the determination as well as meaningful information.
- Develop a proper understanding of the complaints, verify and decide on the appropriate approach to follow.
- Consider a better approach to ensure the enforceability of determinations.

7.2 Recommendations by complainants

- Promote the services of the OPFA through more roadshows.
- Provide more regular feedback on the status of complaints.
- Create greater access through physical offices and assist with the completion of paperwork.

7.3 Recommendations by media

- Build relations with the media by having occasional roundtable discussions to update on trends that emerge from cases.

7.4 Recommendations by the regulator

- Greater interactions between the managers of the regulator and the OPFA.
- Greater control over the requests for information.
- Assigning a dedicated person to be the contact between the organisations to ensure adherence to agreed timeframes.
- The OPFA must be proactive and identify where it can assist the regulator to improve its service offering to the Adjudicator.

The 2023/24 satisfaction survey builds on the 2020 baseline and assesses whether satisfaction levels have improved from the previous report and what recommendations were implemented.

8

SURVEY FINDINGS

8.1 Stakeholder Participation in Survey

As illustrated in Table 1, the OPFA targeted 403 stakeholders, but 215 participated in the survey. Chung (2022) notes that a good survey response rate ranges between 5% and 30%. An excellent response rate is 50% or higher. A good response rate for an online survey is 8%. The 48% participation rate of the complainants, as highlighted in Table 1, is above the global norm. The 53% participation of the overall stakeholders is deemed to be an excellent/exceptional response rate. Even though the OPFA terms of reference for the survey noted that the organisation targeted 22 funds/fund administrators, 55 (250%) participated. This is an exceptional response rate. The researcher assumes that more than one person responded to the survey per industry body.

Table 1: Number of stakeholders who participated in the 2023/24 survey

STAKEHOLDER GROUP	Number of stakeholders targeted	Number who participated in the survey	Percentage participation	Deviation
Complainants (including representatives of pension fund members)	262	125	48%	-52%
Employer	90	18	20%	-80%
Funds and/or Fund Administrator	22	55	250%	+150%
Industry bodies and other entities	20	6	30%	-70%
Media	18	10	56%	-44%
Regulator	3	1	33%	-67%
Total	403	215	53%	-47%

As illustrated in Table 2 below, most of the survey participants (44%) were from Gauteng, followed by Western Cape (15%). By category, on average, more than half the 'complainants' who participated in the survey were from Gauteng, at 54% followed by the Western Cape at 10%. Even though KwaZulu-Natal has a high population compared to other provinces, it had fewer complainants participating in the survey (7%). For both 'employers' and 'funds and/or fund administrators' Gauteng had the highest participants, at 56% and 49% respectively. Limpopo had an 18% participation rate for 'funds and/or fund administrators'. In 'media' the Free State had the highest participation rate at 43% followed by Limpopo and Gauteng, both at 29%.

Table 2: Provincial distribution of survey participants

STAKEHOLDER GROUP	PERCENT (%)								
	GP	WC	LP	KZN	NW	EC	FS	MP	NC
Complainants (including representatives of pension fund members)	54	10	7	7	6	4	7	5	0
Employer	56	6	6	6	0	0	13	6	6
Funds and/or Fund Administrator	49	10	18	4	2	12	4		0
Industry bodies and other entities	33	50	0	0	0	0	17	0	0
Media	29	0	29	0	0	0	43	0	0
Regulator	-	-	-	-	-	-	-	-	-
Average	44	15	12	3	2	3	17	2	1

8.2 Discovering more about the OPFA

Table 3 below illustrates that people-to-people information sharing about the work of the OPFA is the most popular. This means that the organisation must continue to provide good customer service so that users of the OPFA services are motivated to pass information on to other people. The website of the OPFA is the second-most popular form of marketing for the organisation. The website is mainly used by complainants and industry and fund administrators.

One of the stakeholders noted that the OPFA website has been improved and is now more user-friendly and interactive, allowing users to find information more easily, with customised features that promote input-based interaction with users, rather than a traditional generic website. Some of the functions carried out by the frontline employees of the OPFA are now conducted on the website, such as checking the progress status of a complaint. These website improvements strengthen two-way communication and engagement with stakeholders without a stakeholder having to physically visit the OPFA offices.

In addition, news releases seem to be an effective avenue to reach the media as a stakeholder. While newspaper advertising is expensive, the OPFA must consider placing advertorials in newspapers and other forms of media to fully utilise this avenue to educate the media and disseminate information on the work of the organisation to the public. Printed newsletters, annual reports and brochures must also be targeted to industry bodies and the media as another focus area. The OPFA should consider inviting industry bodies and media to annual report launch events.

Surprisingly, the use of social media (8%) and other government institutions (11% combined) as avenues to discover the OPFA was relatively low. Since the user traffic by citizens on social media and other government institutions' websites is large this avenue needs to be exploited to create awareness about the OPFA.

Table 3: Where did you find out about the OPFA?

	PERCENT (%)					
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
TV	2	0	6	0	0	2
Radio	0	0	0	0	0	0
Newspaper	6	0	0	0	43	10
Social media	8	6	8	17	0	8
Website of OPFA	20	13	16	17	0	13
Other person/people	36	38	39	33	0	29
Website of government	4	6	6	0	14	6
Printed documents of government	4	6	2	0	14	5
Billboard at offices of the OPFA or public road	0	0	0	0	0	0
Conferences held by the government or the OPFA	1	0	2	0	0	1
Internet (not websites of the government or the OPFA)	12	13	12	0	0	7
Printed documents of the OPFA (newsletters, annual reports and brochures)	1	0	0	17	14	6
Other (specify	7	19	8	17	14	13

8.3 Preferred Method of Lodging a Complaint at the OPFA

Email is the most popular form of lodging a complaint for most stakeholder groups (53% of the total survey participants), as illustrated in Table 4 below. This means that the employees of the OPFA must maintain a quick turnaround time in processing complaints and respond quickly to queries emailed by stakeholders.

The OPFA has a team of eight employees in the NCU. On average the four Administrative Assistants of the NCU work on 20 complaints per day per person. This equates to 80 complaints in one day. On average South Africa has 250 working days (excluding weekends and public holidays that do not fall on a weekend). The 9 190 complaints received in the 2022/23 FY equates to 37 complaints a day. Therefore, the NCU seem to be having adequate human resources to handle the volume of complaints. At the entry stage, these complaints are processed at NCU, with 99,75% of the complaints acknowledged within two days in 2022/23 FY. This is commendable and the OPFA must continue to respond to complaints lodged to gain more confidence and trust from its stakeholders. Even though a website may be seen as an advanced technology medium through which to complain, it seems popular with complainants (19%). Traditional forms of lodging a complaint, such as telephonically and in person, were more preferred by employers, fund administrators and the media than using a website. Therefore, the OPFA must sustain the various forms of lodging complaints to cater to the preferences of different stakeholders. As mentioned, the media prefers to engage the OPFA in person and media engagements such as annual report launches may contribute more to meaningful engagements with the OPFA.

Table 4: Preferred method of lodging a complaint at the OPFA

	PERCENT (%)					
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
Telephone	7	38	16	0	14	15
Website	19	13	12	0	0	9
Email	61	44	61	100	0	53
Fax	2	6	0	0	0	2
In person	9	0	10	0	29	10
Other (specify)	2	0	0	0	0	0

8.4 Last Interaction with the OPFA

As illustrated in Table 5 below, most survey participants (58%) had recently interacted with or received a service from the OPFA. Complainants, fund administrators and industry bodies had the highest number of stakeholders who recently interacted with the OPFA, at 81%, 70% and 67% respectively. This confirms that most of the survey participants had first-hand experience and recent interactions with the OPFA. This enhances the relevance and usefulness of the survey feedback and insights.

Table 5: When last did you interact with or receive a service from the OPFA?

	PERCENT (%)					
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
Recent, within 2 years	81	44	70	67	29	58
More than 2 years ago	8	31	16	0	28	17
Never	11	25	14	33	43	25

8.5 Preferred Method(s) of Communication

Table 6 below illustrates that, in order of preference, 'online', 'telephone' and 'WhatsApp' are the methods of communication that the stakeholders of the OPFA most prefer. A conclusion can be drawn that the OPFA needs to invest more in online content, as recommended above, and continue using its website to share critical information with stakeholders and handle complaints and queries. The traditional method of telephonic communication must be sustained because some stakeholders prefer this. Therefore, while it is ideal for businesses to embrace the latest technology and digital communication such as WhatsApp channels, the OPFA must balance investment in the available channels reasonably to accommodate all their stakeholders.

Table 6: Preferred methods of communicating with the OPFA

	COMMUNICATION PREFERENCE (%)					
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
Online (email and website of the OPFA)	49	36	57	-	33	44
Social media (Facebook, Twitter [X], LinkedIn and Instagram)	2	14	3	-	-	6
Business media	1	-	-	-	-	1
Broadcast media	-	-	-	-	-	-
Outdoor	-	-	-	-	-	-
Telephone	20	7	26	100	33	37
Printed documents	5	7	5	-	-	6
WhatsApp	10	21	5	-	17	13
Videos posted on YouTube	1	14	-	-	-	8
Bulk SMS	-	-	5	-	17	11
Virtual meetings (e.g. Zoom, MS Teams, Skype)	3	-	3	-	-	3
Face-to-face meetings (e.g. regional forums, conferences, Izimbizo, etc.)	6	-	-	-	-	6
Other (please state)	2	-	-	-	-	2

8.6 Strategic Goal 1: Dispose of Complaints Received

Table 7 below illustrates that there is a high level of stakeholder satisfaction regarding the disposal of complaints received by the OPFA, at an average of 80% satisfaction rate. Strategic Goal 1: Dispose of Complaints Received tested/assessed the perceptions of fairness, effectiveness, efficiency, trust, impartiality and independence in the manner in which the OPFA handled complaints lodged. There was a high percentage of survey participants who felt that the OPFA disposed of complaints in a procedurally fair manner (78%). The highest stakeholder approval rating achieved here was from industry bodies (100%). However, the media and complainants had the lowest satisfaction rates, at 60% and 67% respectively. This may be due to a lack of information regarding the legal processes to be followed in disposing of a complaint according to the PF Act or it may be that respondents were dissatisfied with the outcome of complaints, as 86% of respondents agreed that they were allowed opportunities to respond, ventilate and submit additional documentation where necessary. Also, 71% of the complainants were satisfied that they were informed of the (free of charge) appeal process when they were not satisfied with the outcomes.

The OPFA must address the turnaround time in handling queries/complaints of stakeholders. The timelines regarding obtaining responses and evaluating them must be clearly explained to complainants. These include the reasons, limitations and challenges faced by the OPFA in obtaining responses, as this would encourage perspective and empathy from the complainants and other stakeholders when matters are delayed. Overall, the OPFA needs to zoom in on these two issues (i.e. procedural fairness and turnaround times) and endeavour to improve these perceptions, as they have the potential to undermine the rest of the OPFA's business objectives and reduce public trust.

Table 7: Satisfaction level regarding the disposal of complaints received

	SATISFACTION (%)					
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
The OPFA resolves queries/complaints in a procedurally fair manner	67	82	79	100	60	78
I was given an opportunity to respond or fully ventilate my complaint and submit all relevant documentation	86	100	96	-	-	94
The attitude of the OPFA staff was fair to me	76	82	77	-	-	78
I am satisfied with the OPFA's turnaround time in handling queries/complaints	62	64	77	-	-	67

I was made aware that when I am not satisfied with the outcome of the complaint I can appeal, free of any charge	71	83	85	-	-	80
I believe the OPFA reached an objective outcome when it handled my complaint, regardless of whether it was found in my favour or against me	75	82	81	-	-	79
When my matter was not considered, I was given reasons and direction as to where I can go next	69	-	-	-	-	69
I have full confidence in the OPFA and how it does its work	74	82	84	100	60	80
I am aware that the services of the OPFA are free of charge	95	100	95	100	100	98
I am aware I do not have to use lawyers to access the work of the OPFA. I can refer my matter directly to them	85	-	-	-	-	85
I would choose to use the OPFA's services before I go to the courts	85	92	85	-	-	87
Overall, the complaints resolution or handling in the OPFA exceeded my expectation	66	75	78	-	-	73
Average	76	76	76	100	73	80

8.7 Strategic Goal 2: Achieve Operational Excellence

Strategic Goal 2: Achieve Operational Excellence tested service effectiveness and the implementation of Batho Pele principles. As illustrated in Table 8 below, there is a culture of high performance and operational excellence at the OPFA. The employees of the OPFA must be commended for treating stakeholders with courtesy, consideration and professionalism, which is in line with Batho Pele principles. The OPFA achieved an average of 85% for operational excellence and this is praiseworthy.

Table 8: Satisfaction level for operational excellence

	SATISFACTION (%)					
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
There is a culture of high performance and operational excellence at the OPFA	74	82	83	100	75	83
Employees of the OPFA are skilled and solutions-oriented	75	82	83	100	75	83
Employees of the OPFA consistently treat clients with courtesy, consideration and professionalism	81	100	88	100	100	94
Correspondence with employees of the OPFA is clear, accurate and timeous	73	73	82	100	75	81
I was made aware that I can check the status of my complaint on the OPFA website	70	-	-	-	-	70
I find the OPFA website user-friendly when lodging a complaint or checking the progress of my complaint	79	-	-	-	-	79
I was made aware that I can check the status of my complaint by calling the OPFA offices	69	-	-	-	-	69
Overall, the OPFA services are efficient and valuable	79	91	80	100	75	85
Average	75	85	83	100	80	85

All industry bodies were satisfied with the operational excellence of the OPFA. This is exceptional and the employees must sustain this. Even though most complaints handled by the OPFA are lodged by members of pension funds against employers and funds, it is worth noting that 100% of the employers and 88% of the funds and fund administrators who participated in the survey perceived the employees of the OPFA to be treating clients with courtesy, consideration and professionalism. Most complainants shared this perception of exceptional client care with an 81% satisfaction rate. However, complainants are not entirely satisfied with the information provided regarding the checking

of progress by OPFA officials on the status of complaints. This information is already contained in the complaint forms, but the OPFA needs to extensively highlight this information especially the use of the user-friendly and interactive website. Overall, all stakeholders (85%) perceived the services of the OPFA as efficient and valuable.

8.8 Strategic Goal 3: Effective Stakeholder Engagement

Table 9 below illustrates a commendable overall satisfaction with effective stakeholder engagement of 87%. Strategic Goal 3: Effective Stakeholder Engagement tested awareness, accessibility, value of engagements, brand image and general perception. The leadership and employees of the OPFA must be commended for the high stakeholder perception of these elements.

Table 9: Satisfaction level for effective stakeholder engagement

	SATISFACTION (%)					Average
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	
I am aware of what the OPFA does	92	94	98	100	100	97
It is easy to find the offices of the OPFA	77	94	88	100	83	88
It is easy to use the website of the OPFA for general information	84	94	98	100	50	85
The OPFA is always available to take my telephone calls for information or queries	71	76	94	80	67	78
The OPFA provides useful and understandable information to the media and other relevant platforms regarding its work	74	76	98	100	100	90
The OPFA is a reputable institution with a good public image	86	76	94	100	83	88
Overall, the offices of the OPFA are easily accessible and visible	79	71	88	100	83	84
Average	80	83	94	97	81	87

The awareness level of the work of the OPFA for all categories of stakeholders is rated an impressive 97%. However, public awareness must still be investigated to ensure coverage in all provinces and corners of the country where pension fund members are present. There is room for improvement regarding the availability of OPFA officials to take telephone calls, especially from complainants at 71% and media at 67%, and in overall accessibility and visibility of the OPFA offices. Overall feedback on visibility is relatively high at 84%. However, based on the observations of the researcher, the offices of the OPFA are far from public transport routes. In addition, there are no visible signs on public roads that direct visitors to the offices. Even inside Riverwalk Office Park, there is no visible signage that directs visitors to the OPFA offices. While it is appreciated that only a mere 10% of the stakeholders preferred to lodge complaints in-person, because more than 80% of the stakeholders of the OPFA are complainants (i.e. natural persons and not entities), the location must be easily accessible and directional signage visible enroute to and inside the office park.

8.9 Net Promoter Score

The Net Promoter Score (NPS) is a widely used market research metric that rates customer loyalty and stakeholder satisfaction – not only in terms of customers' willingness to return for another purchase or service, but also whether they would recommend doing so to their family, friends or colleagues. The NPS is mainly used by private corporations but is adaptable to public entities. The NPS score can be correlated with customer trust and confidence which translates into sustainable performance and growth for the organisation.

Stakeholders were asked to rate the OPFA on a scale of 1 to 5, with 1 indicating a very poor performance score, 2 poor performance, 3 average performance, 4 good performance and 5 exceptional performance. Ratings of 1 and 2 mean that the respondents were unhappy and would not likely recommend the OPFA to stakeholders. Such respondents are called 'detractors'. Detractors are unlikely to use the services of the OPFA again and may discourage others from doing so. Detractors can damage the brand and impede the growth of the OPFA through negative word-of-mouth.

Promoters with a rating of 4 or 5 are typically loyal and enthusiastic stakeholders of the OPFA who are likely to remain loyal and can act as third-party marketers of the organisation. Generally, promoters account for 80% of referrals and detractors account for 80% of negative word-of-mouth. Hence, it is critical that NPS evaluation is regularly conducted to monitor which categories (promoters or detractors) are showing growth.

The NPS is measured with a number between -100 to +100, the formula being NPS is equal to the total % of promoters less the total % of detractors. The higher the score, the more positive the reputation and levels of loyalty of the OPFA. As illustrated in Table 9 below, the NPS of the OPFA was 73, which is considered a very good score. Most industries in South Africa have not started using the NPS and only a few industries publish NPS scores. This created a limitation in obtaining a like-for-like benchmark for the OPFA in evaluating its NPS score. However, a closely comparable industry is the South African banking sector industry which, according to the South African Customer Satisfaction Index, averages 36, a much lower score than that of the OPFA.

Table 10: Net Promoter Score

SATISFACTION (%)					
Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
50	29	88	100	100	73

I can recommend the OPFA to others regarding complaints handling for pension-related goods and services

Employers had the lowest score of 29, i.e. it has more detractors relative to other categories. One of the reasons for the low NPS for employers may be that employers have a perception that the OPFA must not intervene in cases between complainants and companies/employers but must allow employers to resolve disputes internally first, as implied in the Refer-to-fund (RTF) process, which was established to facilitate internal dispute resolution between the fund and/or the employer and the complainant. This suggests that the OPFA needs to do more education around the process and reporting on funds and employers that are not participating. This will aid in assessing the effectiveness of the RTF process and provide transparency to all other stakeholders, by naming non-participants and those who are slow to utilise this complaint-resolution process.

As its major stakeholder, the OPFA needs to further analyse the NPS in terms of complainants. Why would some of the complainants not recommend the OPFA to others? Is it related to the turnaround times highlighted above or the accessibility of the OPFA? A targeted survey may be needed to investigate what more the OPFA could do to meet and exceed complainants' needs.

Overall, while the lack of published industry data prevents a direct comparison of the performance of the OPFA with similar organisations, the survey indicates a confident conclusion can be drawn that the OPFA has performed above the norm. The results of this survey should encourage the OPFA to continue improving to lead in the industry and enhance its reputation.

9

CONCLUSIONS AND RECOMMENDATIONS

“ The findings conclusively prove that the OPFA is living up to its core mandate of resolving pension fund complaints in a procedurally fair, expeditious and economic manner while achieving meaningful engagement with its key stakeholders. ”

9.1 Conclusions on Stakeholder Satisfaction

As highlighted in this report, the OPFA targeted achieving a 60% stakeholder satisfaction rating in this Stakeholder Satisfaction Survey. Table 11 shows that the consolidated result in terms of overall stakeholder satisfaction was 84%, exceeding the target by 20%. This is impressive compared to the overall satisfaction score of 64% achieved in the survey conducted in July 2020.

Table 11: Summary of stakeholder satisfaction

	SATISFACTION (%)					
	Complainants (including representatives of pension fund members)	Employer	Funds and/or Fund Administrator	Industry bodies and other entities	Media	Average
Strategic Goal 1: Dispose of Complaints Received	76	76	76	100	73	80
Strategic Goal 2: Achieve Operational Excellence	75	85	83	100	80	85
Strategic Goal 3: Effective Stakeholder Engagement	80	83	94	97	81	87
Satisfaction summary	77	81	84	99	78	84

The management and employees are commended for the high stakeholder satisfaction rating achieved. All three goals (disposal of complaints received, operational excellence and effective stakeholder engagement) achieved a stakeholder satisfaction rating higher than the targeted 60%. While this performance is exceptional, the OPFA must pay attention to complainants' satisfaction and continually monitor this with short real-time surveys at different stages of the complaint resolution process, e.g. after lodging complaints and after finalising complaints. This will assist in ensuring that the primary stakeholder is satisfied with the work of the OPFA, and the organisation achieves its five-year target of a 90% stakeholder satisfaction score.

The NPS of 73 is commendable and is considered high by any standard. However, the OPFA must pay attention to the effectiveness and utilisation of the RTF process by employers. The OPFA could have achieved a higher NPS had it not been for the lower rating by employers. It will be a challenge for the OPFA to have a balanced rating between complainants and other respondents. The core mandate of the OPFA is to bring justice to members of pension funds, who do not have the means and know-how to legally challenge employers and pension fund administrators. It is therefore understandable that employers may have a low NPS, but the OPFA needs to investigate the root causes and, where possible, introduce actions that can change the negative perceptions of employers towards it.

9.2 Conclusions on OPFA Living up to its Core Mandate

The OPFA's core mandate is resolving complaints and protecting the interests of pension fund members. Based on the findings of the survey, a conclusion can be drawn that the organisation lives up to its mandate. The general happiness of the key stakeholders of the OPFA and the participants in the survey

confirms that the organisation provides a procedurally fair pension dispute resolution process that is economical and expeditious as mandated by the PF Act. The findings show that the OPFA has built effective relationships with key stakeholders with unique nuances in the different categories that may need following up. The findings show that the OPFA is accountable to its stakeholders, open to feedback and provides services that are relevant and stakeholder-centric.

9.3 Conclusions on OPFA Living up to its Legislative and Policy Obligations

The findings show that the OPFA lives up to the basic provisions of the Constitution by providing a service that ensures that pension fund members enjoy a right to administrative action that is lawful, reasonable and procedurally fair. The findings further demonstrate that the work of the OPFA enables redress and, because the service is free of charge, the OPFA is accessible to pension fund members and their dependants regardless of their economic standing. The OPFA serves as an equaliser between a 'Goliath and a David' by enabling consumers of pension fund products to challenge decisions and outcomes by pension funds and employers relating to their pensions through a legal process equivalent to the High Court. This further confirms that the OPFA as a public entity lives up to the Batho Pele principles. The findings show that the OPFA protects the rights of consumers of financial services, which aligns with overall government outcomes on social protection for consumers, Treating Customers Fairly outcomes for financial services providers and relevant pension fund legislation and regulations.

9.4 Recommendations from stakeholders

Some of the survey questions asked stakeholders to detail their concerns in

their own words or provide suggestions and recommendations to the OPFA. The resultant anecdotes from the stakeholders are provided in Annexure C of this document. For ease of reading, the suggestions and recommendations have been grouped thematically and aligned to the values of the OPFA but are otherwise verbatim.

9.4.1 Professional and technical competence

Professional and technical competence is one of the values of the OPFA. Professional competency is the ability to bring together soft and hard skills while technical competency is the knowledge and ability required to perform a job function or role. The findings show that most stakeholders were happy with the technical and professional competence of the employees of the OPFA. For example, one stakeholder said she/he was “very happy with the professional and courteous service and engagement with the OPFA”. However, another stakeholder recommended that the OPFA “make sure it follows up on the complaints and give the people feedback”. The survey findings indicated delays in the resolution of complaints and the recommendation that the OPFA must “find solutions to help clients to get the money from their employers” expeditiously.

9.4.2 Integrity

The OPFA deals with complaints that have economic implications and affect pension members' and their dependants' lives. Consequently, integrity is a key value of the OPFA, required to ensure that people have access to social justice. Even though only two stakeholders cited dissatisfaction with the integrity of the employees of the OPFA, the organisation needs to pay urgent attention to this as even one accusation of employees of the “OPFA taking bribes” and “being corrupt” is one too many. The employees of the OPFA must reflect/demonstrate the principles and values of the organisation through their conduct in the workplace and interaction with

stakeholders, always doing the right thing even when nobody is watching. The Adjudicator must regularly workshop integrity and ethics with employees so that they are mindful of the ethical risks relating to the disposal of complaints. The OPFA has an anonymous tip-off line available on its website (www.pfa.org.za) where stakeholders can report unethical behaviour. The OPFA must raise awareness about the tip-off line among stakeholders and include it in outreach presentations.

9.4.3 Collaboration and stakeholder synergy

One of the stakeholders noted that the OPFA is “perfect in communication, however, the change of representatives affected constant communication”. One of the values of the OPFA is stakeholder synergy, which refers to value created from the interconnected relationships with the various stakeholders. To enable this, the OPFA must build trust with stakeholders and collaborate with them through service excellence and strengthening communication. The survey findings show that there is a hunger for more information about the OPFA. One of the stakeholders noted that the employees of the organisation must “inform people at their workplaces about the OPFA”. Another noted that the OPFA must “please make South Africans aware of this service”. Therefore, to build trust and stakeholder synergy, the OPFA must strengthen customer-centric collaboration, stakeholder engagement/communication and being transparent to stakeholders.

Customers seem to be satisfied with the usefulness of the OPFA’s website, noting that “the website has improved on step-by-step information on lodging of complaints”. This is commendable and the OPFA must continue to improve the website to make it more user-friendly and interactive.

While the stakeholders were generally happy with the work of the OPFA, the findings show that employers are not complying with the OPFA resolutions. There seem to be regular

delays in the payment of benefits after the Adjudicator issued a determination. One stakeholder, for example, noted: "I was helped last year. Even now that company didn't pay me. It's 13 months not and yet paid". Another complainant noted that he/she has not been paid the pension for two years. Yet another stakeholder declared: "I had a complaint regarding my previous employer who didn't pay my provident fund even the Legal Aid team didn't take the matter serious". One of the complainants even suggested that the "OPFA must have a lawyer to assist us to enforce the order...we are struggling with the Legal Aid". Some stakeholders were dissatisfied with the service because they were referred to courts for enforcement letters but did not get the letters. The OPFA must devise an effective plan to garner support and agency from the government, regulators and entities with enforcement powers to implement punitive measures for those that ignore the OPFA's determinations.

Since a general lack of compliance seemingly prevails at private security companies, the OPFA must strengthen its engagement with the Private Security Sector Provident Fund (PSSPF), the FSCA as the regulator and relevant stakeholders such as the security sector regulator (PSIRA). The Adjudicator needs to specifically engage with the private security industry to understand their problems, ensure that written commitments are made by the PSSPF and then ensure consequences for those not delivering on the commitments. Where the OPFA receives bulk complaints, the organisation has resolved to approach the relevant funds to help complainants resolve their queries.

Furthermore, the OPFA's Strategic Plan noted transversal problems, including weak governance processes within funds and administrators, a failure by employers to pay/transfer the pension contributions of members and a failure by funds and administrators to pay benefits timeously. As such, the Adjudicator committed to "focusing on strengthening the engagement with stakeholders to address the underlying

causes that result in avoidable complaints". This commitment must be continued with impactful initiatives for stakeholder collaboration that address these problems, for the benefit of pension fund members and their trust in the pension fund system.

9.4.4 Respect and dignity

The OPFA values of respect and dignity are directly linked to the Batho Pele principles. The OPFA's services ensure that all citizens, especially members of private pension funds, have equal access to social justice that is free and fair, regardless of economic status. Most of the survey participants noted that the employees of the OPFA treat them with courtesy and consideration. However, some stakeholders recommended that the OPFA "should try and answer calls a little bit quicker because some people do not have enough airtime to wait for a consultant to answer". Some stakeholders requested that the OPFA respond quickly to emails. The OPFA should consider additional call-back facilities, the use of toll-free numbers and the use of WhatsApp channels to ensure quicker and sustained availability and access for its stakeholders. The corporate WhatsApp line(s) can make interacting with complainants and other stakeholders easy by automating some query responses, sorting queries and directing them to relevant units, and quickly responding to queries.

A regulator noted that helping clients in their languages is very impressive at the OPFA, reflecting that the OPFA understands and respects the diversity of stakeholders, and this must be sustained.

9.4.5 Impartiality

One of the values of the OPFA is impartiality, which requires the organisation to make decisions by using objective evidence and avoiding bias or prejudice. One stakeholder noted being "concerned about the biasness of the OPFA". The stakeholders requested the Adjudicator to investigate matters

thoroughly and ensure that investigations are diligently conducted and that all supporting correspondence is considered before making the final determination.

9.5 Other recommendations from stakeholders

9.5.1 Turnaround time

When complainants lodge complaints in person they are told that they must call the OPFA within a week to get the reference/case number. Complainants want the reference number immediately when lodging a complaint in person (as happens with those who lodge complaints online) or at least need the OPFA to SMS the reference number. In-person complainants complete a hard copy complaint form and the manual capturing of the form does not happen immediately. One solution may be to provide walk-ins with access to a computer or show them how to complain online using their mobile devices. The OPFA must investigate the possibility of shortening the investigation time.

9.5.2 Public education

The survey findings show that most pension fund members become aware of the OPFA and what it does when they have a problem with their benefits. The OPFA conducts several media interviews, but mainly with community radio stations and not with commercial radio stations/media that have followers nationally. While it is understandable that the cost of public media advertisement is very high in South Africa, the OPFA must invest in television and radio advertisements at least once every two years for a wider audience, run low-cost social media advertisements and implement more roadshows.

The OPFA is considering the creation of a training and stakeholder engagement unit, that will conduct quarterly engagements with key stakeholders, train Legal Aid South and other companies providing pro bono

services to pension fund complainants and conduct annual shop steward workshops. It is essential to capacitate the shop stewards so that they can cascade the information at "shopfloor level", so that the employees hold their employers accountable for the payment of pension dedications to the relevant funds, and hold them accountable to comply with the OPFA determinations.

9.5.3 Naming and shaming employers owing pension contributions

On 31 August 2023, the FSCA named and shamed 3 262 private companies and municipalities who were up to 252 months in arrears with pension fund payments. This money was deducted from employees' salaries and intended for their retirement savings or pensions. By withholding it, the companies are, in effect, committing theft. Of the 3 262 employers on the list, 2 663 were in arrears by a year or more. Of these:

- An astonishing 2 224 (83%) security companies were in arrears with the PSSPF;
- 158 (6%) were Western Cape furniture manufacturers in arrears to the Bargaining Council for the Furniture Manufacturing Industry of the Western Cape Provident Fund; and
- 113 (4%) were municipalities owing payments to various local government funds.

The FSCA's statistics show that private-sector companies owe about R6 billion and municipalities a further R1 billion in contributions. Funds have a responsibility to ensure that participating employers fulfil their obligations. The FSCA's Conduct Standard 1 of 2022, which became effective on 19 February 2023, places notification and reporting obligations on the board of a fund, a principal officer or other authorised officers when an employer fails to comply with the PF Act. In August 2022, the FSCA imposed administrative penalties on several trustees of provident funds. Sanctioned trustees had



to vacate their positions on the boards while those who had left were fined. Several of the sanctioned individuals appealed to the FST, but the FSCA's decision was upheld in May 2023. The ruling confirmed the powers of the FSCA to remove such officers from the boards of funds and to impose penalties on them in their personal capacities.

The naming and shaming practice has far-reaching implications for companies. Some of the companies listed on the Johannesburg Stock Exchange have started to check the FSCA defaulters list and do not give business to or terminate contracts of companies on the list. Given that the FSCA has seen more companies coming forward to pay the outstanding contributions as a result of this action, the OPFA should update the FSCA on employers who are not complying.

9.5.4 Benchmark on the workload

Complainants' dissatisfaction with the turnaround time of the OPFA's services may or may not be attributable to the workload of the OPFA employees. The organisation should benchmark the workload with similar organisations, nationally and internationally. Understanding the workload may assist decisions to employ additional employees or introduce technologies that may result in the improvement of the disposal of complaints.

9.5.5 Have a central point of communication with regulators

A regulator representative noted that the relationship between the OPFA and the regulator was not good for five years after which they had signed a memorandum of understanding (MoU). The relationship and communication have improved in the two years since the MoU signing. Having a central point of contact (one person) has improved communication and service delivery between regulators and the OPFA. It was noted that the MoU says the regulator must provide the service required within 48 hours of receiving the request from the OPFA, but the central person does this in 24 hours or less. Since the adoption of the central point of communication, the employees of the OPFA do not need to wait for a long time for information as the central person refers matters to the relevant people. This must be sustained because it has drastically improved service delivery and relations.

9.5.6 Sustain the OPFA quarterly newsletters to the industry

A regulator noted that the quarterly newsletters that the OPFA sends to the industry on the trends have improved communication between the OPFA and the industry. This has enhanced the image and brand perception of

the OPFA. The regulator noted appreciation for the statistical information on the trends that they received from the OPFA. Some stakeholders may not know how to access the newsletters, therefore the OPFA has resolved to invite the public to sign-up to receive the newsletters.

9.5.7 Find a solution for the execution or enforcement of determinations

It was noted (by a regulator) that some employers do not comply with determinations because they know that the OPFA will not enforce determinations. As mentioned, the OPFA must influence other role players to ensure the execution and enforcement of its determinations. The organisation reserves the right to go to court to initiate contempt of court proceedings.

When the determination is not executed by the fund or employer, it leaves the complainant in limbo and frustrated, and losing faith and trust in the OPFA and the overall process. Pointing out that most people do not have the means to obtain a court order to make the determination binding to the employer, the regulator noted concerns about finding a solution to the enforcement problem. Aside from the OPFA educating complainants about the enforcement process of the Adjudicator's determinations, an issue that also emerged in the 2020 survey, as the OPFA does not have a mandate to enforce determinations it needs to consider collaborating with other stakeholders in the value chain who may assist in the speedy execution of the Adjudicator's determination, such as law firms or legal professionals who can assist complainants with pro bono services, and engaging Legal Aid South Africa and the South African Board for Sheriffs. This will include engagement of law clinics run by academic institutions for them to provide the pro-bono service to the complainants.

The OPFA is developing a database of companies who are willing to assist complainants on a pro bono, and soon the database will be shared on the website of the

organisation. the organisation is considering signing an MoU with Legal Aid South Africa. This will include negotiating with the Legal Aid South Africa to have a person dedicated to deal with pension fund cases at the Legal Aid offices, to expedite pension fund cases.

Further, as the current arrangement is not working and needs urgent attention to maintain the reputation of the OPFA, the OPFA may have to consider pushing for the amendment of the laws or directives to deal with enforcement more effectively.

9.6 Concluding Remarks

Section 27(1)(c) of the Bill of Rights grants everyone the right to have access to social security and appropriate social assistance if they are unable to support themselves and their dependants. The Bill of Rights further enjoins the State to take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right. As an agency of the state, the OPFA is one of the measures that seek to ensure that consumers' rights are protected, and that people have affordable access to administrative justice with regard to how pension funds are administered and serve pension fund members and their dependants.

The PF Act established the OPFA to provide an affordable and accessible alternative dispute resolution mechanism that makes binding determinations to protect consumers' rights. The fact that an average of 10 000 complaints are raised with the OPFA per annum shows the dire need for such protection. The high levels of stakeholder satisfaction reported in the Stakeholder Satisfaction Survey are not only a testament to the crucial role and mandate of the OPFA in achieving social security for all in South Africa, but the findings conclusively prove that the OPFA is living up to its core mandate of resolving pension fund complaints in a procedurally fair, expeditious and economic manner while achieving meaningful engagement with its key stakeholders.

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ANNEXURE A

PFA STAKEHOLDER SATISFACTION SURVEY QUESTIONNAIRE

Dear Valued Stakeholders

We at the Office of the Pension Funds Adjudicator (OPFA) take stakeholder feedback and input very seriously. As such we have commissioned this stakeholder satisfaction survey to measure our stakeholders' perception and knowledge of the OPFA; assess the impact that it has on its stakeholders; determine the level of satisfaction of stakeholders on the work done by the OPFA in executing its mandate; and identify ways of enhancing your service experience when interacting with the organisation.

As a valued stakeholder, you are kindly requested to participate in this survey, which will aid the OPFA in improving its future stakeholder engagements and provision of services. The survey will take about 15 minutes of your time. No person/organisation will benefit or be disadvantaged by participating in this survey.

Calorb Consultancy has been appointed to objectively conduct this survey on behalf of the OPFA. Stakeholders are invited to participate in the survey by responding to the following questionnaire as honestly as possible. The information provided in this survey will be treated with utmost confidentiality and anonymity. If you have any queries on the survey, please address them to info@calorb.co.za.

Yours sincerely,

Ms Muvhango Lukhaimane
Pension Funds Adjudicator

Tel: 012 748 4024

PFA STAKEHOLDER SATISFACTION SURVEY QUESTIONNAIRE

Do you voluntarily consent to complete this questionnaire?

If yes, please proceed with the questions that follow.

Yes

No

Please select the type of stakeholder group that you represent:

- Complainant (C) (pension fund member) – Combined (Qual and Quant)
- Complainant (C) (representative of pension fund member) – Combined (Qual and Quant)
- Funds and/or Fund Administrator (F) – Combined (Qual and Quant)
- Employer (E) – Combined (Qual and Quant)
- Media (M) – Combined (Qual and Quant)
- Regulator (FSCA) – Qualitative
- Ombud Council (OC) – Qualitative
- Industry bodies and other entities (I) – Combined (Qual and Quant)

Select Province:

- Eastern Cape
- Free State
- Gauteng
- KwaZulu-Natal
- Limpopo
- Mpumalanga
- Northern Cape
- Northern Cape
- Western Cape

Where did you find out about the OPFA?

- TV
- Radio
- Newspaper
- Social media
- Website of OPFA
- Other person/people
- Website of government
- Printed documents of government
- Billboard at offices of the OPFA or public road
- Conferences held by government or the OPFA
- Internet (not website of government or the OPFA)
- Printed documents of the OPFA (newsletters, annual reports and brochures)
- Other (specify)

I prefer lodging a complaint at the OPFA via:



- Telephone
- Website
- Email
- Fax
- In person
- Other (specify)

When last did you interact with or receive a service from the OPFA?

- Recent, within 2 years
- More than 2 years ago
- Never

Please indicate the extent to which you agree or disagree with the following statements.

SURVEY QUESTIONS

		RELEVANT STAKEHOLDER	Agree	Disagree
		C = Complainant F = Funds/Administrator E = Employer M = Media I = Industry body	1 	2 
1.	The OPFA resolve queries/complaints in a procedurally fair manner	C, F, E, M, I		
2.	I was given an opportunity to respond or fully ventilate my complaint and submit all relevant documentation	C, F, E		
3.	The attitude of the OPFA staff was fair to me	C, F, E		
4.	I am satisfied with the OPFA's turnaround time in handling queries/complaints	C, F, E		
5.	I was made aware that when I am not satisfied with the outcome of the complaint I can appeal, free of any charge	C, F, E		
6.	I believe the OPFA reached an objective outcome when it handled my complaint, regardless of whether it was found in my favour or against me	C, F, E		
7.	When my matter was not considered, I was given reasons and direction as to where I can go next	C		
8.	I have full confidence in the OPFA and how it does its work	C, F, E, M, I		
9.	I am aware that the services of the OPFA are free of charge	C, F, E, M, I		
10.	I am aware I do not have to use lawyers to access the work of the OPFA. I can refer my matter directly to them	C		
11.	I would choose to use the OPFA's services before I go to the courts	C, F, E		
12.	Overall, the complaints resolution or handling in the OPFA exceeded my expectation	C, F, E		
13.	There is a culture of high performance and operational excellence at the OPFA	C, F, E, M, I		
14.	Employees of the OPFA are skilled and solutions-oriented	C, F, E, M, I		
15.	Employees of the OPFA consistently treat clients with courtesy, consideration, and professionalism	C, F, E, M, I		
16.	Correspondence with employees of the OPFA is clear, accurate and timeous	C, F, E, M, I		
17.	I was made aware that I can check status of my complaint on the OPFA website	C		
18.	I find the OPFA website to be user-friendly when lodging a complaint or checking progress of my complaint	C		
19.	I was made aware that I can check status of my complaint by calling the OPFA offices	C		

SURVEY QUESTIONS

		RELEVANT STAKEHOLDER	Agree	Disagree
		C = Complainant F = Funds/Administrator E = Employer M = Media I = Industry body	1 	2
20.	Overall, the OPFA services are efficient and valuable	C, F, E, M, I		
21.	I am aware of what the OPFA does	C, F, E, M, I		
22.	It is easy to find the offices of the OPFA	C, F, E, M, I		
23.	It is easy to use the website of the OPFA for general information	C, F, E, M, I		
24.	The OPFA is always available to take my telephone calls for information or queries	C, F, E, M, I		
25.	The OPFA provides useful and understandable information to the media and other relevant platforms regarding its work	C, F, E, M, I		
26.	The OPFA is a reputable institution with a good public image	C, F, E, M, I		
27.	Overall, the offices of the OPFA are easily accessible and visible	C, F, E, M, I		
28.	Which of the following method(s) of communication do you prefer when engaging with the OPFA? <ul style="list-style-type: none"> • Online (email and website of the OPFA) • Social media (Facebook, Twitter, LinkedIn, and Instagram) • Business media • Broadcast media • Outdoor • Phone • Printed documents • WhatsApp • Videos posted on YouTube • Bulk SMS • Virtual meetings (e.g. Zoom, MS Teams, Skype) • Face-to-face meetings (e.g. regional forums, conferences, Izimbizo, etc.) • Other (please state) 	C, F, E, M, I		
29.	I can recommend the OPFA to others regarding complaints handling for pension-related goods and services	C, F, E, M, I		

Please use the space below for any comments or suggestions on how we could improve our services.

Thank you for taking the time to complete this questionnaire

ANNEXURE B QUALITATIVE INTERVIEW GUIDE

INTERVIEW GUIDE

Dear Valued Stakeholders

The Office of the Pension Funds Adjudicator (OPFA) take stakeholder feedback and input very seriously. As such they have commissioned this stakeholder satisfaction survey to measure stakeholders' perception and knowledge of the OPFA; assess the impact that it has on its stakeholders; determine the level of satisfaction of stakeholders on the work done by the OPFA in executing its mandate; and identify ways of enhancing your service experience when interacting with the organisation. Calorb Consultancy has been appointed to objectively conduct this survey on behalf of the OPFA. As a valued stakeholder, you are kindly requested to participate in this survey, which will aid the OPFA in improving its future stakeholder engagements and provision of services. The survey will take about 15 minutes of your time.

PROJECT LEADERS	Mr Calvin Maseko & Dr Kuhle Zwakala E info@calorb.co.za • T 072 120 9027 / 082 604 9445	
CLIENT	Office of the Pension Funds Adjudicator	
NAME OF INTERVIEWER		
DATE		
PLACE		
INTERVIEWEE DETAILS		
Title: Mr/ Mrs/Miss/Dr	Name:	Surname
NAME OF ORGANISATION.		
<i>Position of participant in the organisation:</i>		
<i>Physical address of organisation:</i>		
<i>Telephone numbers of participant</i>	Office:	Cell:

Q1: Can you share your assessment of the wording and type of language used in correspondence from the OPFA.

Q2. What is your perception of the OPFA regarding independence from influence of individuals when it conducts its work?

Q3. What is your perception of the OPFA on independence from influence of the pension fund industry when it conducts its work?

Q4. Share your opinion on the OPFA and independence from influence of the government when it conducts its work.

Q5. Do you believe the OPFA has the capable professionals and capacity to do its work? YES/ NO and why.

Q6. Given an opportunity to influence and contribute to change in query and complaints handling at OPFA what would you change or improve?

Q7: Please share your experience and opinion on the management of the OPFA on ethics, leadership and commitment to service excellence.

Q8. As a stakeholder, what is your experience on OPFA employees' manner of communication and respect?

Q9. What is your experience of OPFA's actions in instances where the promised standards of service are not delivered [probe for apology, explanation, remedy]

Q10. Given an opportunity to influence or contribute to how the OPFA operations are funded, what would you recommend?

Q11. Given an opportunity to influence or contribute to a change in operational excellence at OPFA what would you change or improve?

Q12: How would you describe the OPFA stakeholder relationship management?

Q12.1. How effective is the OPFA in communicating its programs to stakeholders?

Q12.2. Describe the OPFA's reception to stakeholders' advice and inputs.

Q12.3 What is your opinion on the OPFA's appetite to share best practices & lessons learned with industry and stakeholders?

Q13. What is your opinion on the OPFA's Integrated Annual Report usefulness?

Q14. Describe how you feel your organisation is viewed by OPFA as a stakeholder [probe for value & treatment]

Q15. Given an opportunity to influence or contribute to a change in stakeholder engagement what can you change or improve?

This concludes our session. Thank you for your participation.

If I have any further questions, or if I require further insight, may I please contact you again in future?

Yes

No

ANNEXURE C

ANECDOTES OF STAKEHOLDERS

The researcher and the OPFA apologise for any spelling mistakes and typing errors in this section of the report. In the questionnaires, the stakeholders were given an opportunity to suggest changes and make recommendations in their own words. The intention of this section, therefore, is to deliberately capture the words of the stakeholders verbatim (as they are) without proofreading and/or editing. The anecdotes are grouped into thematic areas (especially values of the OPFA) for better analysis.

Professional and technical competence

1. "No comment I'm satisfied with the service thanks".
2. "Wholistically satisfied".
3. "Am happy about you guys please keep helping people".
4. "Make sure you made the follow up on the complaint and give the people feedback, cos now I don't know what happened to my case since I logged the complaint".
5. "Though I'm happy with the services of PFA I think turnaround time in terms of resolving the matters should be improved and the number of the investigators be increased to deal with a workload at the office".
6. "The service of OPFA is good and fair, everything was done on time".
7. "Improve personal skills of employees".
8. "The OPFA is a critical institution for the resolution of pension fund disputes. My interaction with the office on behalf of clients was professional, largely efficient and fair. Keep up the good work."
9. "Keep updating a person on how far is his or her complain handling is going".
10. "I will also wish to know when I will receive my outstanding balance because am still waiting for the outstanding payment".
11. "PFA service is very good".
12. "Thank You"
13. "I recommended to some of my friends".
14. "I don't have suggestions, but I have a say that I don't understand why my complaint wasn't resolved".
15. "I was dissatisfied".
16. "I am happy with your service".
17. "Your work is excellent guys keep it up many thanks".
18. "My complaint was never resolved, and that employer didn't pay my provident fund into my fund account as agreed".
19. "Always update complainants on their cases".
20. "Guys for me you made my case great work, and you were extremely professional. For that I give you guys 100% please. Keep up the good work. I am satisfied please keep helping the others in same situation I was in. Thank you".

21. "So far you are doing well".
22. "I thank u OPFA the way u help me, you are the best".
23. "I would like to tell the employees of the OPFA to keep it up, I like the way OPFA handled the case".
24. "Thank you so much for your assistance and collaboration in resolving complaints".
25. "Very happy with the professional and courteous service and engagement with the OPFA. Well done!"
26. "Keep up the good work because you're better than the rest and from my personal point of view you redirected my matter to the relevant scheme within reasonable time".
27. "I received excellent service from the OPFA and I would surely recommend their services to anyone".
28. "About the service I got to the workers was impressed and good for me".
29. "Please make sure of finding solutions to help your clients to get the money from their employer".

Integrity

1. "Professional and honest".
2. "OPFA is corrupt!!!"
3. "To work diligently effectively and to stop taking bribes".

Stakeholder synergy

1. "Perfect communication however change of representatives affected constant communication.
2. "Inform people at their workplaces about OPFA".
3. "Please send me the email address where I can send my complains regarding my other complains. I have lost the direct email contacts to thatosello02@gmail.com".
4. "You need to consult the complaint and employer physically".
5. "Please make South Africans aware of this service. I am technologically savvy that is how I found you, had I not been I would have never found you".
6. "Industry appreciates the newsletters of the OPFA. The brand of the OPFA has improved".
7. "Our relationship and communication with the OPA have improved in the two years. It was not the case five years ago. Centralising the communication to one person has helped a lot".
8. "The is a need for our executives and the executives of the OPFA to meet quarterly. This can help us to check if we are all satisfied with the services we provide to each other".

Respect and dignity

1. "I think the staff should try and answer calls a little bit quicker because some people do not have enough airtime to wait for a consultant to answer".
2. "You must improve to answer calls when we call".
3. "When I email OPFA must respond in time, you take time".
4. "I waz helped last year even now that company didn't pay me. It's 113 months not yet paid, Nobody gets back to you and one representative keeps pushing the matter onto a new one again and again and noting gets resolved waste of my time. I am appalled".

5. "Hi me I need my money back guarantee because it take so long now for 2yrs".
6. "Please can you fasten the payments we complied to you".
7. "Maybe next to give reason of delays, my case was resolved but I haven't given the reason of the cause why they delay my provident fund".
8. "You must always follow-up on your clients to see how are their complaints doing".

Impartiality

1. "I suggest that OPFA must have a lawyer to assist us to enforce the order...we are struggle with the legal aid board".
2. "You need to be strict to companies that do not comply. Its either you close them or make them pay because I am the one who suffers the most at the end. But anyway, you outdone your best".
3. "I didn't finish with OPFA because they told me to get an enforcement from high court, but I am not satisfied, because I didn't get the enforcement letter from high court. Can I get assistance from OPFA".
4. "Making enforcement to the companies that owes us, as members".
5. "OPFA should be reliable and not biased. They should investigate the matter thoroughly and offer assistance where it's needed and give complainants all information needed".
6. "I had a complain regarding my previous employer who didn't pay my provident fund even the legal aid team didn't take the matter serious".
7. "I was working at Mafoko Security from 2010 to 2022. The contract is finished. They didn't give me my service money. They gave me R29,600 only. I want all my money for 12 years' service at Mafoko Security".
8. "One thing to do is to send the clients the Determination letter if they just humbly ask for it that's all".
9. "Make sure the employer pays outstanding balance to PSSF".
10. "The Adjudicator is a strong character. She is not easily persuaded".



