

Chief Executive Officer
Retirement Benefits Authority
Rahimtulla Tower, 13th Floor
P. O. Box 57733, City Square
00200 - Nairobi
Tel: 2809000/0722509939

**DETAILS OF THE COMPLAINT
TO BE SUBMITTED TO THE
AUTHORITY**

PLEASE READ THIS FORM AND THE GUIDANCE NOTES* CAREFULLY. COMPLETE THE FORM BY WRITING OR TYPING CLEARLY IN THE SPACES PROVIDED. THEN SIGN THE DOCUMENT AND SEND IT TO THE RETIREMENT BENEFITS AUTHORITY WITH ALL OTHER RELEVANT PAPERS

PART A: DETAILS OF COMPLAINANT

Date

Title Surname Forenames

Address

Date of Birth I.D. No. Telephone Contact

PART B: SCHEME NAME

DATE OF JOINING SCHEME

DATE OF LEAVING SERVICE

REASONS FOR LEAVING SERVICE
(Brief reason. Can be elaborated at page 4)

PART C: DO YOU WISH TO BRING A COMPLAINT AGAINST THE TRUSTEES OF THE SCHEME? Yes

No

Name(s) of Trustees

Address

* Guidance Notes at pages 7-8

PART D: DO YOU WISH TO BRING A COMPLAINT AGAINST THE SPONSOR OF THE SCHEME OR EMPLOYER?

Yes

No

**Name of Sponsor/
Employer**

Address

PART E: DO YOU WISH TO BRING A COMPLAINT AGAINST THE MANAGER/ CUSTODIAN OR ADMINISTRATOR OF THE SCHEME?

Yes

No

**Name(s) of Manager/
Custodian/
Administrator**

Address(es) and names of contact person if known

PART F: TO YOUR KNOWLEDGE HAS THIS COMPLAINT OR A RELATED MATTER BEEN BROUGHT TO THE AUTHORITY BEFORE?

Yes

No

If Yes please provide details including RBA reference

PART G: PREVIOUS PROCEEDINGS

Have there been any Court or Industrial Court proceedings in connection with this dispute?

Yes

No

Has this dispute been referred to an arbitration process under the Arbitration Act or other process?

Yes

No

Has this dispute been referred to any other regulatory body or Tribunal apart from the Authority?

Yes

No

If the answer to any of these last three questions is “Yes” please give details below:

Attach copies of all documents and pleadings presented and the judgement or decision made by the court, tribunal or arbitrator.

Part H: FACTS RELATING TO THE COMPLAINT

Please clearly and concisely explain the complaint or dispute, giving dates and what you think should be done to put matters right. It is mandatory that you enclose copies of all relevant correspondence or documents in your possession related to this complaint that may assist us in addressing the complaint. E.g. evidence of your membership to the scheme such as copy of pay slip or member statement.

You do not have to use this space. If you wish you may complete a separate sheet, typed if possible. If using handwriting, please write clearly and in black ink (as with the rest of this form).
(Continue on next page and/or on a separate sheet if necessary)

(Continue on the next page and/ or separate sheet if necessary)

Part H: FACTS RELATING TO THE COMPLAINT (Continued)

[Empty rectangular box for text entry]

Part I: DETAILS OF REPRESENTATIVE (IF ANY)

Name and Address

Daytime Telephone Number

Do you wish the RBA to correspond with this representative instead of with you? Yes No

Part J: SIGNATURE

Please note that copies of this form and any enclosures or papers received from you will be sent for comment to the people or bodies that you have named as respondents

Signature

Date

Complainant/representative (delete as appropriate)

If signed by the representative, please enclose evidence of authority

Return this form with enclosures to:

**Chief Executive Officer
Retirement Benefits Authority
Rahimtulla Tower, 13th Floor
P. O. Box 57733, City Square
00200 - Nairobi**

DETAILS OF COMPLAINT OR DISPUTE TO BE SUBMITTED TO THE RETIREMENT BENEFITS AUTHORITY - NOTES ON COMPLETION OF FORM - Please complete the form using **black** ink.

It is important that a member first addresses a complaint with the trustees who are the legal owners of the scheme and have a duty to manage the scheme. Evidence of such communication will be required when submitting a complaint.

PART A COMPLAINANT

Please do not use this form if you are an employer or the trustee(s) or manager of the scheme. Instead you should ask the Authority for guidance on how to complain. All other complainants should use this form.

PART B SCHEME NAME

You will usually find the name of the scheme on your scheme booklet or in correspondence from the scheme or the employer. If your complaint concerns more than one scheme, please complete a separate form for each.

PARTS C TO E

You may bring a complaint or dispute against all or any of the present or former trustees, employers, managers or a complaint against anyone concerned with the administration of the scheme. Please note that the Authority cannot investigate a complaint or dispute concerning a party not in one of these categories.

Please read the information below carefully before entering their details on the form. If you need more space, please use an additional sheet.

PART C TRUSTEES

If your complaint or dispute concerns the scheme trustees you should complete Part C. Pension schemes are usually run by trustees or a trust company (the main exception is most public service schemes, for example, local government). You can bring a complaint or dispute against all or any of the present or former trustees. If your complaint or dispute concerns all of the trustees at the relevant time you may just write "The trustees of the scheme" in the "Name" box and give an address at which they can be contacted. If you know who deals with correspondence on behalf of the trustees, please put down their name in the "Address" box.

If your complaint or dispute concerns a particular trustee (whether a person or a company) you should enter the name. If you want to name more than one person, please list the names.

Please provide an address for each trustee that you name. The business address will do.

If your complaint or dispute concerns any of the present trustees you should have completed the scheme's Internal Dispute Resolution procedure before applying to the Authority and will need to show that you have done so.

PART D EMPLOYER

If your complaint or dispute concerns an employer participating in the scheme, enter the details here including the address for correspondence. If you know who deals with correspondence on behalf of the employer, please put their name in the "Contact name" box.

PART E MANAGER AND/OR ADMINISTRATOR

Use this section of the form if your complaint or dispute concerns:

- an organisation running a scheme on behalf of the trustees
- any other body or individual person concerned with the administration of the scheme.

Enter the details here including the address for correspondence. If your complaint or dispute concerns an organisation and you know who deals with correspondence on behalf of them, please put the person's name in the "Contact name" box.

PART F RBA

The Authority will not normally investigate a complaint or dispute if it has been previously submitted to the Authority or it involves a matter already resolved with respect to other members of the same scheme. If you are aware of such complaints you should state it.

PART G PREVIOUS PROCEEDINGS

If Court or Industrial Tribunal proceedings have begun in respect of the same matter as a complaint or dispute referred to the Authority we cannot investigate it unless the proceedings began after 8th October 2000 and they were discontinued or stayed without a settlement which is binding on you.

If the matter has been referred to another body this is not necessarily a bar to an investigation by the Authority but full details should be given.

PART H THE FACTS RELATING TO THE COMPLAINT OR DISPUTE

Please explain the complaint or dispute, giving dates and what you think should be done to put matters right. Enclose copies of all relevant correspondence or documents in your possession relating to the matter and not already held by the Authority. You do not have to use the space on the form. Set it out on a separate sheet if you wish.

You may if you wish refer to a specific document or documents. However, please be precise. Do not refer to previous correspondence without specifying exactly which items. Refer only to documents in which the complaint or dispute is actually set out. **Remember that the Authority cannot investigate your complaint or dispute unless it is clear.**

PART I DETAILS OF REPRESENTATIVE

You may use a representative to deal with your complaint or dispute. However, you will have to meet the costs of employing a professional person from your own pocket. Remember the Authority functions in such a way as to make employing a representative usually unnecessary. The Authority will correspond with the complainant or the representative, but not both.

PART J SIGNATURE

Please remember to sign the form. If you are signing as a representative of a complainant, please provide evidence that you have their Authority to do so.