



Ms Stacy Lunnon
Pension Practitioner
Office 12
Venture Wales Building
Pentrebach
Merthyr Tydfil
CF48 4DR

2nd December 2021

Dear Stacy

Re the Phoenix Pension Fund ("The Scheme")

I write to you in the hope that you will be able to assist me with matters in regard to the Scheme. There are points that I need to clarify in regard to the work undertaken by Workplace Pension Trustees Ltd ("WPT") whilst trustees of the Scheme, at the time both before and subsequently when you were a director.

Privilege Wealth One LP ("Privilege Wealth")

The actions by WPT in relation to the investment of £490,000 in Privilege Wealth loan notes in 2014 is of particular concern. I understand that this matter was principally handled by Brad Davies, who is no longer able to answer for his actions, but you may have been involved in, or witnessed the process of assessing the investment and the advice process.

I understand that the adviser to the trustee at that time was Universal Wealth Investments Ltd ("UWI"), with Clive Howells as the sole director. Can you provide copies of any formal investment advisory agreement or other correspondence from UWI to the trustee, that sets out both their terms of engagement or retainer and their formal advice in relation to this investment? I appreciate the scheme at clauses 9.4 and 9.5 makes provision for this, providing of course such services are documented and for the benefit of the scheme. If no formal advice was provided, how did WPT come to the conclusion that the investment would be in the interests of the members and in accordance with the trustee's duty to take care, and to exercise skill in the performance of making investment decisions, in accordance with Section 33 of the Pensions Act 1995 and further more in accordance with the provision of Clause 11.4 of the Pension trust deed and rules were such decisions documented with the required investment statement?

We have spoken about this before, but I'd be grateful if you would confirm that you have taken all possible steps to retrieve copies of correspondence about this matter.

Insurance

The current trustees are under an obligation to protect the interests of the membership and the losses associated with the Privilege Wealth loan notes is a significant factor in the destruction of value that the membership of the 'pooled fund' members have suffered. If WPT did not take appropriate steps to assess the risks and suitability of this investment, they could be held accountable for failing to perform their duties under the Trust Deed and under legislation.

Did WPT have Professional indemnity insurance to cover the actions of the trustees and is run off cover in place? This is an important point that I need to consider.

I would be grateful if you could get back to me within say the next 28 days, sooner if possible as I need to inform the Pensions Regulator of the current position.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Boyes', with a stylized flourish at the end.

NICK BOYES
DIRECTOR