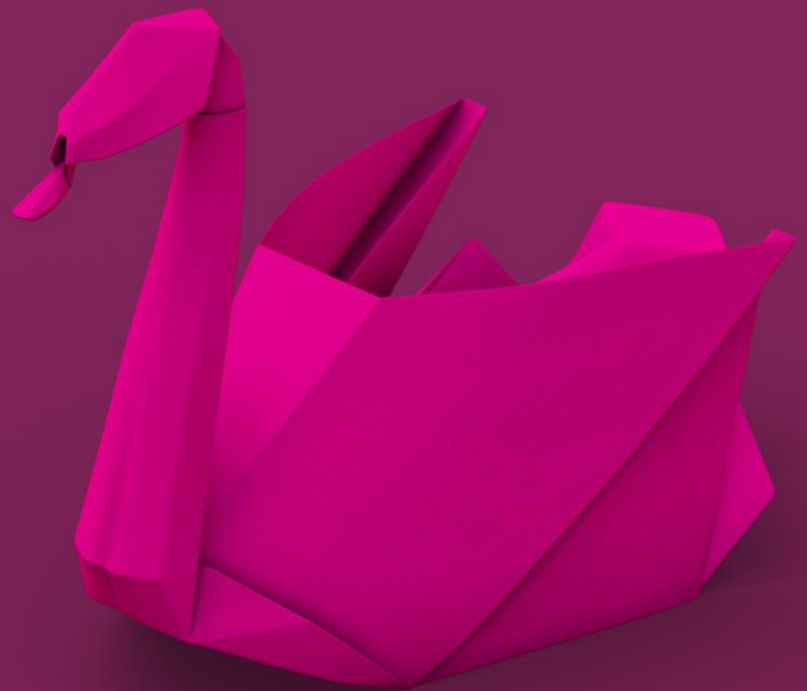


Internal dispute resolution procedure (IDRP)

Leaflet for BSS Group Pension
Scheme



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Signatory of:



Internal Dispute Resolution Procedure

BSS Group Pension Scheme

1. Introduction

Any pensions queries or complaints that you have should first be raised informally with the Scheme Secretary, William Gold of Dalriada Trustees.

If any disagreement cannot be resolved informally, you may be able to use our formal dispute resolution procedure to apply for a decision on your disagreement. Details are set out in the following pages. An application form for initiating the procedure is available from the Scheme Secretary, William Gold, at William_Gold@dalriadatrustees.co.uk and, although you do not have to use it, doing so should ensure that all the correct information is included in your application.

2. Who can use the Dispute Resolution Procedure?

You can use the Dispute Resolution Procedure in relation to your own membership of the scheme if:

- 2.1 you are an active member,
- 2.2 you are a deferred member,
- 2.3 you are a pensioner member,
- 2.4 you are a prospective member, in other words:
 - 2.4.1 you can become a member of the scheme if you so choose, or
 - 2.4.2 you will be able to do so if you continue in the same employment for a sufficiently long period, or
 - 2.4.3 you will be admitted to the scheme automatically unless you make an election not to do so, or
 - 2.4.4 you may be admitted to the scheme if your employer consents,
- 2.5 you have ceased to be any of the above within the six months immediately before your formal application is made (under this procedure), or
- 2.6 there is a disagreement which relates to a question whether you should be in one of the above groups.

You can use the Dispute Resolution Procedure in relation to the membership of **another person** if:

- 2.7 you are:
 - 2.7.1 the widow, widower or surviving civil partner of a deceased member, or
 - 2.7.2 a surviving dependant of a deceased active, deferred or pensioner member, or
 - 2.7.3 someone who is entitled to the payment of scheme benefits on the death of a member, or
 - 2.7.4 the personal representative of a deceased member,
- 2.8 you have ceased to be someone in 2.7.1 or 2.7.3 above but only in the six months immediately before your formal application is made (under this procedure), or
- 2.9 you claim you should be in one of the above groups.

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3. Does the Dispute Resolution Procedure apply to my disagreement?

3.1 What disagreements does it apply to?

The Dispute Resolution Procedure applies only to disagreements between anyone listed above and the Scheme Trustees in relation to the Scheme.

3.2 What disagreements does it not apply to?

The Dispute Resolution Procedure does not apply to disagreements:

3.2.1 between Scheme members and employers;

3.2.2 where proceedings have already been started in any court or tribunal; or

3.2.3 which the Pensions Ombudsman is already investigating

4. Can someone help me use the Dispute Resolution Procedure?

You can apply for a decision either yourself or through a representative, for example, your husband or wife or a friend chosen by you. If you have appointed an Independent Financial Adviser, they may be able to act on your behalf. In all cases, you will need to provide written authority for the Scheme to deal with the nominated individual.

If you are under 18 or otherwise unable to act for yourself, your application may be made or continued by a member of your family or some other suitable person.

If you die before your complaint is resolved, it may be continued by your personal representative.

5. How do I use the procedure to try to resolve my disagreement?

There is a formal procedure for making an application for a decision about your disagreement. The procedure is intended to ensure that all valid disagreements are dealt with in a timely manner. If the procedure is not correctly followed, your application need not be considered under the Dispute Resolution Procedure.

Your application must be in writing, headed Dispute Resolution Procedure and signed by you or your representative.

5.1 If you are making a claim in relation to your own membership, your application should include the following:

5.1.1 full name,

5.1.2 address,

5.1.3 date of birth,

5.1.4 National Insurance number, and

5.1.5 Scheme reference number (if available).

5.2 If a representative is acting on your behalf:

5.2.1 his or her full name,

5.2.2 his or her address,

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5.2.3 whether his or her address is to be used for contacting you about your application, and

5.2.4 a statement as to the nature of your disagreement, with enough detail to show the basis for your complaint.

Alternatively, you may use the application form. You are not required to use the form, but it may be of assistance as it will ensure that you include all the necessary information.

5.3 **If you are making a claim which relates to the membership of another person, your application should include the following:**

5.3.1 your full name,

5.3.2 address,

5.3.3 date of birth,

5.3.4 a statement of your relationship to the Scheme member,

5.3.5 his or her full name,

5.3.6 his or her address,

5.3.7 his or her date of birth,

5.3.8 his or her national insurance number, and

5.3.9 a statement as to the nature of your disagreement, with enough detail to show the basis for your complaint.

Alternatively, you may use the application form. You are not required to use the form, but it may be of assistance as it will ensure that you include all the necessary information.

Remember that, in relation to certain applicants, there is a 6-month time limit for an application to be made under this procedure, that is, where you have ceased to fall within a certain category of applicants or claim that this is the case (see Section 2: Who can use the Dispute Resolution Procedure? above).

There is no time limit for making a complaint under the IDRP while you remain a member of the Scheme. However, inevitably with the passage of time, complaints become harder to investigate. Therefore, if you have a complaint, the Trustees recommend that you seek to bring any complaints within 3 months of the cause of the complaint arising.

5.4. **To whom do I send my application for a decision?**

You should send your application to the Scheme Secretary, William Gold, at the address shown at the end of this leaflet.

6. **What happens next?**

Your application will normally be acknowledged within 5 working days of receipt. If you do not receive an acknowledgement within that period, you should telephone the Scheme Secretary, William Gold, at Dalriada Trustees on 0203 728 8309 to check that your complaint has been received.

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7. Investigation and consideration of the complaint

If your application has been completed correctly, it will be dealt with by the Scheme Secretary, William Gold. They will aim to deal with your complaint as quickly as reasonably possible and they will endeavour to send a notice of their decision to you or your representative (if you have one), no later than 4 months of the date they received your complaint.

If the Scheme Secretary, William Gold, believes that they will not be able to reach a decision in that time, they will write to you or your representative to explain the reasons for the delay and when you can expect a decision.

For example, there may be a delay because more information is needed from you or a third party may need to retrieve your files from storage.

If your application is invalid, it will be returned to you with a letter explaining why.

8. What will the Notice of Decision say?

As well as the decision itself, the notice will include:

- 8.1 a reference to any legislation relied on,
- 8.2 a reference to the parts of the Scheme Rules relied on for the decision,
- 8.3 where a discretion has been exercised, a reference to the parts of the Scheme Rules by which that discretion is conferred,
- 8.4 any reasons the decisionmaker considers appropriate to include in the notice,
- 8.5 a statement that the Pensions Ombudsman may investigate and determine any complaint or dispute of fact or law in relation to a pension scheme made or referred to him in accordance with the Pension Schemes Act 1993, and the address at which he may be contacted.
- 8.6 Details for the Money and Pensions Service (see below).

9. Appeals - What if I am still not satisfied?

9.1 Who can I appeal to?

If you are not satisfied with the decision, you can apply to have your application [and the Notice of Decision] reconsidered by the Trustee.

9.2 Is there a time limit?

Your application must be received by the Trustee within 6 months of the date of the notice of decision and must comply with the following procedures otherwise the Trustee does not have to consider it.

10. How do I appeal?

Your application to have the decision reconsidered must be signed by you or on your behalf.

It must be sent to the Chair of the Trustee. It must contain all the information required in the original application. In addition, it must include:

- 10.1 a copy of the Notice of Decision
- 10.2 a statement setting out the reasons why you are not satisfied with the decision, and

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10.3 a statement that you wish your application to be reconsidered by the Trustee.

An appeal application form is available from the Scheme Secretary, William Gold. You do not have to use it, but it may be of assistance as it will ensure that you include all the information required.

11. What happens next?

Your application will normally be acknowledged within 5 working days of receipt. If you do not receive an acknowledgement within that period, you should telephone Chair of the Trustee on 028 9041 2018 to check that your application has been received.

If your application has been completed correctly, we will write to you and your representative (if you have one) within 4 months of receiving the complaint with a notice of the Trustees' decision.

If the Trustee believes that it will not be able to reach a decision in that time (for example, because there has not been a Trustee meeting or if it requires further information from you), it will write to you telling you the reasons for the delay and when you can expect a decision.

If your application is invalid, it will be returned to you with a letter explaining why.

12. What will the Notice of the Scheme Trustees' Decision say?

As well as the Trustee's decision, the notice will include:

- 12.1 an explanation as to whether and, if so, to what extent the decision either confirms or replaces the decision from which you have appealed;
- 12.2 a reference to any legislation relied on;
- 12.3 a reference to the part of the Scheme Rules relied on for the decision;
- 12.4 where a discretion has been exercised, a reference to the parts of the Scheme Rules by which that discretion has been conferred;
- 12.5 any reasons the decisionmaker considers appropriate to include in the notice,
- 12.6 a statement that the Pensions Ombudsman may investigate and determine any complaint or dispute of fact or law in relation to a pension scheme made or referred to him in accordance with the Pension Schemes Act 1993 and the address at which he may be contacted.
- 12.7 Details for the Money and Pensions Service (see below).

13. What if I am still not satisfied?

If you are not satisfied by the Plan Trustees' decision, you may refer your complaint to the Pensions Ombudsman.

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14. Addresses and Telephone Numbers

Scheme Secretary

William Gold
Linen Loft, 27-37 Adelaide Street
Belfast
BT2 8FE
028 9041 2018

Chair

Barbara Fewkes
Linen Loft, 27-37 Adelaide Street
Belfast
BT2 8FE
028 9041 2018

The Office of the Pensions Ombudsman

10 South Colonnade, Canary Wharf, E14 4PU

Telephone: 0800 917 4487

Email: enquiries@pensions-ombudsman.org.uk

Website: [Homepage | The Pensions Ombudsman \(pensions-ombudsman.org.uk\)](https://www.pensions-ombudsman.org.uk)

The Money and Pensions Service

For any general queries or advice, the Money and Pensions Service is also available to assist you. It is an arm's-length body, sponsored by the Department for Work and Pensions, with a joint commitment to ensuring that people throughout the UK have guidance and access to the information they need to make effective financial decisions over their lifetime.

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Belfast

Linen Loft
27-37 Adelaide Street
Belfast
BT2 8FE

Birmingham

Edmund House
12-22 Newhall Street
Birmingham
B3 3AS

Bristol

Spaces Castle Park
Programme Building
Bristol
BS1 2NB

Glasgow

The Culzean Building
36 Renfield Street
Glasgow
G2 1LU

Leeds

Princes Exchange
Princes Square
Leeds
LS1 4HY

London

46 New Broad Street
London
EC2M 1JH

Manchester

St James Tower
7 Charlotte Street
Manchester
M1 4DZ