

INTERNAL DISPUTE RESOLUTION PROCEDURE BRUSH GROUP (2013) PENSION SCHEME ("the Scheme")

1. General

This note sets out the procedure which is followed to deal with disputes between beneficiaries (or potential beneficiaries) of the Scheme and the trustees.

2. Whose complaints are covered by this procedure?

2.1 Complaints can be accepted under this procedure from:

- (a) any closure deferred member or deferred pensioner or pensioner of the Scheme;
- (b) any employee who is potentially a member;
- (c) a former member's widow or widower or other dependant;
- (d) anyone who ceased to be in one of the above categories in the previous six months; and
- (e) any person claiming to be, or entitled to become, one of the above.

2.2 A complaint may alternatively be made on behalf of one of the above by a representative nominated by him or her. If a complainant is incapable of acting for himself or herself it may be made or continued by a family member or other suitable person. If a complainant is deceased it may be made or continued by his or her personal representatives or other suitable person.

2.3 This procedure does not cover complaints in respect of former members who have transferred their benefits from the Scheme more than six months ago, nor complaints which are subject to specific investigation by the Pensions Ombudsman or where proceedings have begun in a court or a tribunal.

3. What is the procedure?

3.1 The complainant must put in writing:

- (a) his or her name, address, date of birth and National Insurance number;
- (b) if the complainant is the widow, widower or dependant of a deceased member, the name, address, date of birth and National Insurance number of the member and the relationship with the member; and
- (c) if the complaint is to be dealt with by a representative, his or her name and address.

3.2 The complainant should put in writing the details of the nature of the complaint. (Copies of relevant documentation relating to the complaint should be enclosed.)

3.3 The complaint should be signed and then sent to the Secretary to the Trustees, The Brush Group (2013) Pension Scheme, Aon, Colmore Gate, 2 Colmore Row, Birmingham B3 2QD who the trustees have nominated to investigate complaints.

4. Initial response

4.1 As soon as practicable after a complaint is received, the complainant will be provided with details of the Money and Pensions Service (which includes The Pensions Advisory Service) and The Pensions Ombudsman.

At any stage in the internal dispute resolution procedure, the complainant can refer the complaint to The Pensions Ombudsman free of charge. The Pensions Ombudsman deals with complaints and disputes which concern the administration and/or management of the Scheme. Contact with The Pensions Ombudsman about a complaint needs to be made within three years of when the event(s) complained about happened – or, if later, within three years of when the complainant first knew about it (or ought to have known about it). There is discretion for those time limits to be extended. The Pensions Ombudsman can be contacted at:

The Pensions Ombudsman
10 South Colonnade,
Canary Wharf,
London
E14 4PU

Tel: 0800 917 4487

Email: enquiries@pensions-ombudsman.org.uk

Website: www.pensionsombudsman.org.uk

A complaint can also be submitted online: [www.pensions-ombudsman.org.uk/our-service/make a complaint/](http://www.pensions-ombudsman.org.uk/our-service/make-a-complaint/)

If the complainant has general requests for information or guidance concerning the Scheme, they may find the Money and Pensions Service useful. The Money and Pensions Service is a free and independent advisory service available to assist members, and includes The Pensions Advisory Service. They can be contacted by telephone on 0800 011 3797, online at www.pensionsadvisoryservice.org.uk/contacting-us or by post at:

The Pensions Advisory Service
11 Belgrave Road
London
SW1V 1RB

4.2 The secretary to the trustees will consider the complaint and notify the complainant of the decision reached by him or her within 15 working days of the decision being reached, and no later than two months of the complaint being received. If the secretary to the trustees is unable to issue written notice of his or her decision within this time limit, an interim reply will be sent to the complainant before this time limit expires providing an explanation of the delay and an expected date of issuing a decision.

The written notification of the secretary to the trustees' decision will include:

- (a) a statement of the decision;
- (b) reference to any legislation relied upon;
- (c) reference to any part of the Rules of the Scheme relied upon, and, where a discretion has been exercised, a reference to the part(s) of the Scheme Rules which confers such discretion;
- (d) confirmation again of the contact details for the Money and Pensions Service (which includes The Pensions Advisory Service) and The Pensions Ombudsman; and
- (e) a statement that if the complainant is dissatisfied with the decision from the secretary to the trustees, he or she should write within six months of the date of the response to the complaint to the Secretary to the Trustees, enclosing an explanation as to why the complainant disagrees with this decision. In addition, the complainant must include the information listed in paragraph 3.1, together with a clear statement that the complainant wishes the complaint to be considered by the trustees.

5. Trustees' response

5.1 If the complainant has notified the trustees that he or she is dissatisfied with the initial response, the complaint will then be considered by the trustees. The complainant will again be provided with the contact details of the Money and Pensions Service (which includes The Pensions Advisory Service) and The Pensions Ombudsman (as set out in paragraph 4.1 above) as soon as reasonably practicable after the complainant's request that the complaint be considered by the trustees is received.

The trustees will consider the complaint and notify the complainant of the decision reached by them within 15 working days of the decision being reached, and no later than two months after receiving the request that the complaint be considered by them. If the trustees are unable to issue written notice of their decision within this time limit, an interim reply will be sent to the complainant before this time limit expires providing an explanation of the delay and an expected date of issuing a decision.

The written notification of the trustees' decision will include:

- (a) a statement of the decision;
- (b) a statement as to whether their decision confirms or replaces the initial decision;
- (c) reference to any legislation relied upon;
- (d) reference to any part of the Rules of the Scheme relied upon, and, where a discretion has been exercised, a reference to the part(s) of the Scheme Rules which confers such discretion;
- (e) information about the Money and Pensions Service (which includes The Pensions Advisory Service) (as set out in paragraph 4.1 above), and
- (f) information about The Pensions Ombudsman (as set out in paragraph 4.1 above)