

**BRUSH GROUP (2013) PENSION SCHEME**  
**INTERNAL DISPUTE RESOLUTION PROCEDURE POLICY**

**Adopted on:** 18 September 2024

**Drafted by:** Squire Patton Boggs

**1 PURPOSE OF POLICY**

- 1.1 The purpose of this policy is to set out the Trustees' formal IDR policy, adopted by the Trustees of the Scheme in accordance with Sections 50 to 50B of the PA95.
- 1.2 In accordance with the PA95 and as set out in the Code, the Trustees must put in place a formal procedure and process to investigate and decide upon disputes relating to the Scheme, in respect of persons with an interest in the Scheme. Trustees can adopt either a one stage or two stage IDR. The Trustees have decided to adopt a one-stage IDR, as set out below.
- 1.3 This policy applies only to complaints about the Scheme which relate to the Trustees or managers of the Scheme. It does not apply to complaints in relation to a Scheme employer. The Trustees will not consider (or will cease to consider) certain other disputes under the IDR where proceedings in respect of that matter have been referred to a court or tribunal or where The Pensions Ombudsman is investigating the matter.

**2 GLOSSARY**

A glossary of terms used in this policy is set out at Schedule 1.

**3 IDR**

**Who can complain under the IDR?**

- 3.1 A complaint may be brought under the IDR by or on behalf of any person who:
- (a) is a closure deferred member or deferred pensioner or pensioner of the Scheme;
  - (b) is an employee who is potentially a member;
  - (c) is a widow, widower, surviving civil partner or other dependant of a former member of the Scheme;
  - (d) is a surviving non-dependant beneficiary of a deceased member of the Scheme. This is a person who, on the death of the member, is entitled to the payment of benefits under the Scheme;
  - (e) was in any of the above categories in the six months (or such longer period as the Trustees may consider appropriate) before making their complaint; or

- (f) claims to fall within any of the above categories and the dispute relates to whether they are such a person.
- 3.2 A complaint may be made or continued on behalf of the complainant by a representative of the complainant who shall be:
- (a) if the complainant dies, his personal representative or another person suitable to represent the complainant;
  - (b) if the complainant is incapable of acting for himself, a member of the complainant's family, or another person suitable to represent the complainant;  
or
  - (c) in any other case, a representative nominated by the complainant in writing.
- 3.3 The Trustees reserve the right to request confirmation that the representative is appropriately appointed.

#### **What is the complaints process?**

- 3.4 To enable any complaint or dispute to be considered, complaints must be made in writing and contain the following information:
- (a) the complainant's name, address, date of birth, national insurance number, and relationship to the Scheme e.g. member, spouse of member etc;
  - (b) if a representative is appointed, the representative's name, address and proof of appointment; and
  - (c) full reasons for the complaint, clearly explained with enough detail to show why the complainant is unhappy (copies of relevant documentation relating to the complaint should be enclosed).
- 3.5 The complaint must be signed and sent for the attention of Ian Emery, Secretary to the Trustees of the Brush Group (2013) Pension Scheme, c/o Aon, The Colmore Building, 20 Colmore Circus Queensway, Birmingham, B4 6AT or [ian.emery@aon.com](mailto:ian.emery@aon.com).
- 3.6 A complaint must normally be made within six months of the date of the event or decision which is the subject of the complaint, although the Trustees may consider older complaints where appropriate.
- 3.7 The Trustees will acknowledge receipt of the complaint as soon as possible after receipt.
- 3.8 The Trustees will consider the complaint. In doing so they will conduct such investigations as they see fit to ensure they have all the appropriate information to make an informed decision and may request such further additional information/documentation as they consider necessary.
- 3.9 The Trustees will decide the complaint as soon as practically possible and normally within 4 months of receipt of the complaint. Where the complaint cannot be decided within this period the Trustees will notify the complainant (or their representative)

explaining the reasons for the delay and when they expect to be able to reach a decision.

- 3.10 The Trustees will aim to notify the complainant (or their representative) within 21 days of reaching a decision. The notice of decision will explain the decision and set out the reasons for it. It will also include:
- (a) reference to any relevant legislation or scheme documentation;
  - (b) reference to such parts of the Scheme rules which have been relied upon in reaching the decision;
  - (c) if a discretionary power was exercised, the source of that power;
  - (d) a statement (in the form contained in Schedule 2) explaining the complainant's right to refer the matter to The Pensions Ombudsman, and information about The Pensions Ombudsman's Early Resolution Service and the Money and Pensions Service (including MoneyHelper).

#### **4 ADOPTION AND REVIEW**

- 4.1 This policy is effective from the Adoption Date and replaces all previous versions of the policy.
- 4.2 The Trustees will review this policy in accordance with their Review Policy, delegating that activity as they consider appropriate from time to time.

## SCHEDULE 1

### GLOSSARY OF TERMS USED

<b>Adoption Date</b>	The date stated on page one of this Policy Document on which the Trustees formally adopted this policy.
<b>Code</b>	The Pensions Regulator's General Code of Practice.
<b>IDRP</b>	Internal Dispute Resolution Procedure.
<b>PA95</b>	Pensions Act 1995
<b>Review Policy</b>	The Trustees' policy setting out the process and timings for the review of each policy required under the Code.
<b>Scheme</b>	Brush Group (2013) Pension Scheme
<b>Trustees</b>	Individual trustees or directors of the corporate trustee, as applicable from time to time. Where this policy refers to a "Trustee" this refers to an individual trustee or a trustee director as applicable from time to time.

## SCHEDULE 2

### **Suggested wording to include in IDRPs responses signposting The Pensions Ombudsman and external advisory services**

*You have the right to refer your complaint to The Pensions Ombudsman free of charge.*

*The Pensions Ombudsman's Early Resolution Service ("ERS") and helpline is available at any time to assist members and beneficiaries of a pension scheme in connection with any pensions query. Using this service does not affect your right to pursue the matter through the Office of The Pensions Ombudsman. The Pensions Ombudsman deals with complaints and disputes which concern the administration and/or management of occupational and personal pension schemes. The Pensions Ombudsman will send a written statement of his decision on your complaint or dispute to both you and the Trustees and, if appropriate, direct the Trustees to take steps to rectify the situation. His determinations and directions are final and binding on all parties to the dispute and are subject to appeal only on a point of law.*

**Please note:** *The Pensions Ombudsman requires complainants to demonstrate that they have exhausted the Scheme's formal complaints process (i.e. the IDRPs) before their complaint can be investigated by either the ERS or the Pensions Ombudsman's formal adjudication process.*

*Contact with The Pensions Ombudsman about a complaint needs to be made within three years of when the event(s) you are complaining about happened – or, if later, within three years of when you first knew about it (or ought to have known about it). There is a discretion for those time limits to be extended.*

#### **Early Resolution Team**

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

*Telephone: 0800 917 4487 Overseas: +44 (0) 207 630 2200  
Email: [enquiries@pensions-ombudsman.org.uk](mailto:enquiries@pensions-ombudsman.org.uk)  
Website: [www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk)*

#### **The Pensions Ombudsman**

*10 South Colonnade  
Canary Wharf  
London  
E14 4PU*

*Telephone: 0800 917 4487 Overseas: +44 (0) 207 630 2200  
Email: [CentralSupportMailbox@pensions-ombudsman.org.uk](mailto:CentralSupportMailbox@pensions-ombudsman.org.uk)  
Website: [www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk)*

*You can also submit a complaint form online:  
[www.pensions-ombudsman.org.uk/making-complaint/](http://www.pensions-ombudsman.org.uk/making-complaint/)*

*If you have general requests for information or guidance concerning your pension arrangements please contact MoneyHelper. MoneyHelper provides free, impartial help*

*(previously provided by the Money Advice Service, The Pensions Advisory Service, as well as Pension Wise):*

**MoneyHelper Pensions Guidance, Money and Pensions Service:**

120 Holborn  
London  
EC1N 2TD

Email: [pensions.enquiries@moneyhelper.org.uk](mailto:pensions.enquiries@moneyhelper.org.uk)

Webform: <https://www.moneyhelper.org.uk/en/contact-us/pensions-guidance/pensions-guidance-enquiry-form>

Telephone number: 0800 011 3797 Overseas: +44 20 7932 5780

Website: [www.moneyhelper.org.uk/](http://www.moneyhelper.org.uk/)