

# **THE FENNER PENSION SCHEME**

## **Internal Dispute Resolution Procedure**

The Pensions Act 1995 requires the trustees of pension schemes to put procedures in place for resolving internal disputes between members and trustees. This notice gives details of this procedure.

This new internal dispute resolution procedure applies to matters of dispute between a member or prospective member and the Trustees. The procedure also covers matters of dispute with the Trustees concerning a member's widow or widower or other dependent, and anyone else who is, or who claims to be, entitled to a benefit under the Scheme or who ceased to be within any of these "Complainant" categories in the six months period before making a written complaint.

A complaint may be brought by the Complainant himself or by a representative nominated by him.

The internal dispute resolution procedure consists of two stages.

### **First Stage**

Under the **First Stage** the complaint is made on the attached First Stage Application Form. As well as providing details of the complaint, the Complainant must also provide about himself and any other Scheme Member about whom the complaint relates, his full name, address, date of birth and National Insurance number. If the Complainant nominates a representative, he must provide his representative's full name and address.

The complaint or dispute will be fully considered and a decision made by Debra Bradbury within two months of receiving the complaint.

The response shall include:

- (a) a statement of the decision made;
- (b) a reference to any Scheme Rules, discretion or legislation relied upon in the decision;
- (c) the right within six months of receiving the First Stage response to request the decision to be reconsidered by the Trustees; and
- (d) a reminder of the availability of the Pensions Advisory Service (OPAS) to assist in connection with any unresolved complaint or dispute.

## Second Stage

The **Second Stage** is an appeal procedure under which, if a member (or other person who falls within one of the Complainant categories) is not satisfied with the first stage decision, he/she can apply directly to the Trustees within six months of receiving the First Stage decision to ask them to reconsider the decision.

The Second Stage application is made using the Second Stage Application Form. The Complainant must, in addition to the details he provided in the First Stage application, include:

- (a) a copy of the First Stage decision;
- (b) a statement of the reasons why the Complainant is dissatisfied with the First Stage decision; and
- (c) a statement that the Complainant wishes the Trustees to reconsider the First Stage decision.

Usually the Trustees must make a decision under this stage within two months of receiving the Second Stage application. The Trustees' response to the Second Stage complaint will contain the same information that is required to be included in the First Stage response, except that the Second Stage is the final stage of the Scheme's Internal Dispute Resolution Procedure.

The Complainant may contact The Pensions Advisory Service (OPAS) at any time to assist in connection with any complaint or dispute. Their details are:-

The Pensions Advisory Service (OPAS),  
11, Belgrave Road,  
**LONDON, SW1V 1RB**  
*Tel. No. 020 7233 8080*

The Pensions Ombudsman appointed under the Pension Schemes Act 1993 may investigate and decide upon any complaint or dispute referred to him. The details are:-

The Pensions Ombudsman,  
11, Belgrave Road,  
**LONDON, SW1V 1RB**  
*Tel. No. 020 7834 9144*