



**UNITE PENSION SCHEME
("THE SCHEME")**

Internal Dispute Resolution Procedure

INTRODUCTION

The Trustee of the Scheme operates a formal procedure for dealing with disputes relating to the Scheme. This is known as the Scheme's internal dispute resolution procedure and is explained in this document.

The procedure only applies to complaints and disputes which relate to the Scheme. It does not apply to complaints and disputes between employees and Unite the Union (the "Union").

As a preliminary step any concern about the Scheme should first be raised informally by contacting: Pensions Department, Unite the Union, Unite House, 128 Theobalds Road, London WC1X 8TN (telephone 020 7611 2610, email Alex.Ryan@unitetheunion.org)

If this concern cannot be resolved informally then a formal complaint may be made using the two-stage procedure set out below. Please note that this procedure cannot be used at any time when there are current court or tribunal proceedings in relation to the same complaint or dispute or when it is being investigated by the Pensions Ombudsman

WHO CAN USE THE PROCEDURE?

The following people can use this procedure to make a complaint:

- a) any Scheme member (i.e. an active member, deferred pensioner or pensioner);
- b) a prospective Scheme member;
- c) a spouse, civil partner or dependant of a deceased Scheme member;
- d) anyone else who on the death of a Scheme member is entitled to benefits from the Scheme;
- e) anyone who has ceased to be in any of the above categories; and
- f) anyone who thinks he/she should be in one of the above categories.

A complainant in category (e) above, or in category (f) who claims to be in category (e), must make any complaint within six months of the date on which he/she ceased to be, or claims he/she ceased to be, a person with an interest in the Scheme under categories (a) to (d). However a complaint may be accepted outside this period where the Trustee is of the opinion that the complainant could not reasonably have known about the matter in dispute or where there are other exceptional circumstances justifying a late complaint.

A complainant can nominate a representative to act for him/her. The representative must be:

- nominated by the complainant;
- the complainant's personal representative, if the complainant has died; or
- a member of the complainant's family, if the complainant is a minor or otherwise unable to act.

STAGE 1 - HOW TO MAKE A COMPLAINT

In order to make a complaint the complainant (or his/her representative) must submit a signed written application with the following details:

- i. the full name, address, date of birth and National Insurance number of the complainant (or, if the complainant is not a Scheme member, the full name, address, and date of birth of the complainant and, if applicable, his/her relationship to the member, together with the member's full name, address, date of birth and National Insurance number);
- ii. the full name and address of the complainant's representative (if any) and whether that address should be used for the service of legal documents; and
- iii. a statement of the nature of the dispute with sufficient details to show why the complainant is aggrieved.

The complaint should be addressed to: Alex Ryan, Pensions Manager, Unite the Union, Unite House, 128 Theobalds Road, London WC1X 8TN (email Alex.Ryan@unitetheunion.org).

Further assistance can be obtained from the Pensions Advisory Service ("TPAS") This service is available for scheme members and beneficiaries and can be contacted at 11 Belgrave Road, London SW1V 1RB (telephone 0845 601 2923) or by emailing enquiries@pensionsadvisoryservice.org.uk

STAGE 1 - THE DECISION

The complaint will be investigated by a person appointed by the Trustee to deal with the complaint initially and issue a decision (the "appointed person"). The appointed person is Alex Ryan. In reaching a decision the appointed person may:

- 1) investigate the complaint as he/she sees fit;
- 2) obtain advice from the Scheme actuary, Scheme lawyer or other appropriate professional; and
- 3) ask the complainant (or any other relevant person) for any additional information considered appropriate by the appointed person in order to deal with the complaint.

The appointed person will issue a written decision on any complaint within two months of the date on which the complaint is received. The decision will be sent to the complainant (and to his/her representative if there is one). If for any reason a decision is not issued within two months then an interim reply will be issued setting out the reasons for the delay and the expected date for a decision.

The decision on the complaint will include:

- a statement of the decision;
- a reference to any legislation relied upon;
- a reference to any relevant sections of the rules which govern the Scheme; and a reference to the complainant's right to appeal to the full Trustee board within six months of the date of the decision.
- The appointed person will issue the decision within a reasonable period of taking it and will notify the Trustee of the decision.

STAGE 2 - HOW TO APPEAL

If a complainant (or his/her representative) is not satisfied with the decision on the complaint then he/she can, within six months from the date of the decision, appeal against the decision.

The notice of appeal must be in writing and signed by, or on behalf of, the complainant and it must include:

- the items listed above at paragraph (i) in the section headed 'How to make a complaint';
- a copy of the decision;
- a statement of the reasons why the complainant is dissatisfied with the decision; and
- a statement that the complainant wishes the complaint to be reconsidered by the Trustee.

The appeal should be addressed to: Unite Pension Scheme Trustee Limited, c/o Pensions Department, Unite the Union, Unite House, 128 Theobalds Road, London WC1X 8TN.

STAGE 2 - THE APPEAL DECISION

The Trustee may delegate the investigation of the appeal to a disputes sub-committee chosen by the Trustee. However the sub-committee must report to the Trustee and the appeal must be considered and decided on by the Trustee.

The Trustee will issue its written decision within two months of the date on which the appeal is submitted to it. If, for any reason, the Trustee cannot issue its decision within two months then an interim reply will be sent setting out the reasons for the delay and the expected date for a decision.

The appeal decision will include:

- a statement of the decision and an explanation as to whether it confirms or replaces the initial decision;
- a reference to any legislation relied upon;
- a reference to any relevant sections of the rules which govern the Scheme;
- a statement that the Pensions Ombudsman may investigate and determine any complaint of dispute of fact or law in relation to the Scheme and the address at which the Pensions Ombudsman may be contacted.

The Trustee will issue its appeal decision within a reasonable period of taking it.

**UNITE PENSION SCHEME
INTERNAL DISPUTE RESOLUTION - STAGE 1**

Details of Complainant:

Full Name	
Address	
Date of Birth	
National Insurance No	

Details of Representative acting on behalf of complainant: (if any)

Full Name	
Address	
Address to be used for correspondence?	(Yes or No)

Details of the Complaint:

A statement of the disagreement together with sufficient details to demonstrate why you are aggrieved must be provided in the space below. (Continue on separate piece of paper if necessary).

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Signed: (by or on behalf of the complainant)	Date:
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Please return the completed form to:-

Alex Ryan
Pensions Manager
Unite the Union
Unite House
128 Theobalds Road
London WC1X 8TN

**UNITE PENSION SCHEME
INTERNAL DISPUTE RESOLUTION- STAGE 2**

Details of Complainant:

Full Name	
Address	
Date of Birth	
National Insurance No	

Details of Representative acting on behalf of complainant: (if any)

Full Name	
Address	
Address to be used for correspondence?	(Yes or No)

Statement of reason for disagreement with decision from first stage:

To include sufficient details to demonstrate why the complainant is dissatisfied with the response received in the first stage in the space below. (Continue on separate piece of paper if necessary.)

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I request the Trustee of the UNITE PENSION SCHEME to reconsider the decision dated [Click here to enter text.](#) in connection with my recent complaint.

Signed		Date	
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Please return the completed form together with a copy of the first stage response to:

Alex Ryan
Pensions Manager
Unite the Union
Unite House
128 Theobalds Road
London WC1X 8TN

