

Benenden Healthcare Pension Plan (the “Plan”)

INTERNAL DISPUTE RESOLUTION PROCEDURE (“IDRP”)

The Pensions Act 1995 introduced the requirement that there should be a formal procedure in place for the resolution of a dispute between members or beneficiaries of the Plan and the Trustees.

Introduction

The procedure set out below describes the arrangements for resolving disagreements between the Trustees and members of the Plan and their dependents. It applies with effect from 8 May 2008. The procedure is designed to create good relations with Plan members and to help to resolve any misunderstandings quickly and without inconvenience to the parties concerned.

Complaints can be raised by:

- a) active, deferred and pensioner members of the Plan,
- b) spouses, widows, widowers, civil partners or dependents of deceased members,
- c) non-dependant beneficiaries of deceased members where they are entitled to benefits under the Plan,
- d) anyone who has ceased to be in any of the categories above within the last six months, or
- e) anyone claiming to fall within the above categories.

A complainant may nominate a representative (for example, a solicitor or a trade union official) to act on their behalf.

This procedure is drawn to members' attention in the Member's Guide.

A complaint under the Plan's IDRP must be about the Plan and relate to the Plan's Trustees or managers.

The complaint may not be dealt with under the Plan's IDRP if the Pensions Ombudsman has started investigating the complaint or court or tribunal proceedings have begun.

Making a Complaint

The Plan's administrators, Hymans Robertson LLP, have been nominated by the Trustees to deal with complaints under the IDRP on the Trustees' behalf. Where there is clear determination under the Rules and practices of the Plan, or there are established precedents that it would be appropriate to follow, Hymans Robertson LLP will draft a recommended response to the complainant, which will be referred to the Trustees for their agreement before issue. Where matters fall outside these criteria, they should be referred to the Trustees, in the first instance.

An application for consideration under the IDRP must be made in writing and be signed by, or on behalf of, the complainant. Ideally, complaints will be made using the form attached to this procedure, but the complaint does not need to be made on that form. Contact details are as follows:

Benenden Healthcare Pension Plan
c/o Hymans Robertson LLP
20 Waterloo Street
Glasgow
G2 6DB
Email: benendenspension@hymans.co.uk

Your letter should include:

- your personal details: name, address, date of birth and National Insurance number;
- details of your complaint; and
- in the case of dispute concerning the benefits of a spouse or dependant of a deceased member, you should also provide their personal details.

If you wish, you may ask someone to act as your personal representative. If you do this, you must make sure that you make this clear in your letter, and also provide the full name and address of your representative and whether that address should be used for the service of legal documents. A complaint can also be raised by a suitable personal representative if the complainant can't act for themselves.

In order for the Plan's administrators to process your complaint, you will need to provide them with relevant evidence and information. This is likely to include personal data, which will be processed in accordance with the privacy notice appended to this document. The Plan's administrators may pass information you provide in relation to this dispute on to the Plan Actuary and actuarial team (currently Heather Allingham and Hymans Robertson LLP), The Benenden Healthcare Society Limited (as the Plan's Principal Employer), The Benenden Hospital Trust (as a Participating Employer), or Mills & Reeve LLP (as the Trustee's legal advisers).

There could be a requirement to process special categories of sensitive personal data for the purpose of considering and deciding your complaint. This includes data concerning racial or ethnic origin, religious beliefs, health, or sexual orientation. We may process your dispute (including this sensitive information) where it is necessary in order to comply with our legal obligations or to defend a claim.

You may be asked to attend a meeting to discuss your dispute.

Response to the Complaint

The Plan's administrators, will acknowledge receipt of a complaint within five working days, including a statement that the Money and Pensions Service (MAPS) and the Pension Ombudsman's Early Resolution Service are available to assist members and beneficiaries with any difficulty with the Plan (and providing MAPS's and the Pension Ombudsman's contact details). If you have not provided sufficient information to allow your complaint to be considered the acknowledgement will make clear what additional information is required.

The Plan's administrators will investigate and manage the complaint and, unless there is clear determination under the Rules and practices of the Plan, or there are established precedents, they will refer the complaint to the Trustees for a decision. In reaching that decision, the Trustees may (or the Plan's administrators may on their behalf):

- Investigate the complaint as they see fit.
- Obtain advice from the Plan actuary, Plan's legal advisers or other appropriate professional.
- Ask the complainant (or any other relevant person) for any additional information that they consider appropriate in order to deal with the complaint.
- Ask the complainant to attend a meeting to discuss their dispute.

The Trustees will endeavour to make a decision as soon as possible after receipt of the complaint, but within four months of receiving the complaint.

If the Trustees cannot make a decision within two months, the Plan's administrators will notify the complainant (or their representative), explaining the reason for the delay and when the Trustees expect to be able to make a decision.

The Plan's administrators will notify the complainant of the Trustees' decision in writing no later than 15 working days after the decision was made. The notice will include:

- A statement of the decision, which may or may not include reasons.
- A reference to a legal provision or Plan rule that the decision relied on.
- If a discretion has been exercised, a reference to the Plan rule giving that discretion.
- A statement that MAPS and the Pension Ombudsman's Early Resolution Service are available to assist members and beneficiaries with any difficulty with the Plan, and their contact details.
- A statement that the Pensions Ombudsman may investigate and determine any complaint or dispute of fact or law in relation to a scheme made, or referred to, under the Pension Schemes Act 1993, and the Pensions Ombudsman's contact details.

The Trustees reserve the right to alter these procedures to reflect experience and changes of circumstances or law.

Exclusions from the IDR P

The IDR P procedure:

- a) is not suitable for dealing with employment disputes,
- b) does not apply if the complaint is already being investigated elsewhere (for example, by the Pensions Ombudsman, the courts or by a tribunal), and
- c) does not cover people who ceased to be members of the Plan more than six months ago, for example, former members for whom transfer values have previously been paid (such cases should be raised by the former member with the Pensions Ombudsman).

The Pensions Advisory Service (TPAS)

The Pensions Advisory Service (TPAS) is available to assist members and beneficiaries of the Plan in connection with issues which they have failed to resolve with the Plan's administrators or the Trustees, and to answer general queries. TPAS services are free to members of the public.

TPAS may be contacted in one of the following ways:

Email: enquiries@pensionsadvisoryservice.org.uk

Telephone: 0345 601 2923 and 0800 011 3797 (Open from 9am to 5pm, Monday to Friday)

The Pensions Ombudsman

You can refer your complaint to the Pension Ombudsman ("TPO") for investigation free of charge. Usually, you need to do this within three years of the event you're complaining about or, if later, within three years of when you first knew about it (or ought to have known about it). However, TPO can waive that requirement if it thinks it appropriate.

TPO has the power to investigate and determine any complaint or dispute of fact or law in relation a scheme. Before accepting any matter for investigation, TPO usually insists that the matter has previously been raised

through the IDRП and still remains unresolved. If your case is referred to TPO then you will then hear from it directly.

The services of TPO are available to all members and beneficiaries of the Plan. TPO can be contacted at the following address:

Write: 10 South Colonnade, Canary Wharf, London, E14 4PU

Email: enquiries@pensions-ombudsman.org.uk

Telephone (Local): 0800 917 4487 (Open from 10am to 2pm, Monday to Friday)

Telephone (Overseas): 0207 630 2200 (Open from 10am to 2pm, Monday to Friday)

Website: www.pensions-ombudsman.org.uk

You can also submit a complaint form online at: <https://www.pensions-ombudsman.org.uk/making-complaint>

This policy is reviewed by the Trustees at least every year, and more frequently should there be a material change in circumstances. The policy was last reviewed in August 2024. The Trustees reserve the right to alter these procedures to reflect experience and changes of circumstances or law.

Benenden Healthcare Pension Plan (“the Plan”) – Complaint Form

This form can be used to apply to the Plan’s administrators, Hymans Robertson LLP, if you would like them to investigate a complaint concerning your pension. However, the complaint does not need to be made on this form.

1. Member details

If you are the Plan member (the person who is or was in the Plan) please provide your details in this section, then complete sections 4 and 5.

If you are the Plan member’s dependant, please provide the member’s details in this section and also provide your details in section 2, then complete sections 4 and 5.

If you are representing the Plan member who has the complaint, please provide the member’s details in this section and also provide your details in section 3, then complete sections 4 and 5.

Name

Address

Postcode

Date of birth

Employer name and address

Employer postcode

National Insurance Number

Job title

2. Dependant’s details

If you are the Plan member’s dependant and the complaint is about a benefit for you, please provide your details in this section and also complete sections 4 and 5. If the complaint is not about a benefit for you, but you are representing the Plan member please ignore this section.

If the complaint is about a benefit for a dependant and you are the dependant’s representative, please provide the dependant’s details in this section and also provide your details in section 3, then complete sections 4 and 5.

Name

Address

Postcode

Date of birth

Relationship to member

3. Representative's details

If you are the Plan member's representative, please give your details in this box.

Name

Address

Postcode

The address responses should be sent

to (including postcode)

4. Your complaint

Please give full details of your complaint, explaining why you are aggrieved and any dates or other information which may be relevant. If there is not enough space, please use a separate sheet, ensuring the member's name and NI number is stated clearly on any additional sheets.

5. Declaration

Please tick the statement which applies to you:

- I am a Plan member or former Plan member
- I am a dependant of a former member
- I am the member's or dependant's representative*

I would like the Plan's administrators to look into my complaint and make a decision regarding it.

Signed: _____

Date: _____

*If you are the member's or dependant's representative, written permission is required from the member or dependant to disclose information to you. The member or dependant should complete the declaration below.

I, _____ (member or dependant's name) give permission for

_____ (representative's name) to represent me.

I would/would not (delete as applicable) like to receive a copy of all correspondence.

Signed: _____

Date: _____

Please return this form to:

Benenden Healthcare Pension Plan
c/o Hymans Robertson LLP
20 Waterloo Street
Glasgow
G2 6DB
Email: benendenpension@hymans.co.uk