

CLARKS FLEXIBLE PENSION SCHEME

INTERNAL DISPUTE PROCEDURE

CLARKS FLEXIBLE PENSION SCHEME - INTERNAL DISPUTE PROCEDURE

NOTE FOR MEMBERS

Introduction

The Pensions Act 1995 requires the Trustees to have procedures to resolve disputes arising from the running of the scheme. This note summarises the procedure which you should follow if you wish to make a complaint about the scheme.

The Complaint Procedure

The complaint procedure is a two stage process. In the first instance, you must address your complaint to the Pensions Manager. In normal circumstances you will receive a response within 2 months. If you are dissatisfied with the response, you will be entitled to refer the complaint to the Trustees within 6 months of receiving the response from the Pensions Manager. They will reply directly to you, again, where possible, within 2 months.

If, following review by the Trustees you are still unhappy, and then you may at that stage, but not before, refer your complaint to either The Pensions Advisory Service (TPAS) or the Pensions Ombudsman.

Who can use this procedure?

Before completing the attached Form you should ensure that you are eligible to make a complaint under this procedure. To be eligible you must be in one of the following categories.

- (a) Existing scheme member – in active service/with deferred benefits/ in receipt of a pension.
- (b) Widow(er) or dependant of a deceased member.
- (c) Prospective scheme member.
- (d) Anyone ceasing to fall into the above categories within 6 months of making the complaint.
- (e) Anyone claiming to fall into any of the above categories

If you wish you may nominate a representative to make the complaint on your behalf.

You will not be able to use the procedure if court or tribunal proceedings have begun or if the Pensions Ombudsman has commenced an investigation.

How to make a complaint – first stage

If you wish to make a complaint, you must submit the attached Form to the Pensions Manager, Clarks Flexible Pension Scheme, 40 High Street, Street, Somerset BA16 0EQ.

When will you hear?

You should hear from the Pensions Manager within 2 months of making your complaint. In any event your complaint will be acknowledged within 5 working days if it is not possible to provide a detailed response within that period. If your complaint cannot be addressed within this time scale you will be told why there is a delay in response and when you can expect to hear further.

CLARKS FLEXIBLE PENSION SCHEME

INTERNAL DISPUTE RESOLUTION - STAGE 1

Part 1 Details of Scheme Member

Full Name	
Address	
Date of Birth	
National Insurance No.	

Part 2 Details of Person Making the Complaint

[To be completed only if the person making the complaint is the spouse or dependant of a deceased member]

Full Name	
Address	
Date of Birth	
Relationship to Member	

Part 3 Details of Representative acting on behalf of Complainant (if any)

Full Name	
Address	
Address to be used for correspondence ?	Yes/No

CLARKS FLEXIBLE PENSION SCHEME - INTERNAL DISPUTE RESOLUTION PROCEDURE

NOTE FOR MEMBERS

Complaint Procedure – Second Stage

This note explains the action you should take if you are dissatisfied with the response provided by the Pensions Manager.

How to refer your complaint to the Trustees – second stage

If you wish to refer your complaint to the Trustees, you must complete the attached Form and send this, together with a copy of the response received from the Pensions Manager, to the Trustees at the address shown on the Form. The Trustees can only consider the complaint if they receive these documents within 6 months of the response from the Pensions Manager.

When will you hear?

You should hear from the Trustees within 2 months of referring your complaint to them. In any event your complaint will be acknowledged within 5 working days if it is not possible to provide a detailed response within that period. If the matter cannot be addressed within this time scale you will be told why there is a delay in response and when you can expect to hear further.

What if you disagree with the Trustees response to your complaint?

If you are unhappy with the response provided by the Trustees, you may refer the matter to either the Pensions Ombudsman or The Pensions Advisory Service, the addresses of whom will be provided with the Trustees' response. TPAS is available to assist members and beneficiaries of a scheme in connection with difficulties, which they have failed to resolve with the Trustees of the scheme. The Ombudsman may investigate disputes of law or fact in relation to the scheme.

