

# THE UNIVERSITY OF SOUTHAMPTON PENSION AND ASSURANCE SCHEME FOR NON-ACADEMIC STAFF ("the Scheme")

## INTERNAL DISPUTE RESOLUTION PROCEDURE

The Pensions Act 1995 requires trustees of pension schemes to put procedures in place for resolving internal disputes between members and trustees. This leaflet describes the internal dispute resolution procedure which applies to the Scheme.

This internal dispute resolution procedure applies only to matters of dispute between a member and the Trustees. The procedure also covers matters of dispute with the Trustees concerning a prospective member or a beneficiary, such as a member's widow, widower, civil partner or other dependant or person entitled to death benefits under the Scheme, and anyone else who is, or who claims to be, entitled to such a benefit under the Scheme or who ceased to be within any of these "complainant" categories in the six month period before making a (written) complaint.

The internal dispute resolution procedure does not apply to matters of dispute between members and the University or between the Trustees and the University. Nor do they apply to matters of dispute which are already under investigation by the Pensions Ombudsman or where proceedings have already started in a tribunal or a court of law.

The Trustees are anxious to assure members and others that the Scheme is administered and managed to high standards and they feel confident there will only be a small number of occasions when the internal dispute resolution procedure may be called into use.

If you have a complaint or dispute about your membership, benefits or any other matter relating to the Scheme, you should follow the procedure described in this leaflet.

## PROCEDURES

### 1 **FIRST STAGE APPLICATION**

- 1.1 In the first instance, you should apply in writing to the Director of Finance, stating you have a complaint or dispute and asking for it to be resolved through the Scheme's internal dispute resolution procedure. You should receive acknowledgement of your application within one week of it being received.
- 1.2 You should give as much information as you can about your complaint or dispute in your application.
- 1.3 If you are unable, or do not feel confident enough, to make the application yourself, or if you otherwise prefer, you may ask someone else to do it for you as your representative. Details to be given about your representative in your application are full name, address, relationship to you, and any different address for correspondence.

## **2 FIRST STAGE DECISION**

- 2.1 You should normally expect to receive a written notice of the decision in respect of your complaint or dispute from the Registrar or the holder of a similar post (but not the Director of Finance), within two months of receiving your application.
- 2.2 The notice will include an explanation of how the decision was reached and other information required to be given to you.
- 2.3 If it is not possible to give a decision within two months, you will receive an interim reply explaining the reasons for the delay and giving the expected date for issuing the decision notice.

## **3 SECOND STAGE APPLICATION**

- 3.1 If you are not satisfied with the first stage decision you can appeal directly to the Trustees to reconsider the first stage decision.
- 3.2 If you want to appeal to the Trustees you should apply in writing to the Trustees of the University of Southampton Pension and Assurance Scheme for Non-Academic Staff, c/o Highfield, Southampton SO17 1BJ, asking them to reconsider the first stage decision. A copy of the first stage decision notice should accompany your application. You should receive acknowledgement of your appeal within one week of it being received.
- 3.3 You have six months from the date of the first stage decision notice to make your appeal to the Trustees.
- 3.4 As well as giving the information required at the first stage procedure (see paragraph 2 above) you should also explain your reasons for being dissatisfied with the first stage decision.

As with the first stage procedure, you may ask someone else to make the second stage appeal for you (see paragraph 2 above).

## **4 SECOND STAGE DECISION**

- 4.1 You should normally expect to receive a written notice of the decision from the Trustees on the outcome of their reconsideration of the first stage decision within three months of them receiving your application.
- 4.2 The notice will include an explanation of how the decision was reached and other information required to be given to you.
- 4.3 If it is not possible to give a decision within three months, you will receive an interim reply explaining the reasons for the delay and giving the expected date for issuing the decision notice.

5 **REFERRAL TO TPAS OR OMBUDSMAN**

- 5.1 Upon receipt of the second stage decision it is open to you, if you wish to take the matter further.
- 5.2 You may refer your complaint or dispute to "TPAS (The Pensions Advisory Service)" or the Pensions Ombudsman. The address of these two organizations is 11 Belgrave Road, London SW1V 1RB.

6 **AMENDMENTS**

- 6.1 The Trustees may amend this internal dispute resolution procedure from time to time in the light of experience and practice or to accord with any changes in legislation.

7 **CONTACT DETAILS**

- 7.1 If you have any queries regarding your Scheme benefits you can contact the Pensions Team, University of Southampton, Room 3083, Building 37, Highfield Campus, Southampton, Hants SO17 1BJ or pensions@soton.ac.uk.

**YOU SHOULD KEEP THIS LEAFLET IN A SAFE PLACE FOR FUTURE REFERENCE**

**November 2013**

**THE UNIVERSITY OF SOUTHAMPTON PENSION AND ASSURANCE SCHEME FOR  
NON-ACADEMIC STAFF ("the Scheme")  
INTERNAL DISPUTE RESOLUTION PROCEDURE**

**First Stage Application Form**

**PLEASE FULLY COMPLETE THIS FORM USING BLOCK CAPITALS**

*Note: If someone acts for you as your representative concerning your complaint or dispute, the representative may complete this form and sign it on your behalf.*

To: The Director of Finance

I have a complaint or dispute concerning the Scheme. I apply for the matter to be considered and a decision made under the first stage of the internal dispute resolution procedure applicable to the Scheme.

<b>BOX 1 APPLICANT'S DETAILS</b>	
Full Name	
Address	
Telephone Number	
National Insurance No.	Note: This need not be given if box 4 applies to you.
Date of Birth	

<b>BOX 2 APPLICANT CATEGORY</b>		
Please tick the box which describes the category applicable to you (see explanatory notes at end of form)		(tick one box only from (a) to (f))
(a)	a prospective member	<input type="checkbox"/>
(b)	an active, deferred or pensioner member of the Scheme	<input type="checkbox"/>

(c)	a widow/widower, civil partner or surviving dependent of a deceased member	<input type="checkbox"/>
(d)	a person entitled to death benefits under the Scheme	<input type="checkbox"/>
(e)	a person who ceased to be within (a), (b), (c) or (d) in the six months before the date of this Application	<input type="checkbox"/>
(f)	A person claiming to be within (a), (b), (c), (d) or (e) above	<input type="checkbox"/>

<b>BOX 3</b>	
<b>ADDITIONAL DETAILS IF APPLICANT IS A WIDOW/WIDOWER, CIVIL PARTNER OR DEPENDANT</b>	
If you are, or claim to be, a widow, widower, civil partner or surviving dependant of a deceased member, or entitled to death benefits in respect of a deceased member, please give the following additional details about the member in respect of whom you derive, or claim to derive, a benefit under the Scheme.	
<b>Member's Details</b>	
Full Name	
Address	
National Insurance No.	
Date of Birth	
Please state your relationship to the member	

<b>BOX 4</b>	
<b>REPRESENTATIVE'S DETAILS</b>	
Name	
Address	
Telephone Number	
Fax Number	

<p><i>Is this the only address to be used for all communications concerning the complaint or dispute? Write yes or no in this box.</i></p>	<input type="checkbox"/>
<p>Note: If no, all communications will be sent to both the Applicant and the Representative</p>	

<p><b>BOX 5</b></p>
<p><b>DETAILS OF COMPLAINT OR DISPUTE</b></p>
<p>Please give a statement describing the nature of your complaint or dispute, including any relevant background information and how the complaint or dispute arose. <i>(Note: If you wish, you may continue on a separate sheet or attach your complete statement to this Application.)</i></p>

<p><b>BOX 6</b></p>	
<p><b>OTHER REFERRAL OR COMPLAINT OR DISPUTE</b></p>	
<p>Have you, or someone on your behalf, referred your complaint or dispute for advice or a decision to any other internal source or externally, to TPAS (The Pensions Advisory Service) or the Pension Ombudsman or started any legal or tribunal proceedings concerning it? <i>Write yes or no in this box.</i></p>	<input type="checkbox"/>
<p>If yes, please give <i>(either here or on a separate sheet)</i> an indication of any decision made or action taken.</p>	

**Signed by (or on behalf of) the Applicant:** .....

**Name:** .....

**Date:** .....

*Explanatory Notes*

- (i) *A deferred member is a person who has an entitlement to a benefit payable at a future date under the Scheme but who no longer actively participates in the Scheme having previously opted-out of active membership or having left service.*
- (ii) *A pensioner member is a person who is receiving a pension or other benefit from the Scheme*