

INTERNAL DISPUTE RESOLUTION PROCEDURE

BACKGROUND

The aim of the Trustees is to run the Arts Council Retirement Plan (1994) (the Plan) in such a way that does not give members any cause for complaint. However, pension law requires that there is a formal procedure for resolving disputes arising from the running of the Plan. This note summarises the procedure you can use if you wish to make such a complaint, including situations where you have first tried to resolve your complaint on an informal basis. This procedure complies with pension law, and may be updated from time to time to reflect any policy changes or changes in the law.

The formal process follows a two stage approach:

- Stage one – complaints can be referred to the Principal Employer.
- Stage two – if you disagree with the decision, complaints can then be raised directly with the Trustees.

Should you disagree with the Trustees' decision, complaints can be referred to The Money and Pensions Service.

COMPLAINTS COVERED BY THIS PROCEDURE

Complaints can be made under this procedure by or on behalf of:

- Any active member, deferred member or retiree.
- Any person entitled to benefits under the Plan following a pension sharing order.
- Any employee who is a prospective member.
- A deceased member's widow or widower, surviving civil partner or surviving dependant or other survivor entitled to benefits under the Plan on the member's death.
- Anyone who ceased to be in one of the above categories in the previous six months.
- Anyone claiming to be in one of the above categories.

A complaint may be made on your behalf by a representative nominated by you. Also, if you are a minor or otherwise incapable of acting for yourself, a complaint may be made by your family or another suitable person. In the event of your death, a complaint may be made by your personal representatives. This procedure does not cover complaints in respect of former members who have transferred their benefits out of the Plan (unless the complaint is made within six months of the date of transfer), complaints which are subject to specific investigation by the Pensions Ombudsman, or where proceedings have begun in court or a tribunal.

WHAT SORTS OF DISPUTES ARE COVERED BY THIS PROCEDURE?

You can use this procedure for any disputes you have with the Trustees of the Plan about any pension-related matters. However, if the dispute is not with the Trustees (for instance, the dispute is with your employer) then the procedure is not available for that process.

You should note that, unless the Trustees determine otherwise, the Trustees' obligations under this Internal Dispute Resolution Procedure are to be no greater than is required to comply with pension law on this matter and the provisions of this document will be construed accordingly.

WHAT IS THE DETAILED PROCEDURE?

Stage 1

- 1 You must complete the attached form for Stage 1 of the procedure and return it to the Director of Human Resources, Arts Council England, The Hive, 49 Lever Street, Manchester, M1 1FN.
- 2 Your complaint will be acknowledged within ten working days of receipt.
- 3 A written decision will normally be issued within two months of receipt of the complaint (and, in any case, within fifteen working days of the decision being reached). If your complaint cannot be addressed within these timescales, you will be notified and provided with an explanation of the reason for the delay and an expected date for issuing a decision.

If for whatever reason the Director of Human Resources is conflicted in responding to your complaint, it will be forwarded to the Scheme Administrator for immediate consideration under Stage 2 below by the Trustees.

Stage 2

- 1 If you are dissatisfied with the decision at Stage 1, you should write, within three months, to the Chairman of the Trustees of the Arts Council Retirement Plan (1994), c/o the Scheme Administrator, Eddie Pilkington, Hymans Robertson, 20 Waterloo Street, Glasgow, G2 6DB, enclosing:
 - A copy of the original complaint.
 - A copy of the original (Stage 1) decision.
 - A statement that you wish the decision to be reconsidered with an explanation as to why you disagree with the decision at Stage 1.

This application should be signed by you, or on your behalf of.

- 2 Your Stage 2 complaint will be acknowledged within ten working days of receipt.
- 3 The complaint will then be considered by the Chairman of the Trustees. A written decision will normally be issued within two months of receipt of the complaint (and, in any case, within fifteen working days of the decision being reached). If your complaint cannot be addressed within these timescales, you will be notified and provided with an explanation of the reason for the delay and an expected date for issuing a decision.
- 4 If you are dissatisfied with the decision of the Trustees, you can refer your complaint to The Money and Pensions Service ('MAPS')* at:

The Money and Pensions Service
120 Holborn
London
EC1N 2TD

Tel: 0800 138 7777

Website: <https://moneyandpensionsservice.org.uk/>

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- 5 After receiving advice from MAPS you can also contact the Pensions Ombudsman, who can be contacted at:

10 South Colonnade
London
E14 4PU

Tel: 0800 917 4487

Email: enquiries@pensions-ombudsman.org.uk

You can also submit a complaint form online: [404 | The Pensions Ombudsman \(pensions-ombudsman.org.uk\)](#)

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INTERNAL DISPUTE RESOLUTION PROCEDURE – STAGE 1

PART ONE

DETAILS OF PLAN MEMBER

Full Name:	
Address:	
Date of Birth:	
National Insurance Number:	

PART TWO

DETAILS OF PERSON MAKING THE COMPLAINT (IF THIS IS NOT THE MEMBER THEMSELVES)

Full Name:	
Address:	
Date of Birth:	
Relationship to Member:	

PART THREE

DETAILS OF REPRESENTATIVE ACTING ON BEHALF OF THE COMPLAINANT (IF ANY)

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

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PART 4

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 a separate piece of paper if necessary).

Signed:		Date:	
	(by or on behalf of the complainant)		

Please return the completed form to: Director of Human Resources, Arts Council England, The Hive, 49 Lever Street, Manchester, M1 1FN, whom the Trustees have nominated to investigate Stage 1 complaints.