

# **SOMERFIELD PENSION SCHEME (SOMERFIELD)**

## **INTERNAL DISPUTE RESOLUTION PROCEDURE**

TCG Southern Trustees Limited (“the Trustee”) is the trustee of Somerfield and has adopted this Internal Dispute Resolution Procedure (“IDRP”) in accordance with sections 50 to 50B of the Pensions Act 1995.

The purpose of the IDRP is to resolve disagreements about matters relating to Somerfield fairly and efficiently.

### **1. Scope of the IDRP**

#### **1.1. The IDRP applies to:**

- Closure, deferred and pensioner members of Somerfield [(including those in service and those no longer in service)];
- The widow, widower, civil partner or other surviving dependants or potential beneficiaries of a deceased member of Somerfield;
- A person who, on a member’s death, is entitled to benefits from Somerfield but who is not financially dependent on the member;
- Any person who ceases to be in one of the above categories, if that person’s application under the IDRP is made within six months after ceasing to be in one of the above categories; and
- Any person claiming to be in one of the above categories.

(each a “Complainant”)

1.2. An application under the IDRP must be made in writing by either the Complainant or by a representative nominated by the Complainant to make the application on their behalf. Where the Complainant has died the application may be made in writing or continued by their personal representatives, and where the Complainant is a minor or is otherwise incapable of acting on their own behalf, the application must be made in writing, or be continued, by a representative (such as a family member or other appropriate person).

1.3. A complaint under the IDRP must be between a Complainant and the Trustee although it may relate to a decision or action taken on behalf of the Trustee by the Co-op Pensions Department (“CPD”) - who administer benefits in relation Somerfield on behalf of the Trustee. The complaint must concern matters relating to Somerfield. A complaint in relation to a Complainant’s employer is outside the scope of the IDRP.

1.4. Subject to the six-month time limit referred to in paragraph 1.1 above, the Complainant or their representative must raise their complaint within twelve months from the date on which they first became aware of the matter to which the complaint relates. However, the Trustee maintains a discretion to decide to investigate the complaint if it is raised outside of this time period.

- 1.5. A complaint will fall outside the scope of the IDRPs if proceedings in respect of it have been commenced in any court or tribunal, or if the Pensions Ombudsman has commenced an investigation into the complaint. Similarly, if a complaint is raised under the IDRPs, any such investigation / proceedings (by a court, tribunal or the Pensions Ombudsman) that subsequently commence before the IDRPs is completed will result in the complaint under the IDRPs ceasing immediately.

## **2. Initial Disagreement Stage**

- 2.1 A complaint must initially be raised with the CPD Member Services Manager at the address noted in paragraph 5 below.

- 2.2 The Complainant or their representative shall provide complete details of the complaint, including any relevant background information and supporting evidence. The following information should also be provided:

- The full name, address, telephone number, email address and date of birth of the Complainant
- Where the Complainant is a member, their National Insurance Number
- Where the Complainant is not a member, details of the relationship between the Complainant and the relevant member, including the full name, address and date of birth of that member
- Where the Complainant is using a representative, the full name, address, telephone number and email address of the Complainant's representative, whether replies should be addressed to that person, and proof that the Complainant has authorised the representative to act on their behalf

- 2.3 Following receipt of the complaint, the CPD Member Services Manager will write to the Complainant (or their representative, as applicable) within ten working days to acknowledge receipt of the complaint. They will also provide a copy of this IDRPs in order to advise that the following services are available to assist with complaints about occupational and personal pension schemes:

### **Money Helper**

MoneyHelper is a free, not-for-profit advice service provided by the government-sponsored Money and Pension Service (MaPS). It is made up of three government-backed financial guidance providers (Money Advice Service, the Pensions Advisory Service and Pension Wise).

It is available to assist with any difficulties Somerfield members or beneficiaries may have in relation to their pension benefits. They can provide free and impartial guidance and information relating to pension benefits, and the steps which can be taken to resolve any concerns. Their contact details are:

Address: MoneyHelper, 120 Holborn, London EC1N 2TD

Telephone: 0800 011 3797

Website: [www.moneyhelper.org.uk](http://www.moneyhelper.org.uk)

(The website offers contact options of live webchat, enquiry form and social media channels)

### **The Pension Ombudsman - Early Resolution Service**

The Pensions Ombudsman also has an “Early Resolution” service which is available to assist Somerfield members and beneficiaries in connection with any complaint or dispute relating to Somerfield, including in relation to making a complaint under this IDRP.

The Early Resolution team can be contacted using the details outlined in paragraph 4.3 below. If using their telephone number, select the option to discuss a *potential* complaint.

- 2.4 If the CPD Member Services Manager is of the view that key information is missing, they will request this in the acknowledgment letter and the timescale for dealing with the complaint (see paragraph 2.5 below) will not commence until this information is received.
- 2.5 The CPD Member Services Manager will investigate the complaint and respond in writing within three calendar months of the date that all relevant details of the complaint have been received. If the case is complex and more time may be needed, an interim reply will be sent stating the reason for the delay and the expected date of decision.

### **3. Formal Internal Dispute Resolution Procedure**

- 3.1. If the Complainant (or their representative) remains dissatisfied with the response received from the CPD Member Services Manager and would like the Trustee to reconsider their complaint, they should write to the Somerfield Scheme Secretary at the address noted in paragraph 5 below within six months of receiving the decision, requesting that the complaint be progressed through the Trustee’s formal Internal Dispute Resolution Procedure.
- 3.2. If the information set out in paragraph 2.2 above has not already been provided, then the Complainant should provide this information. The Complainant should also confirm the detail of any additional points they would like to raise or supply any additional supporting information they would like to be considered.
- 3.3. The Somerfield Scheme Secretary will write to the Complainant (or their representative, as applicable) within ten working days to acknowledge receipt of the complaint.
- 3.4. The Trustee will review the complaint and any supporting evidence and will make a decision within four months of receipt of all the relevant details of the complaint. If it not possible to meet this timescale, an interim reply will be sent stating the reason for the delay and the expected date of a decision.

- 3.5. In reaching a decision, the Trustee will make its own enquiries and consult its professional advisers as it sees fit. The Trustee may delegate the investigation and determination of the complaint to a sub-committee of the Trustee.
- 3.6. The Trustee may request any additional information it requires. If this occurs, this will pause the four-month period referred to in paragraph 3.4 above. If this is the case, the Trustee will inform the Complainant of this when writing to request any additional information.
- 3.7. All personal information provided will be stored securely and processed only in accordance with Somerfield's data protection policy and applicable legal requirements. The Trustee may need to share information with its advisers and suppliers in order to take advice from them or carry out further investigations. Please see paragraph 6 below for further information about data protection.
- 3.8. The Somerfield Scheme Secretary will notify the Complainant of the Trustee's decision within fifteen working days of the date of the decision.
- 3.9. A copy of this IDRPs will be sent with the decision to confirm that the Pensions Ombudsman may investigate or determine any complaint or dispute of fact or law in relation to Somerfield made, or referred to, under the Pension Schemes Act 1993. Generally, the Pensions Ombudsman will only carry out a formal investigation once the IDRPs has been completed and the Trustee's decision has been issued. The Pensions Ombudsman's contact details are set out in section 4 below.

#### **4. The Pensions Ombudsman**

- 4.1. You have the right at any time before, during or after completion of the IDRPs to refer your complaint to the Pensions Ombudsman free of charge. The Pensions Ombudsman ("Ombudsman") is an independent and impartial statutory body which deals with complaints and disputes which concern the administration and/or management of occupational and personal pension schemes.
- 4.2. Contact with the Ombudsman about a complaint needs to be made within three years of when the event(s) you are complaining about happened – or, if later, within three years of when you first knew about it (or ought to have known about it). There is discretion for those time limits to be extended.
- 4.3. The Pensions Ombudsman can be contacted at:

Address: 10 South Colonnade, Canary Wharf, E14 4PU  
Telephone: 0800 917 4487  
Email: [enquiries@pensions-ombudsman.org.uk](mailto:enquiries@pensions-ombudsman.org.uk)  
Website: [www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk)

You can also submit a complaint form online:  
[www.pensions-ombudsman.org.uk/making-complaint](http://www.pensions-ombudsman.org.uk/making-complaint)

## 5. Contact Details

The CPD Member Services Manager, the Somerfield Scheme Secretary and the Trustee can all be contacted at:

Co-op Pensions Department  
Department 10406  
1 Angel Square  
Manchester  
M60 0AG

## 6. Data Protection

6.1 It is very likely that information provided by a Complainant (or their representative) in connection with a complaint will amount to “personal data” for the purposes of data protection law. In some cases, the information may be “sensitive” (or “special categories”) data – for instance, if it relates to a person’s health.

6.2 As with all personal data which is held by the Trustee, this data will be stored securely and processed only in accordance with the Somerfield data protection policy and applicable legal requirements. For more information on how and why the Trustee will process any personal data provided in connection with a complaint, and the Complainant’s (or their representative’s) legal rights in relation to that processing, please see Somerfield’s detailed privacy notice, which is available here:

<https://coop.pacepensions.co.uk/other-schemes/>

16 March 2023