

THE BW PLAN (the “Plan”)
INTERNAL DISPUTE RESOLUTION PROCEDURE
EXPLANATORY LEAFLET

This leaflet describes the procedure available under the Plan for the resolution of any dispute that you may have with the Trustee of the Plan relating to your benefits provided by the Plan.

Hopefully in most cases any problems would be solved without the need to use this official procedure, but the following procedure has been put in place to resolve cases where a dispute arises that cannot be sorted out informally.

What is the procedure?

The complaints procedure is also sometimes called the dispute resolution procedure.

You can send details of your complaint to the Trustee at the following address:

Trustee of the BW Plan
c/o Anthony Frith
Professional Trustee
Dalriada Trustees Limited
Princes Exchange
2 Princes Square
Leeds
LS1 4HY
Email : anthony_frith@dalriadatrustees.co.uk

Once received, your complaint will be forwarded to the Trustee for review. To be able to look into your complaint properly, the Trustee will need certain details from you. You can provide those details by filling in our IDRPs complaints form, which is enclosed with this leaflet. Filling in this form should be much easier and quicker than writing a letter.

The Trustee will write to you as soon as is reasonably practicable to acknowledge receipt of your complaint, and to let you know that the Money and Pensions Service is available to assist you in connection with any difficulty with the Plan or to provide any further information you may require about pensions generally.

The Trustee will look into the facts of your case and consider your complaint carefully. A decision will usually be made within 2 months and the Trustee will then notify you of that decision within a reasonable period (usually 15 working days). If they cannot do this, they will write giving the reasons for the delay and the date you can expect to hear from them. Their decision will also include contact details of the Pensions Ombudsman and explain their role.

The Trustee is made up of individuals nominated by the Company and membership of the BW Plan. One of the Company nominated trustees is a Professional Pension Trustee company. The Trustee's decision in respect of your complaint may be communicated through the Professional Trustee company. The procedure is run solely by the Trustee and the Company has no role or decision-making authority in this process.

What if you are still not happy?

If you are unhappy, you can formally refer your complaint to the Pensions Ombudsman whose contact details are set out below. This can be done free of charge. The Pensions Ombudsman will not normally start a

formal investigation until you have been through this dispute resolution procedure. However, the Pensions Ombudsman operates an “Early Resolution Service” which will be able to listen to your complaint and assist you with it at any time, including during this procedure.

Who can use this procedure?

Before you fill in the complaints form, you should check that you are entitled to use the procedure. You will be covered by the complaints procedure if you are one of the following people:

- ◆ A Plan member (this is someone who is building up benefits in the Plan, someone who has left but still has benefits in the Plan, someone who is already getting a pension or an ex-spouse who has benefits in the Plan as a result of a pension sharing order).
- ◆ Someone who can become a member of the Plan or someone who will be able to become a member in the future.
- ◆ A widow, widower, surviving civil partner or surviving dependent (for example, a child) of a member who has died.
- ◆ A surviving non-dependant beneficiary of a member who has died (this is someone who, on the death of the member, is entitled to the payment of benefits under the Plan).
- ◆ Someone who has ceased to be any of the above.
- ◆ Someone who claims to be any of the above.

You must make your application within 6 months of the date on which you ceased to be or claim you ceased to be a person with an interest in the Plan. This period may be extended where you could not reasonably have known about the basis of the dispute or because of exceptional circumstances, such as incapacity. If you have reason to request an extension of this period, please include details with your application.

Representatives of applicants

If you are entitled to use the complaints procedure, you may appoint a representative to act on your behalf.

If you die while your complaint is being investigated, the application may be continued by your Personal Representatives.

If you are a minor, or are for some other reason incapable of acting on your own behalf, the application may be made or continued by a member of your family or by some other suitable person.

Can you use the complaints procedure for all disputes?

The complaint has to involve you and the Trustee of the Plan. You cannot use the procedure for a disagreement between you and your employer. This would be categorised as an employment dispute and you would have to take that up directly with your employer.

The complaints procedure will not apply (or will cease to apply) if a court or tribunal is already involved or the Pensions Ombudsman has started to investigate the matter.

Contact details for MAPS and the Pensions Ombudsman

The Money and Pensions Service

The government sponsored Money and Pensions Service provides free and impartial guidance and is available to assist you with any difficulty with the Plan, as well as general requests for information or guidance concerning your pension arrangements. Its consumer-facing service is MoneyHelper, which you can contact on 0800 011 3797 or via its website at www.moneyhelper.org.uk.

The Pensions Ombudsman's Early Resolution Service

The Pensions Ombudsman's Early Resolution Service is available to assist members and beneficiaries of the Plan in connection with any difficulties which they have failed to resolve with the Administrator or the Trustee of the Plan.

The Pensions Ombudsman's Early Resolution Service can be contacted at any time for free and impartial guidance or advice by telephone on 0800 917 4487 or by email at enquiries@pensions-ombudsman.org.uk

Please note that the Early Resolution Service provided by the Pensions Ombudsman's office was previously provided by an organisation called The Pensions Advisory Service (or "TPAS"), which you may have heard of or been referred to in the past. TPAS no longer provides these services and so the contact details set out here are the details you should use.

The Pensions Ombudsman

The Pensions Ombudsman deals with complaints and disputes which concern the administration and/or management of occupational pension schemes. The Pensions Ombudsman can be contacted at:

The Pensions Ombudsman
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 0800 917 4487
enquiries@pensions-ombudsman.org.uk
www.pensions-ombudsman.org.uk

More Questions

We hope that this leaflet helps to explain our formal procedure for dealing with complaints. If you have any further questions, please contact the Professional Trustee using the contact details on page 1 of this note.