

# UUKPF Dispute Resolution Procedure

## A. Introduction

We try to run the Unilever UK Pension Fund (UUKPF) so that our members do not have cause for complaint. If a problem does occur, you should first raise it informally with Unilever UK Pensions (UUKP). The Pensions Ombudsman offers an Early Resolution Service, through which you can raise your concerns.

If any disagreement cannot be resolved informally, you may be able to use our formal dispute resolution procedure (the 'Dispute Resolution Procedure') to apply for a decision on your disagreement. The details of this procedure are set out below.

## B. Can I use the Dispute Resolution Procedure?

You can use the Dispute Resolution Procedure if you are in Category 1 or Category 2 of the table below:

Category 1	Category 2
i. You are an employee member	i. You are: - the widow, widower, surviving Civil Partner or surviving Same Sex Spouse or - a dependant, or - a non-dependant beneficiary <sup>1</sup> of someone in group i, ii or iii of Category 1
ii. You are a deferred member	ii. You have ceased to be someone in group i above - but only in the last six months immediately before your formal application is made (see section F)
iii. You are a pensioner member	iii. You claim you should be in one of the above groups in Category 2
iv. You are a prospective member	
v. You have ceased to be any of the above - but only in the last six months immediately before your formal application is made (see section F)	
vi. You claim you should be in one of the above groups in Category 1	

<sup>1</sup> – a non-dependant beneficiary means a person who, on the death of the member, may be entitled to the payment of benefits under the scheme.

## C. Words with special meanings

In the following sections:

'The Trustees' means the Unilever UK Pension Fund Trustees Limited, the company which is the trustee of the UUKPF.

'You' means a person within Category 1 or Category 2.

## D. Does the Dispute Resolution Procedure apply to my disagreement?

### What disagreements does it apply to?

The Dispute Resolution Procedure applies only to disagreements between anyone in Category 1 or Category 2 and the Trustees.

### What disagreements does it not apply to?

The Dispute Resolution Procedure does not apply to disagreements:

- between UUKPF members and employers, (even if the disagreement is about the UUKPF or, for example, a dispute over how much of an employee's pay is to be counted as 'Pensionable Pay')
- where proceedings have already been started in any court or tribunal
- which the Pensions Ombudsman is already investigating.

## E. Can someone help me use the Dispute Resolution Procedure?

You can apply for a decision yourself or through a representative. For example, your husband/ wife or a friend chosen by you could apply on your behalf. If you die before your application is resolved, your personal representatives can continue with your application.

If you are under 18 or otherwise unable to act for yourself, your application may be made or continued by a member of your family or some other suitable person.

## F. How do I use the procedure to try to resolve my disagreement?

There is a formal procedure for making an application for a decision about your disagreement. If you do not adhere to it, your application may not be considered under the Dispute Resolution Procedure.

Please use the attached form to make your application. See the following table for information on the details you need to supply with your application.

<b>If you are in Category 1, your application must:</b>	<b>If you are in Category 2, your application must:</b>
Be in writing and signed by you or your representative	Be in writing and signed by you or your representative
Include your: <ul style="list-style-type: none"><li>▪ full name</li><li>▪ full address</li><li>▪ date of birth</li><li>▪ National Insurance number.</li></ul>	Include your: <ul style="list-style-type: none"><li>▪ full name</li><li>▪ full address</li><li>▪ date of birth.</li></ul>
	State: <ul style="list-style-type: none"><li>▪ your relationship to the UUKPF member</li><li>▪ his/her full name</li><li>▪ his/her full address</li><li>▪ his/her date of birth</li><li>▪ his/her National Insurance number.</li></ul>
If a representative is acting on your behalf, include: <ul style="list-style-type: none"><li>▪ his/her full name</li><li>▪ his/her full address</li><li>▪ whether or not his/her address is to be used for contacting you about your application.</li></ul>	If a representative is acting on your behalf, include: <ul style="list-style-type: none"><li>▪ his/her full name</li><li>▪ his/her full address</li><li>▪ whether or not his/her address is to be used for contacting you about your application.</li></ul>
Include a statement explaining the nature of your disagreement, with enough detail to show the basis of your complaint and your expectations from a resolution.	Include a statement explaining the nature of your disagreement, with enough detail to show the basis of your complaint and your expectations from a resolution.

## **G. Who do I send my application form to for a decision?**

The Trustees have appointed Unilever UK Pensions (Unilever UK Central Resources Limited) to handle the first stage of the Dispute Resolution Procedure.

You should send your application to the Service Delivery Manager at the following address:

Unilever UK Pensions- IDR Procedure  
UK&I Pensions  
Lever House  
3 St James Road  
Kingston Upon Thames  
KT1 2BA

## **H. What happens next?**

An acknowledgement to your application will normally be sent out to you within ten working days of receipt. If you do not receive an acknowledgement within this period, you should telephone Unilever UK Pensions (UUKP) on 07824841507 to check that your complaint has been received. You should confirm this conversation in writing to the Service Delivery Manager at the address in section G.

If your application does not comply with section F, it may be returned to you with a letter explaining the reasons why it does not comply.

If your application does comply with section F, it will be dealt with by UUKP. Within two months of receiving the complaint, the Service Delivery Manager (or another authorised person) will write to you and your representative (if you have one) on behalf of UUKP, with a notice of their decision.

If UUKP are unable to reach a decision within the two months, they will write to you and your representative (if you have one). This situation may occur, for example, if you need to supply them with more information. UUKP will inform you of the reasons for the delay and the date by which you can expect a decision.

## **I. What will the notice of the decision say?**

As well as the decision itself, the notice will include:

- a reference to any legislation relied on for the decision
- a reference to the parts of the UUKPF rules relied on for the decision
- where a discretion has been exercised, a reference to the parts of the UUKPF rules by which that discretion is conferred
- a reference to your right to refer your disagreement for reconsideration by the Trustees within six months of the date of the decision
- a statement that if you are not happy with the Trustees' final decision, that the Pensions Ombudsman is able to assist you and may investigate and determine any complaint or dispute of fact or law in relation to a pension scheme made or referred to him in accordance with the Pension Schemes Act 1993 and the address at which the Ombudsman may be contacted.

If your disagreement arises from the exercise of a discretion, it is the Trustees' policy not to give the reasons for their decision. This could be because, for example, the decision was influenced by confidential personal circumstances. You will be notified of UUKP's decision within 15 days of the decision being made.

## **J. What if I am still not satisfied?**

### **Who can I appeal to?**

If you are not satisfied with the decision of UUKP, you can apply to have your application reconsidered by the Trustees.

### **Is there a time limit?**

Your application must be received by the Secretary of the Trustees within **six months** of the date of UUKP's notice of decision and must comply with section K, otherwise the Trustees are not obliged to consider it.

## **K. How do I appeal?**

Your application to have the decision reconsidered must be signed by you or by your representative on your behalf and should be sent to the Secretary of the Trustees of the UUKPF at:

Unilever UK Pensions- IDR Procedure  
UK&I Pensions  
Lever House  
3 St James Road  
Kingston Upon Thames  
KT1 2BA

Your application must contain all the information previously supplied in section F (apart from the nature of your disagreement). In addition, it must include:

- a copy of UUKP's decision
- a statement setting out the reasons why you are not satisfied with the decision
- a statement that you wish your application to be reconsidered by the Trustees.

## **L. What happens next?**

An acknowledgement to your application will normally be sent out to you within ten working days of receipt. If you do not receive an acknowledgement within that period, you should telephone the Secretary of the Trustees on 07824841507 to check that your application has been received. You should confirm this conversation in writing to the Secretary of the Trustees at the address in section K.

If your application does not comply with section K above, it will be returned to you with a letter explaining the reasons why it does not comply.

If your application does comply with section K above, the Trustees will write to you and your representative (if you have one) within two months of receiving your application, enclosing a notice of the Trustees' decision.

If the Trustees have not been able to reach a decision in that time (for example, because there has not been a Trustee meeting), you and your representative (if you have one), will be informed immediately in writing, explaining the reasons for the delay and the date by which you can expect a decision.

## **M. What will the notice of the Trustees' decision say?**

As well as the Trustees' decision, the notice will include:

- an explanation as to whether, and to what extent, the Trustees' decision either confirms or replaces the decision which you have appealed
- a reference to any legislation relied on for the Trustees' decision
- a reference to the parts of the UUKPF rules relied on for the Trustees' decision
- where a discretion has been exercised, a reference to the parts of the UUKPF rules by which that discretion is conferred

- a statement that the Pensions Ombudsman is able to assist you and may investigate and determine any complaint or dispute of fact or law in relation to a pension scheme made or referred to him in accordance with the Pension Schemes Act 1993 and the address at which the Ombudsman may be contacted.

If your application arises from the exercise of a discretion, it is the Trustees' policy not to give the reasons for their decision. This could be because, for example, the decision was influenced by confidential personal circumstances. You will be notified of the Trustees' decision within 15 days of the decision being made.

## **N. What if I am still not satisfied?**

If you are not satisfied by our decision, you may refer your complaint to the Pensions Ombudsman by writing to them at:

10 South Colonnade  
Canary Wharf  
E14 4PU

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/our-service/make-a-complaint/](http://www.pensions-ombudsman.org.uk/our-service/make-a-complaint/)

### **Legal Note**

The Dispute Resolution Procedure is designed to comply with the Pensions Act 1995 as amended and regulations made under it. It does not grant any greater rights than are conferred by the Act and those regulations. The Trustees reserve the right to amend this procedure from time to time or to withdraw it.

# UUKPF Dispute Resolution Procedure

## Application form

<b>Member's details (to be completed in all cases)</b>	
Full name:	
Address:	
Date of birth:	National Insurance number:
Status (please tick one):	<input type="checkbox"/> Prospective member (not yet joined)
	<input type="checkbox"/> Employee member (already joined)
	<input type="checkbox"/> Deferred member (left but not yet receiving a pension)
	<input type="checkbox"/> Pensioner (receiving a pension)
Signature of member: (see note 1)	
<b>Applicant's details (if different from above – see note 2)</b>	
Full name:	
Address:	
Relationship to member: (eg. spouse, dependant, etc.)	
Signature of applicant: (see note 2)	
<b>Representative's details (if applicable – see note 3)</b>	
Full name:	
Address:	
Signature of representative:	
Is this the mailing address to be used? Y / N	
<b>Nature of the disagreement</b>	
Where possible, please give the names and dates concerned, continuing on a separate sheet if necessary.	
Date:	
This form should be addressed to the Service Delivery Manager and sent to: Unilever UK Pensions- IDR Procedure, UK&I Pensions, Lever House, 3 St James Road, Kingston Upon Thames, KT1 2BA.	
Note 1: Sign here if you are a member.	
Note 2: Sign here if you are an applicant who is not a member.	
Note 3: Only complete this box if you are a representative acting on behalf of the applicant or member.	