

Important Announcement to members of the following pension schemes (“the Schemes”):

- Genwick Retirement Benefits Pension Scheme
 - Uniway Systems Retirement Benefits Pension Scheme
-

We are writing to you as we believe that you may have joined one of the Schemes and may have transferred-in pension benefits from a previous arrangement.

Background

The Pensions Regulator (“TPR”) is a statutory body which is responsible for the regulation of work-based pension schemes in the UK. Its aims include protecting the benefits of scheme members, together with promoting good administration and understanding of occupational pension arrangements.

The Determinations Panel (“DP”) is a committee of TPR. It operates separately from other parts of the organisation, including TPR’s case teams. The DP has a separately appointed membership and legal support. This enables it to make independent and impartial decisions. More information can be found on TPR’s website, www.thepensionsregulator.gov.uk

TPR made a request to the DP to consider the appointment of an independent trustee to the Schemes under sections 7 and 8 of the Pensions Act 1995.

Dalriada Trustees Limited (“Dalriada”) was subsequently appointed as Independent Trustee with exclusive powers to the Schemes, by Order of The Pensions Regulator, effective from 25 August 2020. All trustee powers and rights are now held by Dalriada, to the exclusion of all other trustees of the Schemes.

Why have we been appointed as Independent Trustee to the Schemes?

TPR has the power to appoint a trustee under section 7 of the Pensions Act 1995 where it is reasonable to do so, in order to:

- secure that the trustees as a whole have, or exercise, the necessary knowledge and skill for the proper administration of schemes;
- secure that the number of trustees is sufficient for the proper administration of schemes;
- secure the proper use or application of the assets of schemes; or,
- otherwise protect the interests of the generality of the members of schemes.

Whilst it is not appropriate for Dalriada to comment in any detail in relation to the decision to appoint an independent trustee, we can state that:

- Ecoignard Trustees Limited (“Ecoignard”), the trustee previously appointed to the Schemes, is in liquidation as of June 2019.
- The Official Receiver, as Liquidator to Ecoignard, has confirmed that they do not have sufficient knowledge to act as trustee to the Schemes.

- Genwick Limited and Uniway Systems Limited, employers for the Schemes, were dissolved as of February 2019 and April 2019, respectively.

Dalriada is a company that operates solely to provide trusteeship services to UK occupational pension schemes. We currently act as independent trustee to a number of schemes where we have been appointed by TPR. Dalriada has considerable knowledge and experience in all aspects of pension scheme management.

Our role as independent trustee is as follows:

- to administer the Schemes,
- to manage the assets of the Schemes and understand the nature of all assets held,
- to act in the best interests of all members and beneficiaries,
- to assist The Pensions Regulator with any enquiries in relation to the management of the Schemes.

What action have we taken so far?

Dalriada has received limited member information in respect of the Schemes and are now in a position to contact those members already identified by way of this Announcement. We are undertaking a detailed analysis of all the information obtained in connection with the Schemes and will update members further once we are able to do so.

We are in the process of identifying and assuming control of bank accounts relating to the Schemes. In addition, we understand that there may be other assets of the Schemes which are held elsewhere and we are currently making investigations in order to gain a full understanding of all assets of the Schemes, including where and how they are held.

Dalriada will attempt contact, or continue to maintain contact, with all Directly Affected Parties including the Official Receiver, the relevant former trustees, administrators, directors, investment providers and introducers, where identified.

Members should be aware that it is not uncommon for the initial stages of a TPR appointment to take a significant amount of time, and we will be somewhat reliant on the cooperation of all Directly Affected Parties. Dalriada will follow up with a second Announcement when we are in a position to do so.

What does this mean for you?

Until further notice:

- no further contributions or transfers-in will be accepted into the Schemes; and
- no payments will be made to, or in respect of, any members of the Schemes.

These steps are necessary whilst Dalriada looks to obtain all relevant information on the assets and liabilities of the Schemes and to clarify the basis on which the Schemes should be administered and managed.

If you are in the process of transferring to the Schemes we recommend that you contact your existing pension administrator or provider immediately and inform them that transfers into the Schemes should not be made, and instruct them to take no further action in relation to your proposed transfer. You should note that it is possible that some transfers already in the course of payment may proceed and we will be unable to reverse the transaction if the money is credited to either scheme's bank account.

If you are expecting to receive a payment, this will **not** come from the Schemes and Dalriada will not be making any payments.

What can you do to help?

To assist with our appointment and investigations, Dalriada would appreciate it if you could take the time to complete and return, by **Friday 30th October 2020**, the following documents:

1) Member Questionnaire

To gain a better understanding of how the Schemes worked and why members joined, we would be grateful if you could complete the enclosed Member Questionnaire. Your responses will assist us in our investigations and will help to ensure that the best possible outcome for members is achieved.

2) Self-Certification Form

To ensure that your personal information is accurate, we would be grateful if you could complete and return the enclosed Self Certification Form.

Finally, we would be grateful if you could supply copies of **all correspondence or other communications** which you may have received in relation to your membership of the Schemes.

General Data Protection Regulations ("GDPR")

Previously, organisations were required to comply with the Data Protection Act 1998. This Act governed the collection, storage and use of personal data held electronically or in paper records. It provided guidelines on how companies should create, store, handle or view personal data. From 25 May 2018, this Act was replaced by the GDPR, which came into direct effect across the EU. The UK will continue to comply with these regulations following Brexit.

Dalriada, as trustee of the Schemes, has a policy for meeting our obligations under GDPR and we are pleased to enclose a Privacy Notice that sets out this policy for your information. We would like to draw your attention to the following key points:

- Individuals have increased rights under the GDPR in relation to their personal data which include, in certain circumstances, the right of access to data and rectification and erasure. We hope you understand that we need to hold your data to be able to determine any benefits and to answer any questions about your entitlement.
- Under the GDPR, members have the right to obtain access to their personal data by way of a Subject Access Request (SAR). Members will not be directly charged for making this request and a response should be received within one month of the request.
- The general management and administration of the Schemes, including responding to SARs, incurs costs against the Schemes. Therefore, should you wish to make a SAR, we would ask you to call Dalriada in the first instance on the number provided below.
- Where a SAR is received from a third party on behalf of a particular member, Dalriada's obligations are to provide the necessary information to the data subject directly (i.e. to the member). Therefore, we would like to reiterate that where a member is pursuing a claim through a third party that they personally contact Dalriada in the first instance.
- This GDPR notification does not affect your benefits entitlement in any way.

Whilst Dalriada are working to understand the position regarding the assets of the Schemes, we understand from speaking to members thus far that there are existing concerns as to the safety of their pension benefits.

As such, we would like to offer members the following guidance in the meantime.

Financial Advice

Due to the limited information available at this early stage of our appointment, Dalriada are not aware of whether members received any financial advice in relation to their transfer into the Schemes. Transfer advice may not have been taken by the membership at large. Rather, members may have corresponded with unregulated introducers.

However, if members are unhappy with a financial product or service that may have been provided to them, then members are able to complain to that firm directly. I have included below a link to the Financial Conduct Authority's ("FCA") guidelines on how to complain:

<https://www.fca.org.uk/consumers/how-complain>

Financial Services Compensation Scheme ("FSCS")

The FSCS can consider claims against firms providing advice that have now failed.

To consider claims against a failed firm, the FSCS has to be satisfied that customers have first exhausted any right to claim against any connected firm still trading.

The FSCS may also need to be satisfied that the firm being claimed against was FCA (or PRA) authorised. If you had an advisor in relation to the transfer, you can check their status on the FCA register:

<https://register.fca.org.uk/>

If you had an advisor that was not FCA regulated when transferring your pension, we understand that the FSCS can't compensate you. This is because there is no FCA/PRA-regulated firm to make a claim against.

If you had an advisor that was FCA authorised, is still trading, and you believe you were misadvised to transfer your existing pension or to invest, you need to complain to them first. If they reject your complaint, you can take it to the Financial Ombudsman Service ("FOS").

If you had an advisor that was FCA authorised, is no longer trading, and you believe you were misadvised to transfer your existing pension or to invest, you should submit a claim to FSCS against your financial adviser.

Dalriada cannot give advice in relation to possible claims to the FSCS. However, the FSCS exists to make it easy for individuals to make contact with it. The FSCS website can be found via the following link:

<https://www.fscs.org.uk>

Cold Calling

Unsolicited calls about your pension became illegal on 9 January 2019. Companies that make unwanted, unsolicited phone calls to people about their pensions may face enforcement action, including fines.

The ban prohibits cold calling in relation to pensions, except where the caller is authorised by the FCA, or is the trustee or manager of an occupational or personal pension scheme, and the recipient of the call consents to calls, or has an existing relationship with the caller.

If you receive a cold call about your pension, get any information you can from the caller (such as the company name or phone number) and make a report of the call to the Information Commissioner's Office via their website or on 0303 123 1113.

Claims Management Companies

Dalriada have become aware that a number of Claims Management Companies ("CMC") and other solicitor firms have made contact, or have indicated to us that they want to make contact, with members of pension schemes similar to the Schemes, in order to assist with individual applications to the FSCS for compensation, or other such methods of redress. These companies would normally offer a "no win no fee" type contract.

CMCs and solicitors are regulated by the FCA and the SRA (Solicitors Regulation Authority) respectively. However, the whole point of entities such as the FSCS is that it should be easy for claimants to make claims for themselves. The FSCS procedure is free, and the guidance from the FSCS on its own website specifically encourages individuals to make their own claims without incurring costs or offering a cut of compensation to another party in return for assistance.

If compensation is awarded, that compensation is for the benefit of the claimant. A third-party claims company will always want to enter into a contract for their services, with a fee structure based on success. This fee is often 20% to 40% of any compensation paid. To put this into cash terms, if the FSCS made an award of £50,000 then, based on a 20% fee agreement, the third-party firm would be entitled to £10,000 of that compensation. This is regardless of how much work is done and often this would be just filling in a simple online form.

In addition, members should proceed very cautiously if approached by either a claims company or financial advisor where there is no existing relationship. As noted above, there is now a ban on cold calling in relation to pensions, so such approaches might be in breach of that and, as a result, liable for criminal action.

Scams

Dalriada shares TPR's fears that the impact of Coronavirus (COVID-19) on markets and personal finances may make members more vulnerable to scams.

We wish to make members aware as to the risk of scams and be able to spot scam warning signs. So we strongly advise members to visit the ScamSmart website for more information –

<https://www.fca.org.uk/scamsmart>

<https://www.fca.org.uk/scamsmart/how-avoid-investment-scams>

Member websites

Dalriada has set up dedicated member websites for the Schemes. Dalriada will make available through the websites copies of all Announcements, alongside any relevant governance documents.

Links to the relevant Scheme's website can be found below:

<https://www.dalriadatrustees.co.uk/scheme/the-genwick-retirement-benefits-pension-scheme/>

<https://www.dalriadatrustees.co.uk/scheme/uniway-systems-retirement-benefits-pension-scheme/>

Useful contact details

If you have a complaint or dispute concerning your workplace or personal pension arrangements, you should contact:

The Pensions Ombudsman
Office of the Pensions Ombudsman
10 South Colonnade
Canary Wharf
London
E14 4PU
Telephone: 0800 917 4487

Website: www.pensions-ombudsman.org.uk

If you have general requests for information or guidance concerning your pension arrangements, you should contact:

Money and Pensions Service
Holburn Centre
120 Holburn
London
EC1N 2TD
Telephone: 0115 965 9570

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

Will Dalriada play a role in helping me to make a complaint?

Dalriada and the Schemes will not be parties to, nor be involved in, any complaint that you bring against a previous scheme or provider. Our duty is to act as Trustee of the Schemes and to proceed as we have set out.

That said, we would hope that the above information is helpful to members in considering whether they have a basis for a potential complaint - which will not be without challenge - and also in contemplating whether it is truly necessary or in their interests to seek external help from third parties (i.e. claims companies), who will look to take a fee in the event of a successful outcome and, if you do use such a third party, how any fee would be paid.

What should I do if I have any further questions?

Should you have any queries in relation to this Announcement or your membership of the Schemes, please contact us. As above, please also supply copies of all correspondence or other communications which you may have received in relation to your membership of the Schemes.

You can contact us as follows:

By Telephone: 028 9592 6105

By Post: Dalriada Trustees Limited
Linen Loft
27-37 Adelaide Street
Belfast
BT2 8FE

Via E-mail: genwickadmin@dalriadatrustees.co.uk or
uniwayadmin@dalriadatrustees.co.uk

**Issued by Dalriada Trustees Limited
September 2020**

Data Privacy Notice

Background

This statement sets out how Dalriada Trustees Limited ("Dalriada") in its capacity as Trustee of the Genwick Retirement Benefits Pension Scheme and the Uniway Systems Retirement Benefits Pension Scheme ("the Schemes"), handles personal information in compliance with the General Data Protection Regulations (the "Regulations").

We recognise that the correct and lawful processing of personal data is important and integral to our successful operations and to maintaining the trust of the people we deal with. We fully endorse and adhere to the principles set out under the Regulations.

For the purposes of this statement, the term "personal data" shall refer to personal data and sensitive personal data.

Dalriada may act as Data Controller and a Data Processor in relation to the handling of the personal data and sensitive personal data of the persons/organisations we deal with.

Purpose and legal basis for processing the personal data

The personal data that Dalriada may hold includes, but is not limited to, your name, address, date of birth, National Insurance details and marital status, as well as details of your children or other beneficiaries. Where we have it, we may also hold details of your salary history, membership dates and any contributions to your pension scheme. In addition, we may retain your medical history, as this may affect your pension entitlement.

The reason we need to hold and process this data is so that we can properly administer your benefits and pay your pension and other benefits when they are able to come into payment.

Dalriada may from time to time share this data with a regulatory body or a professional adviser to the Schemes, in order to manage the Schemes and your benefits. Dalriada may also share the personal data with insurers to ensure that we provide your benefits in the most cost-effective way.

As Data Controller, Dalriada has a legal obligation to administer and pay your benefits from your scheme when it is able to do so. We will therefore hold and process your data on this legal basis. Dalriada and our advisers have each our own legitimate interests for processing your data. You may object to the processing of your personal data on this basis, but your objection may be rejected by Dalriada if there are compelling reasons to do so.

When Dalriada is required to process your sensitive personal data, such as your medical records, we shall seek your explicit consent to do so. You may withdraw your consent to processing on this basis at any time.

Dalriada will hold and process your data for as long as we are legally required to do so, are responsible for payment benefits from the Schemes or for protection of our legitimate interests, and in line with regulatory requirements. As pension benefits are a long-term undertaking and queries can arise many years into the future, it is not possible to give a specific period for which the data will be stored.

Individual Rights

Dalriada will fully respect your rights under the Regulations including:

- You have the right to make a subject access request for free, which can be made electronically.
- You have the right to make a subject access request to verify the lawfulness of the processing we are carrying out.
- We will respond to your subject access request within one month of you making it.
- You can request to correct your personal data if it is inaccurate, incomplete or out of date, or request the deletion of your personal data.
- You may obtain a copy of your personal information from us, except in limited circumstances.
- You have the right to complain to the supervisory authority whose contact details are set out below.

Complaints

Complaints relating to breaches of the Regulations and/or complaints that an individual's personal data is not being processed in line with the Data Protection Principles will be managed and processed by Dalriada, as trustee.

All complaints of dissatisfaction will also be processed in accordance with your scheme's Internal Dispute Resolution Procedure ("IDRP") and should be sent to:

Trustee of the Genwick and Uniway Systems Retirement Benefits Pension Schemes
Linen Loft
27-37 Adelaide Street
Belfast
BT2 8FE

Without prejudice to any administrative or judicial remedy, you have the right to lodge a complaint with the supervisory authority, the Information Commissioner's Office ("ICO"), if you consider that the processing of your personal data infringes the principles of the Regulations. Their address is as follows:

Information Commissioner's Office
Wycliffe House
Water Lane Wilmslow
Cheshire
SK9 5AF

Self-Certification Form

PERSONAL DETAILS STATEMENT	
Name:	
Date of Birth:	
Gender:	
National Insurance Number:	
Address:	
Postcode:	
Home Telephone Number:	
Mobile Telephone Number:	
Email Address:	
TRANSFER SECTION	
Scheme:	<p><i>Delete as appropriate:</i></p> <p>The Genwick Retirement Benefits Pension Scheme</p> <p>The Uniway Systems Retirement Benefits Pension Scheme</p>
Transfer Value 1:	
Date of Transfer 1:	
Transferring Scheme 1:	

TRANSFER SECTION CONT'D	
Transfer Value 2:	
Date of Transfer 2:	
Transferring Scheme 2:	
Transfer Value 3:	
Date of Transfer 3:	
Transferring Scheme 3:	

I confirm that I am the person described in this data checking document. I have reviewed the information provided and confirm that the personal details shown on my Personal Details Statement are correct to the best of my knowledge.

Signed:

Name (BLOCK CAPITALS):

Date:

Member Questionnaire

Scheme:	<i>Delete as appropriate:</i> The Genwick Retirement Benefits Pension Scheme The Uniway Systems Retirement Benefits Pension Scheme
How did you first hear about the Scheme?	
Please provide details of the company or individual you spoke with originally.	
How was contact regarding the transfer initiated e.g. did you receive a phone call, answer an advert or go online and find contact details?	
How did the company/individual describe the Scheme to you?	
Did they offer alternatives to joining the Scheme?	
What service did the company offer you e.g. a pension review?	

What was it about the Scheme which influenced your decision to transfer?

Were you ever offered any cash payment to join the Scheme e.g. a pension commencement lump sum or some other cash payment?

If so, by whom?

Did you ever receive a cash payment for joining the Scheme?

If so, please provide details of the payment including the amount paid and details of who made the payment.

Were you informed of how your funds would be invested?

If so, what investments were you made aware of and by whom?

Did you select how your funds would be invested i.e. did you make a specific choice from a variety of investment options?

Did anyone ask you what your attitude to investment risk was?

If so, please provide details of who asked you and your response.

Did you receive a loan from the Scheme or from any Company connected with the Scheme?	
If yes, how much and what were the terms of the loan?	
If you received a loan, were you told where this was coming from or that it was explicitly linked to the pension scheme?	
Do you have any documentation telling you this information or any payment reference?	
Have you received an unauthorised payment charge from HMRC?	

Signed:

Name (BLOCK CAPITALS):

Date:

National Insurance No:

Scheme: