



# Local Government Pension Scheme

## Internal Dispute Resolution Procedure (IDRP)

### Employees' Guide

#### DECISIONS

From the day a person starts a job with an employer and becomes a member of the Local Government Pension scheme, to the day when benefits or dependant's benefits are paid, the employer and the Pension Scheme administering authority have to make decisions under the Pension Scheme rules that affect you (or your dependants). When you (this includes dependants) are notified of a decision you should check, as far as you can, that it is based on the correct details and that you agree with the decision. Under the Pension Scheme rules L B Redbridge is both the administering authority and the employing authority in respect of it's own employees. However, some members of the scheme may be employees of admitted or scheduled bodies. In these cases employer decisions will be made by these employers.

If you are not sure which benefits you are entitled to, or you have a problem with your benefits, please either phone the number on any letter you have received, or contact the LBR Pensions Team who will try to deal with the problem as quickly and efficiently as possible.

Many problems that members have are, in fact, resolved in this way. They may be caused by misunderstandings or wrong information, which can be explained or put right easily. An informal enquiry of this kind may save you a lot of time and trouble.

#### COMPLAINTS

If you are not satisfied with any decision affecting you made in relation to the Scheme, you have the right to ask for it to be looked at again under the formal complaint procedure. You also have a right to use the procedure if a decision should have been made by your employer or administering authority, but it hasn't been. The complaint procedure's official name is the "internal dispute resolution procedure".

There are also a number of other regulatory bodies, such as The Money and Pensions Service, which may be able to help you. They are described in the "Additional Help" section. You can contact The Money and Pensions Service for information and advice at any stage during the formal complaint procedure.

The formal complaint procedure has two stages although many complaints are resolved at the first stage. Any complaint you make will be treated seriously, and considered thoroughly and fairly.

You can ask someone to take your complaint forward on your behalf. This could be, for instance, a trade union official, welfare officer, your husband, wife or partner, or a friend.

No charge is made at any stage for investigating a complaint under the IDRP, but expenses that you will have to meet are your own (and/or your representative's) time, stationery and postage.

At any stage during the formal complaint procedure you can contact The Money and Pensions Service for information and advice (see "Additional Help" section). Please remember that, before going to the trouble of making a formal complaint, your Pensions Section may welcome the opportunity to try to resolve the matter about which you are dissatisfied in an informal way. It may be worth checking again that they know you are concerned, and why.

## FIRST STAGE

If you need to make a formal complaint, you should make it :

- in writing, using the application form below, and
- normally within 6 months of the day when you were told of the decision you want to complain about.

Your complaint will be considered carefully by a person nominated by the body that took the decision against which you wish to complain. This guide calls them the "adjudicator" That person is required to give you their decision in writing within 2 months of receiving all the paperwork surrounding the complaint.

If the adjudicator 's decision differs from the original decision, the employer or administering authority who made that original decision will now have to deal with your case in accordance with the adjudicator 's decision.

If the decision you complained about concerned the exercise of a discretion by your employer or the Pension Section, the Adjudicator may decide that they should reconsider how they exercise their discretion.

## SECOND STAGE

You can ask the pension scheme administering authority to take a fresh look at your complaint in any of the following circumstances :

- if you are not satisfied with the adjudicator 's first-stage decision,
- if you have not received a decision or an interim letter from the adjudicator, and it is 3 months since your lodged your complaint,
- if more than one month has passed since the date by which the adjudicator told you (in an interim letter) that they would give you a decision, and you have still not received that decision.

This review would be undertaken by a person not involved in the first stage decision.

You will need to send the appropriate administering authority your complaint in writing. The time limits for making the complaint are set out in the table at the end of this leaflet. The administering authority will consider your complaint and give you their decision in writing.

If you are still unhappy following the administering authority's second stage decision, you can take your case to the Pensions Ombudsman provided you do so within 3 years from the date of the original decision (or lack of a decision) about which you are complaining.

## ADDITIONAL HELP

### The Money and Pensions Service (MaPS)

At any time if you are having difficulties in sorting out your complaint, you may wish to contact MaPS.

MAPS can provide free advice and information to explain your rights and responsibilities. To get information or guidance, you can look at the website on [www.maps.org.uk](http://www.maps.org.uk) or you can contact MaPS by phone, email or by post.

The Pensions Helpline phone number is 0800 011 3797 (local call rate)

Lines are manned Monday to Friday 9am to 6pm.

The Email address is [contact@maps.org.uk](mailto:contact@maps.org.uk)

Or You can write to:

### **The Money and Pensions Service**

Borough Hall  
Cauldwell Street  
Bedford  
MK42 9AP

## THE PENSIONS OMBUDSMAN

The TPO only deals with pension complaints. It can help if you have a complaint or dispute about the administration and /or management of personal and occupational pension schemes. Some examples of the types of complaints it considers are (this list is not exhaustive):

- automatic enrolment
- benefits: including incorrect calculation, failure to pay or late payment
- death benefits
- failure to provide information or act on instructions
- ill health
- interpretation of the scheme rules
- misquote or misinformation
- transfers
- been given first-stage and second-stage internal dispute resolution procedure decisions by the Local Government Pension Scheme; and
- asked for the help of MaPS.

The Pensions Ombudsman is completely independent and acts as an impartial adjudicator. His role and powers have been decided by Parliament.

There is no charge for using the Pensions Ombudsman's services.

The Ombudsman cannot investigate matters where legal proceedings have already started but, subject to that, he can settle disputes about matters of fact or law as they affect occupational pension schemes.

He can also investigate and decide any complaint or dispute about the maladministration of a pension scheme. "Maladministration" is about the way that a decision is taken, rather than about the merits of the decision. Examples of maladministration would be unreasonable delay, neglect, giving wrong information and discrimination.

The Ombudsman's decision is final and binding on all the parties, subject to any appeal made to the High Court on a point of law.

You must refer your complaint to the Ombudsman within 3 years of the event about which you are complaining, or within 3 years of when you first became aware of the problem.

### **TPO can be contacted at:**

10 S Colnade

Canary Wharf

London

E14 4PU

Tel: 0800 917 4487 (local rate)

Website : [www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk) (where you can submit an online complaint form)

## TIME LIMITS UNDER THE INTERNAL DISPUTE RESOLUTION PROCEDURE

<u>Your Situation</u>	<u>Who to Complain to</u>	<u>Time Limit</u>
You have received a decision on your benefits from the Pension Section or your employer and there seem to be good grounds for complaining. – Stage one of IDR	The Adjudicator under the first stage of the procedure.	6 months from the date when you were notified of the decision.
You have received a first stage decision on your complaint from the Adjudicator, but you are not satisfied.	Operational Director of Human Resources, Pay & Contracts and Pensions who will pass the matter to the adjudicator under the second stage of the procedure.	6 months from the date of the Adjudicator's decision.
You made your complaint in writing to the Adjudicator, with all the information they needed but, 3 months later, you have not received their decision on your complaint or any interim reply.	L B Redbridge Pension Team as the administering authority under the second stage of the procedure.	9 months from the date when you submitted your complaint.
You received an interim reply to your complaint to the Adjudicator, within 2 months of applying to them. Their reply promised you a decision by a specified date but, one month after the specified date, you still have not received their decision.	L B Redbridge Pension Team as the administering authority under the second stage of the procedure.	7 months from the date by which you were promised you would receive a decision.
Your complaint is that your employer or L B Redbridge as the administering authority have failed to make any decision about your benefits under the pension scheme.	The Adjudicator under the first stage of the procedure.	6 months from the date when your employer or L B Redbridge Pension Team as the administering authority should have made the decision.
Your complaint went to L B Redbridge Pension Team as the administering authority under the second stage of the procedure. You received their decision but you are still not satisfied.	The Pensions Ombudsman. <b>NB</b> that the Ombudsman will normally expect you to have asked MaPS for help first.	3 years from the date of the original decision about which you are complaining.

<p>You have taken your complaint to L B Redbridge Pension Team as the administering authority under the second stage of the procedure but, 2 months after your complaint was received by the authority, you have not received their decision on your complaint or any interim reply.</p>	<p>The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked MaPS for help first.</p>	<p>3 years from the date of the original decision about which you are complaining.</p>
<p>You received an interim reply to your second stage complaint to L B Redbridge Pension Team as the administering authority, within 2 months of applying to them. Their reply promised you a decision by a certain date but, by that date, you still have not received their decision.</p>	<p>The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked MaPS for help first.</p>	<p>3 years from the date of the original decision about which you are complaining</p>

# INTERNAL DISPUTE RESOLUTION PROCEDURE

## APPLICATION TO ADJUDICATOR – STAGE 1

### Local Government Pension Scheme

#### 1. Member details

If you are a scheme member (the person who is or was in the scheme), or a prospective scheme member (a person who is eligible to be a member of the scheme), please give your details in this box. You can then go straight to **section 4**.

If you are the scheme member's dependant (for example husband, wife, civil partner, eligible co-habiting partner or child) or if you are representing the person with the complaint, please give the member's details in this box and then complete **section 2**. or **3** as appropriate.

**Name**

**Address (including postcode)**

**Date of Birth**

**Employer name and address**

**National Insurance number**

**Job title**

2. Dependant's details

If you are the scheme member's dependant (for example husband, wife, civil partner, eligible co-habiting partner or child) and the complaint is about a benefit for you, please give your details in this box and then complete **section 4**.

If the complaint is about a benefit for a dependant and you are the dependant's representative please give the dependant's details below and then complete **section 3**.

**Name**

**Address (including postcode)**

**Relationship to member**

3. Representative's details

If you are the scheme member's representative, please give your details in this box.

**Name**

**Address (including postcode)**

**The address response letters should be sent to**



#### 4. Your complaint

Please give full details of your complaint. Please try to explain why you are aggrieved, giving any dates or periods of scheme membership that you think are relevant. If there is not enough space please use a separate sheet, writing your name and National Insurance number on the top if you are the member, or the member's name and National Insurance number, if you are not the member and attach the extra sheet to this form.

## 5. Declaration

I would like the Adjudicator to look into my complaint and make a decision about it. I am a:

- Scheme member / prospective scheme member / former scheme member\*
- Dependant of a former member\*
- Member's / dependant's representative\*

\* Delete as appropriate

**Signed**

**Date**

Please enclose a copy of any notification you received from your employer or L B of Redbridge Pension Team as the administering authority, about the decision you are complaining about, together with any evidence in support of your appeal.

Once completed please post your forma and any accompanying documents to:

Lynn Lane  
Operational Director of Human Resources,  
Pay & Contracts and Pensions  
Strategy Directorate  
London Borough of Redbridge  
Lynton House  
255 – 259 High Road  
Ilford  
Essex  
IG1 1NN