



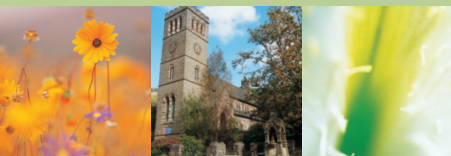
# Internal Dispute Resolution Procedure (IDRP)





## Note :

**This leaflet provides a straightforward guide to how the internal dispute resolution procedures operate in the Local Government Pension Scheme, and is provided for general information only. It does not cover every aspect. It is not an interpretation of the scheme regulations. In the event of any unintentional differences, the scheme regulations will prevail. This leaflet does not confer any contractual or statutory rights.**



## **The Local Government Pension Scheme Internal Dispute Resolution Procedure (IDRP) Employees' Guide**

### **Enquiries**

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 the letter your employer or administering authority sent you, or contact the Pensions Section at Rhondda Cynon Taf County Borough Council, Bronwydd Porth CF39 9DL (telephone 01443 680611). The administering authority is the authority that looks after the pension fund. They 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.

### **Decisions**

From the day you start a job with an employer, 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.

### **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 TPAS, which may be able to help you. They are described in the "Additional Help" section.

The formal complaint procedure has two stages. Many complaints are resolved at the first stage. Any complaint you make should 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 internal dispute resolution procedure. 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 Pensions Advisory Service (TPAS) for information and advice (see "Additional Help" section).

Please remember that, before going to the trouble of making a formal complaint, your Pensions Section would 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 at pages 7-9, 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 specified by the body that took the decision against which you wish to complain. This guide calls them the “specified person”. That person is required to give you their decision in writing. Your case may be referred to a panel headed by the specified person.

If the specified person does not agree with the decision you complained about, the employer or administering authority who made the original decision will now have to deal with your case in accordance with the specified person's decision.

If the decision you complained about concerned the exercise of a discretion by the employer or administering authority, and the specified person decides that the employer or administering authority should reconsider how they exercised their discretion, they will be required to review their original decision.

## Second Stage

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

- you are not satisfied with the specified person's first-stage decision,
- you have not received a decision or an interim letter from the specified person, and it is 3 months since your lodged your complaint,
- it is one month after the date by which the specified person 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 on pages 10-11. 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.

(If you made a complaint under the procedure before 1 June 2004, it will be dealt with under the arrangements that applied before that date.)



## Additional Help

### The Pensions Ombudsman (TPO)

You have the right to refer your complaint to The Pensions Ombudsman free of charge.

The Pensions Ombudsman deals with complaints and disputes which concern the administration and/or management of occupational and personal pension schemes.

Contact with The Pensions 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.

The Pensions Ombudsman can be contacted at:

**10 South Colonnade, Canary Wharf**

**London, E14 4PU**

**Tel: 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)**

### The Pensions Advisory Service (TPAS)

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

**The Pensions Advisory Service**

**11 Belgrave Road**

**London, SW1V 1RB**

**Tel: 0800 011 3797**

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

### The Pensions Regulator (TPR)

The Pensions Regulator is a pensions watchdog which makes sure schemes are run properly and protects members against fraud. Anyone who is worried about a scheme can report to The Pensions Regulator.

The Regulator's contact details are:

**Tel: 0345 600 0707**

**Website: [www.thepensionsregulator.gov.uk/](http://www.thepensionsregulator.gov.uk/)**



## Time limits under the Internal Dispute Resolution Procedure

Your situation	To complain to	Time Limit
You have received a decision on your benefits under the pension scheme from your employer/administering authority, and there seem to be good grounds for complaining.	The specified person under the first stage of the procedure.	6 months from the date when you were notified of the decision <sup>1</sup>
You have received a first stage decision on your complaint from the specified person, but you are not satisfied.	The relevant administering authority under the second stage of the procedure.	6 months from the date of the specified person's decision
You made your complaint in writing to the specified person, with all the information they needed but, 3 months later, you have not received their decision on your complaint or any interim reply.	The relevant 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 specified person, 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.	The relevant 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 administering authority have failed to make any decision about your benefits under the pension scheme	The specified person under the first stage of the procedure	6 months from the date when the employer or administering authority should have made the decision <sup>2</sup> .
Your complaint went to the administering authority under the second stage of the procedure. You received their decision but you are still not satisfied.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked TPAS for help first.	3 years from the date of the original decision about which you are complaining.
You have taken your complaint to 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.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked TPAS for help first.	3 years from the date of the original decision about which you are complaining.
You received an interim reply to your second stage complaint to 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	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked TPAS for help first.	3 years from the date of the original decision about which you are complaining.

<sup>1</sup>The specified person can extend the 6 month time limit for a reasonable period where there are special circumstances.

<sup>2</sup>The specified person can extend the 6 month time limit for a reasonable period where there are special circumstances.



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[www.rctpensions.org.uk](http://www.rctpensions.org.uk)

[www.rctcbc.gov.uk](http://www.rctcbc.gov.uk)