HUNSTON PARISH COUNCIL

Pension Scheme

Internal Dispute Resolution Procedure (IDRP)

When decisions can be disputed

Where a person with an interest in the scheme isn't satisfied with any matter relating to the scheme, they have a right to ask for that matter to be reviewed.

A person has an interest in the scheme if they:

- Are a member or a beneficiary of the scheme
- Are a prospective member of the scheme
- Have ceased to be a member, beneficiary or prospective member
- Claim to be in one of the categories above and the dispute relates to whether they are such a person

The dispute resolution arrangements won't apply to certain disputes, eg where a court or tribunal has started proceedings relating to the dispute or the Pensions Ombudsman Service is investigating the dispute.

Enquiries

If you are not sure which benefits you are entitled to, or you have a problem with your benefits, please either phone or write to the administering authority direct at:

LGPS Pensions – West Sussex County Council (WSCC) PO Box 304 Darlington DL1 9NS

Telephone: 01243 642148

Email: pensions@westsussex.gov.uk

They will try to deal with the problem as quickly and efficiently as possible. The administering authority is the authority that looks after the pension fund.

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 or trouble.

Decisions

From the day a person starts 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 (or your 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.

Application under the Internal Dispute Resolution Procedure

You can use this form:
a) to apply to the nominated person at stage 1 of the internal dispute resolution procedure if you want them to investigate a complaint concerning your pension; and
b) to apply to the administering authority if you want them to reconsider a determination made by the nominated person.

Please write clearly in ink, and use capital letters in boxes 1, 2 and 3.

1. Member's details :

If you are the member (the person who is or was in the Scheme), or a prospective 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 box 4.
If you are the member's dependant (for example, their husband, wife or child), please give the member's details in this section, and then go to box 2.
If you are representing the person with the complaint, please give the member's details in this section, and then go to box 2.

Full Name	
Address	
Date of Birth	
Employer	
National Insurance Number	

2. Dependant's details:

If you are the member's dependant and the complaint is about a benefit for you, please give **your** details in this box and then go to box 4.
If the complaint is about a benefit for a dependant and you are the dependant's representative, please give the dependant's details in this box and then go to box 3.

Full Name	
Address	
Date of Birth	
Relationship to member	

3. Representative's details:

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

Full Name	
Address	
The address response letters should be sent to	

4. Your complaint
Please give full details of your complaint in this box. Please try to explain exactly why you are unhappy, giving any dates or periods of Scheme membership that you think are relevant.

If there is not enough space, please go on to a separate sheet and attach it to this form. Remember to write your name and national insurance number at the top of any separate sheet if you are a member. Or, if you are not a member, put the member's name and national insurance number at the top of any separate sheet.

5. Your signature
I would like my complaint to be considered and a decision to be made about it. I am a:

Scheme member/former member/prospective member * Dependant of a former member * Member's representative/dependant's representative * * delete as appropriate	
Signed :	Date :

6. Please enclose a copy of any notification of the decision you are complaining of which has been issued by the employer or administering authority. Also enclose any other letter or notification that you think might be helpful.

PLEASE SEND THIS FORM TO:

Stage 1:	
Employer	The Chairman, Hunston Parish Council Hunston Village Hall, Selsey Road, Hunston PO20 1AW
Administering Authority	Principal Pension Consultant (Administration & Employers) West Sussex County Council, County Hall, Chichester PO19 1RG
Pensions	Pensions Operations Manager, LGPS Pensions - WSCC PO Box 304, Darlington DL1 9NS
Stage 2:	
Employer	The Chairman, Hunston Parish Council Hunston Village Hall, Selsey Road, Hunston PO20 1AW
Administering Authority	Principal Pension Consultant (Administration & Employers) West Sussex County Council, County Hall, Chichester PO19 1RG

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 the 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' (IDRP).

There are also a number of other regulatory bodies, such as The Pensions Ombudsman (TPO), which may be able to help you. They are described in the 'Additional Help' section of this guide.

The formal complaint procedure has two stages. Many complaints are resolved at the first stage. Any complaint you make is 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 Pensions Ombudsman (TPO) for information and advice.

Please remember that, before going to the trouble of making a formal complaint, your Pensions Section will 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
- 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 and legislation refers to them as the 'Nominated Person'. That person is required to give you their decision in writing.

If the Nominated Person's decision is contrary to the decision you complained about, the employer or administering authority that made the original decision will now have to deal with your case in accordance with the Nominated Person's decision.

If the decision you complained about concerned the exercise of a discretion by the employer or administering authority, and the Nominated Person decides that the employer or administering authority should reconsider how they exercised their discretion, they will be required to reconsider 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 Nominated Person's first stage decision
- you have not received a decision or an interim letter from the Nominated

  Person, and it is 3 months since you lodged your complaint

- it is one month after the date by which the Nominated 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 administering authority your complaint in writing. The time limits for making the complaint are set out in the table below. 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 Pensions Ombudsman (TPO)

At any time if you are having difficulties in sorting out your complaint, you may wish to contact TPO. TPO can provide free advice and information to explain your rights and responsibilities.

TPO would need copies of all relevant documents, including the correspondence about your complaint under the IDRP and how it was dealt with.

The Ombudsman investigates complaints and settles disputes about pension schemes. However, before contacting the Ombudsman, the Pensions Ombudsman's Office would normally expect you to have:

• been given first stage and second stage internal dispute resolution procedure decisions by the Local Government Pension Scheme and;

The Pensions Ombudsman is completely independent and acts as an impartial Nominated Person. 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.

The Ombudsman’s address is:

The Office of the Pensions Ombudsman 11 Belgrave Road
London
SW1V 1RB

Telephone: 020 7630 2200
Fax: 020 7821 0065
Email: enquiries@pensions-ombudsman.org.uk
Website: www.pensions-ombudsman.org.uk

Time limits under the Internal Dispute Resolution Procedure (IDRP)

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 Nominated Person 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 Nominated Person, but you are not satisfied.	The relevant administering authority under the second stage of the procedure.	6 months from the date for the nominated person's decision.
You made your complaint in writing to the Nominated 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 Nominated 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 has failed to make any decision about your benefits under the pension scheme.	The Nominated Person under the first stage of the procedure.	6 months from the date when the date when the employer or administering authority should have made the decision.**
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, after consulting with the Ombudsman's advisory service beforehand.	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, after consulting with the Ombudsman's advisory service beforehand.	3 years form the date of the original decision about which you are complaining.

***** The Nominated Person can extend the 6 month time limit for a reasonable period where there are special circumstances.
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