

# **INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)** **EMPLOYEES' GUIDE**

**Note:** *This booklet 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 booklet does not confer any contractual or statutory rights.*

## **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 of your administering authority:

Greenwich Pensions  
Chief Executive's Department  
Royal Borough of Greenwich  
The Woolwich Centre  
35 Wellington Street  
Woolwich  
London SE18 6HQ

Telephone Numbers: (020) 89214933, or 89216949, or 89215885.  
Email: [pensions@royalgreenwich.gov.uk](mailto:pensions@royalgreenwich.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 and 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 (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".

You also have the right to refer your complaint to the Pensions Ombudsman (TPO). Further details can be found 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.

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 attached IDRP application form 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.

If the adjudicator's decision is contrary to the decision you complained about, the employer or administering authority that 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 the employer or administering authority, and the adjudicator 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 adjudicator's first-stage decision;
- you have not received a decision or an interim letter from the adjudicator, and it is 3 months since your lodged your complaint;
- it is one month after 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 accompanying table. 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. (Please see additional help section).

## **ADDITIONAL HELP**

### **How can The Pensions Ombudsman help me?**

The Pensions Ombudsman solely deals with pension complaints. It can help if you have a complaint or dispute about the administration (including transfers/conversion) and/or management of personal and occupational pensions.

The types of pension arrangements it looks at include:

- executive, group, and personal pension plans;
- self-invested personal pensions (SIPP);
- small self-administered pension schemes;
- workplace, employer, and stakeholder pension schemes;
- free standing additional voluntary contribution schemes; and
- annuities and section 32 buy-out policies.

Some examples of types of complaints it considers include:

- auto enrolment;
- benefits: incorrect calculation/refusal/failure to pay or late payment
- charges/fees;

- death benefits;
- failure to provide information/act on instructions;
- fund switches;
- guaranteed Annuity Rate;
- ill health;
- interpretation of scheme rules/policy terms;
- misquote/misinformation;
- Payment/pension increases;
- pension liberation;
- transfers: general;
- winding up; and
- with-profits issues.

There is no financial limit on the amount of money that The Pensions Ombudsman can make a party award you. Its determinations are legally binding on all the parties and are enforceable in court.

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, 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)

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/).

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

The Pensions Advisory Service  
11 Belgrave Road, London, SW1V 1RB  
Telephone: 0800 011 3797  
Website: [www.pensionsadvisoryservice.org.uk/](http://www.pensionsadvisoryservice.org.uk/)

## Time limits under the Internal Dispute Resolution Procedure

<b>Your situation</b>	<b>To complain to</b>	<b>Time Limit</b>
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 adjudicator 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 adjudicator, but you are not satisfied.	The relevant administering authority 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.	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 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.	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 adjudicator 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.	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.	3 years from the date of the original decision about which you are complaining.

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

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

<b>Your situation</b>	<b>To complain to</b>	<b>Time Limit</b>
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.	3 years from the date of the original decision about which you are complaining.