

# Guide to the Worcestershire Pension Fund Internal Dispute Resolution Procedure (IDRP)

Decisions and Applications for adjudication of  
disagreements

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## Background

This guide has been produced by the Worcestershire Pension Fund; it is intended to provide information on how pension disputes can be resolved using the Internal Dispute Resolution Procedure (IDRP). All pension schemes are required to have a formal Internal Dispute Resolution Procedure (IDRP), and ours is called the LGPS Appeal Procedure.

This procedure is in accordance with the [Local Government Pension Scheme \(LGPS\) Regulations 2013 \(as amended\) Part 2, Regulation 72 Decisions](#).

This procedure provides a guide to how the appeal procedure operates within the LGPS and is provided for general information only. It does not cover every aspect of the regulations. It is not an interpretation of the regulations. In the event of any unintentional differences, the LGPS regulations will prevail. This procedure does not confer any contractual or statutory rights.

## Guidance

### Division of Responsibilities

From the day a person becomes a member of the LGPS, until the date their benefits or beneficiaries' benefits are paid, the employer (known as the Scheme employer) and the Pension Fund (known as the Administering Authority) must make decisions relating to the LGPS rules that affects you (or your beneficiaries).

The Administering Authority must decide any questions concerning –

- a) a person's previous service or employment;
- b) the crediting of additional pension under regulation 16 (additional pension); and
- c) the amount of any benefit, or return of contributions, a person is or may become entitled to out of a pension fund.

The members employer must decide any questions concerning any other matter relating to the person's rights or liabilities under the LGPS.

### Notification of Decisions

When you, (or your beneficiaries) 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 made.

The decision should be confirmed in writing to you as soon as is reasonably practicable. Where the decision is confirming that you are not entitled to a benefit, the letter must contain the grounds for the decision. If the decision is about the amount of benefit, it must contain a statement showing how it is calculated.

Every decision letter must provide:

1. contact details where further information about the decision can be obtained;
2. information about the appeal process;
3. time limits within which the appellant can appeal, and

4. the job title and address to whom appeals may be made

## Enquiries

If you have any queries about the content of a letter you have received, or you are not sure which benefits you are entitled to, or you have a problem with your benefits, please contact the person who has written to you, be that your employer or Worcestershire Pension Fund. They will try to deal with the problem as quickly and efficiently as possible.

Many problems that members of the LGPS have are 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 LGPS, you have the right to ask for it to be looked at again under a formal appeal procedure. You should also use the appeal procedure if a decision should have been made by your employer or Administering Authority, but it hasn't been.

There are also two bodies that may be able to help you. They are described in the "**Additional Help**" section below.

The appeal procedure has two stages. Many complaints are resolved at Stage One. Any complaint you make under this procedure 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, your husband, wife or partner, or a friend.

No charge is made at any stage for investigating a complaint under the procedure however you are responsible for any expenses that you incur e.g. your own (and/or your representative's) time, stationery, postage and where incurred, travel expenses.

Additionally, if you fail to attend a confirmed appointment with an Independent Registered Medical Practitioner or if you cancel such an appointment at late notice which results in a charge the costs of the appointment may be passed on to you to pay.

At any stage during the formal complaint procedure, you can contact MoneyHelper for more information and advice. Their contact details can be found in **Additional Help Section** on page 4.

Please remember that, before going to the trouble of submitting a formal appeal, your employer and/or Worcestershire Pension Fund welcomes the opportunity to try to resolve the matter about which you are dissatisfied in an informal way. It may be worth checking that they know you are concerned, and why.

## The Procedure

### First Stage

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

1. in writing, using the application form provided below, and
2. within six months of the date when you were told of the decision you want to appeal about

Your complaint will be considered carefully by the person specified by the body that took the decision against which you wish to complain. This guide calls them the “adjudicator”.

The adjudicator is required to give you their decision in writing, within two months from when they received your complaint. If they are unable to respond within this timeframe, the specified person can send you an interim reply setting out the reason(s) for the delay and an expected date to be able to give a decision.

You can refer your complaint for re-consideration to the Administering Authority adjudicator, i.e. Worcestershire Pension Fund in the following circumstances:

1. you are not satisfied with the adjudicator's Stage One decision, and you are within six months from the date the decision letter (notice) was received;  
or
2. you have received an interim letter from the adjudicator, but no decision letter (notice) has been given, seven months from the expected decision date;  
or
3. you have not received a decision letter (notice) and no interim reply has been sent, nine months from the date on which your appeal was made.

Please note the above timeframes, as these are important for the adjudicator to take into account in determining whether your request for re-consideration is received in time to be actioned.

### Second Stage

You can ask the Administering Authority to take a fresh look at your complaint in the circumstances described above. This review would be undertaken by a person not involved in the original decision or the Stage One decision.

You will need to send the Administering Authority your appeal in writing. The time limits for requesting a re-consideration are provided above. The Administering Authority adjudicator will consider your complaint and give you their decision in writing, within two months from when they received your completed appeal form. If they are unable to respond within this timeframe, the adjudicator can send you an interim reply setting out the reason(s) for the delay and an expected date to be able to give a decision.

If you are still unhappy following the Administering Authority's adjudicator's Stage Two decision, you can ask The Pensions Ombudsman to investigate and determine any complaint or dispute of fact or law in relation to the Scheme.

## Additional Help

### MoneyHelper

[MoneyHelper](#) offers [free pensions guidance](#) and help from its pension specialists. As an independent and impartial organisation, it does not have access to people's pension records, and it does not provide regulated financial advice. It is a free service provided by the Money & Pensions Service. The Money & Pensions Service is an arm's-length body, sponsored by the Department for Work & Pensions. It has a joint commitment to ensure that people throughout the UK have guidance and access to the information they need to make effective financial decisions over their lifetime. It is funded by levies on both the financial services industry and pension schemes.

MoneyHelper can be contacted by:

Email: [pensions.enquiries@moneyhelper.org.uk](mailto:pensions.enquiries@moneyhelper.org.uk)

Telephone: 0800 011 3797

Telephone from abroad: +44 20 3733 3495

### The Pensions Ombudsman (TPO)

[The Pensions Ombudsman \(TPO\)](#) is an independent organisation set up by law to investigate complaints or disputes about pension schemes. It will look at what both parties have to say before deciding how the problem should be resolved. You have the right to refer your complaint to TPO free of charge. There is no financial limit on the amount of money that TPO can award. Its determinations are legally binding on all parties and are enforceable in court. Contact with TPO about a complaint needs to be made within three years of when the events(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.

TPO can be contacted by:

Email: [enquiries@pensions-ombudsman.org.uk](mailto:enquiries@pensions-ombudsman.org.uk)

Telephone: 0800 917 4487

Telephone from abroad: +44 207 630 2200

Address: The Pensions Ombudsman, 10 South Colonnade, Canary Wharf, London, E14 4PU

# Internal Dispute Resolution Procedure Flow Chart

