

## **INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)**

### **Introduction**

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 have a problem with your benefits, please e-mail the pensions team of your administering authority at **pensions@suffolk.gov.uk**.

This will enable your complaint to be investigated as quickly and efficiently as possible. Many problems can be resolved in this way. They may be caused by misunderstandings or wrong information, which can be explained or put right easily, therefore saving you a lot of time and trouble.

If your complaint has not been resolved via this method, then the Internal Dispute Resolution Procedure can be followed.

### **Internal Dispute Resolution Procedure (IDRP)**

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".

The formal complaint procedure has two stages. 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 MoneyHelper for information and advice (see "Additional Help" section below).

## **Stage 1**

To make a formal complaint, you should make it:

- In writing, using the application form on our website found here [//www.suffolkpensionfund.org/forms/](http://www.suffolkpensionfund.org/forms/) 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 "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 who made that 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.

## **Stage 2**

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 (normally within 6 months of the date you were notified of the stage one decision)
- you have not received a decision or an interim letter from the nominated person at stage one, and it is 3 months since you lodged your complaint,
- it is one month after the date by which the nominated person at stage one 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 your complaint in writing to the nominated person at your administering authority. The time limits for making the complaint are set out in the table on pages 4 and 5. The nominated person will consider your complaint and give you their decision in writing.

If you are still unhappy following the 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 the additional help section below for contact information.

## **Additional Help**

### **MoneyHelper**

MoneyHelper, a service provided by the Money and Pensions Service, gives independent impartial advice about pensions, which is free of charge to members of the public. They are available to assist members and beneficiaries of the Local Government Pension scheme with any requests they may have concerning their pension benefits.

**Website:** [www.moneyhelper.org.uk](http://www.moneyhelper.org.uk) (there is an option to raise an online enquiry)

**Tel:** 0800 011 3797

### **Pensions Ombudsman**

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 IDRP responses by the Local Government Pension Scheme

The Pensions Ombudsman is completely independent and acts as an impartial adjudicator. Their 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, they can settle disputes about matters of fact or law as they affect occupational pension schemes. They 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.

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.

**Address:** The Pensions Ombudsman  
10 South Colonnade  
Canary Wharf  
E14 4PUade

**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)

Your situation	Who 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 of 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 have 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 employer or administering authority should have made the decision.

<p>Your complaint went to the administering authority under the second stage of the procedure. You have received their decision, but you are still not satisfied.</p>	<p>The Pensions Ombudsman.</p>	<p>3 years from the date of the original decision about which you are complaining.</p>
<p>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.</p>	<p>The Pensions Ombudsman.</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 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.</p>	<p>3 years from the date of the original decision about which you are complaining.</p>