Police Pension Scheme

**Internal Dispute Resolution Procedure**

A Guide for Scheme Members: what to do if you have a dispute

**Note**: *This booklet provides a straightforward guide to how the internal dispute resolution procedures operate in the Police 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.*

**INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)**

To comply with Regulations the Police Pension Scheme must have dispute resolution arrangements in place to help resolve pension disputes. Pension disputes cover matters relating to the Police Pension Scheme. However, it is important to note that there are certain ‘exempted disputes’ to which this internal dispute resolution procedure does not apply. This includes disputes where proceedings have commenced in any court or tribunal, or where the Pensions Ombudsman has commenced an investigation into it. Certain other prescribed disputes, for instance medical-related disputes/appeals are also ‘exempted disputes’ and other arrangements are in place for such matters*.*

**Who can make a complaint under IDRP?**

The following persons can use IDRP –

* Active, deferred and pensioner members
* Widows, widowers or surviving dependents of deceased members
* Prospective members, i.e. persons who under their contract of employment can or will become members,
* Pension credit members, i.e. ex-spouses of member’s with pension rights granted a pension by a pension sharing order made on divorce or annulment of marriage
* Persons who ceased to be within any of the categories (a) to (d) within six months before the date of any application under IDRP, and
* Persons whose claims to be in one of the categories (a) to (e) above are the subject to the dispute.

The application can be made by –

* The applicant in person or by a nominated representative
* Personal representatives where the person has died
* A member of the person’s family or some other suitable representative in the case of a minor or a person incapable of acting for him or herself.

**IDRP Stage One**

Your Stage One application for a decision in respect of a disagreement must be given in writing

and must contain all the information required by the IDRP Regulations.

To help you with this an application form is available for you to complete. If you supply all the information prompted by the form, then you will have complied with the Regulations. When you (or your representative if you prefer) have completed the form, it should be signed and sent, with any relevant attachments to the specified person within your Police Authority.

To comply with the IDRP Regulations, the specified person will, in writing-

* Acknowledge receipt of your Stage One application for a decision
* State that they intend to make a decision on the matters raised by your application within 4 months from the date the application was received
* Explain that if they cannot give a decision within 2 months, they will send you (and/or your representative) an interim reply setting out the reasons for the delay and the expected date for the issue of a decision
* Will gather such facts and evidence as felt appropriate to give a fair decision in respect of your dispute

Having considered the case and arrived at a decision, the specified person will give you that decision in writing. The decision will refer to any scheme rules or regulations and documentation on which it is based as well as an explanation of the individual’s right to have the disagreement referred for consideration to the person nominated to deal IDRP Stage Two cases. There will also be a statement to the effect that the Money and Pension Service (MaPS) is available to assist members and beneficiaries of the Scheme in connection with any difficulty with the Scheme which remains unresolved, together with a contact address for the Money and Pension Service (MaPS).

This concludes stage one of the IDRP process.

**IDRP Stage Two**

If you remain dissatisfied after you have received the decision under stage one of the IDRP process, you have six months from the receipt of that decision to apply for a reconsideration of the disagreement under Stage Two of the IDRP process.

Your Stage Two application, like the Stage One, must be given in writing and must contain all the information required by the IDRP Regulations. An application form is available for you to complete at the front of this document. If you supply all the information prompted by this form, then you will have complied with the Regulations.

The form should be signed and sent with:

* A copy of the Stage One decision made by the specified person, and
* Any documents you believe relevant and which may support your case

This person, nominated to deal with IDRP Stage Two cases, in writing

* Acknowledge receipt of your Stage Two application for reconsideration of the specified person’s decision
* Tell you that they will make a decision on the matters raised by your application within 2 months from the date of your application was received
* Explain that in the event that a decision cannot be made within 4 months he/she will send you (and/or your representative) an interim reply setting out the reasons for the delay and the expected date for the issue of a decision.
* The reply will state whether, and if so to what extent the original decision has been replaced.

The notice of decision will also advise:

* that the Money and Pension Service (MaPS) is available to assist scheme members with any difficulties which they fail to resolve with the Constabulary and will include the address at which the Money and Pension Service (MaPS) may be contacted.
* that the Pensions Ombudsman is available to investigate and determine any complaint alleging injustice in consequence of maladministration in connection with any act or omission on the part of the Administrator of the Scheme and include the address at which he may be contacted.

(It should be noted that the Pensions Ombudsman’s office normally expects complainants to seek help from the Money and Pension Service (MaPS) before making a complaint to the Ombudsman.)

**Contact Points**

If you would like to check the progress of your dispute of your Stage One or Stage Two of the IDRP, you should contact -

**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 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 1 |
| You have received a first stage decision on your complaint from the specified person, but you are not satisfied. | The person nominated to deal with complaints under Stage Two 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, 4 months later, you have not received their decision on your complaint or any interim reply. | The person nominated to deal with complaints under Stage Two of the procedure. | 10 months from the date when you submitted your complaint. |
| You received an interim reply to your complaint to the specified person, within 4 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 person nominated to deal with complaints under Stage Two of the procedure. | 7 months from the date by which you were promised you would receive a decision |

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

|  |  |  |
| --- | --- | --- |
| **Your situation** | **To complain to** | **Time Limit** |
| Your complaint is that your employer 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 should have made the decision2. |
| Your complaint went to the second stage of the procedure. You received a decision, but you are still not satisfied. | The Pensions Ombudsman.  Note that the Ombudsman will normally expect you to have asked the Money and Pension Service for help first. | 3 years from the date of the original decision about which you are complaining. |
| You have taken your complaint to the second stage of the procedure but, 4 months after your complaint was received, you have not received a decision on your complaint or any interim reply. | The Pensions Ombudsman.  Note that the Ombudsman will normally expect you to have asked the Money and Pension Service 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 within 4 months. The reply promised you a decision by a certain date but, by that date, you still have not received a decision. | The Pensions  Ombudsman.  Note that the Ombudsman will normally expect you to have asked the Money and Pension Service for help first. | 3 years from the date of the original decision about which you are complaining. |

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

**Complaint and Dispute Form**

**We are sorry that you felt the need to raise a complaint or dispute.**

**Please select the appropriate boxes below to help us deal with your complaint appropriately:**

**About the complaint / dispute**

Is your complaint about the service you have experienced

Is the dispute about a decision made by an employer

Is the dispute about a decision made by LPP

Tick box

Stage 1 Stage 2

**Application under the Internal Dispute Resolution Procedure**

**You can use this form:**

**to apply to the appointed person at stage 1 of the internal dispute resolution procedure if you want them to investigate a complaint concerning your pension; and**

**to apply to the Scheme Manager at stage 2 of the internal dispute resolution procedure if you want them to reconsider a determination made by the nominated person**.

**Please write clearly in ink, and use capital letters in sections 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 section. You can then go straight to section 4.

If you are representing the person with the complaint, please give the member's details in this section, and then go to section 2.

If you are the member's dependent (for example, their husband, wife or child), please give the member's details in this section, and then go to section 2.

|  |  |
| --- | --- |
| Full Name |  |
| Address |  |
| Postcode |  |
| Email Address |  |
| Contact number |  |
| Date of Birth |  |
| Employer |  |
| National Insurance number |  |

**2. Dependent’s details:**

If you are the member's widow, widower, civil partner or dependent and the complaint is about a benefit for you, please give **your** details in this section and then go to section 4.

If the complaint is about a benefit for a dependent and you are the dependent’s representative, please give the dependent’s details in this section and then go to section 3.

|  |  |
| --- | --- |
| Full Name |  |
| Address |  |
| Postcode |  |
| Email Address |  |
| Contact Number |  |
| Date of Birth |  |
| Relationship to member |  |

**3. Representative's details:**

If you are the member's or dependent’s representative, please give your details in this section.

|  |  |
| --- | --- |
| Full Name |  |
| Company Name (if applicable) |  |
| Address |  |
| Postcode |  |
| Email Address |  |
| Contact Number |  |
| The address response letters should be sent to |  |

**4. Your complaint**

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

**If there is not enough space, please go on to a separate sheet and attach to this form**. Remember to add 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 \*

• Dependent of a former member \*

• Member's representative/dependent’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.**

**Please send this form to:**

LPPA

PO Box 1383

Preston

PR2 0WR