Pyecombe Parish Council

Internal Dispute Resolution Procedure (IDRP) Pension Scheme

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 the member (or their dependants). When the member (this includes dependants) is notified of a decision they should check, as far as they can, that it is based on the correct details and that they agree with the decision.

If they are not satisfied with any decision affecting them made in relation to the Scheme, they have the right to ask for it to be looked at again under the formal complaint procedure. They also have a right to use the procedure if a decision should have been made by their employer or administering authority, but it hasn't been. The complaint procedure's official name is the "internal dispute resolution procedure" (IDRP).

The following gives an overview of the IDRP process:

First stage

If a member needs to make a formal complaint, they should make it:

- in writing, and
- normally within 6 months of the day when they were told of the decision they want to complain about.

The complaint will be considered carefully by an independent person known as The Adjudicator nominated by the body that took the decision against which the member wishes to complain. That person is required to give the member their decision in writing within four months of receipt of initial complaint and no more than fifteen working days after the decision has been made.

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

If the decision the member complained about concerned the exercise of 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

The member can ask the pension scheme administering authority to take a fresh look at the complaint in any of the following circumstances:

- if you are not satisfied with the The Adjudicator's first-stage decision,
- if you have received an interim reply but nothing further within 7 months from the expected decision date
- if you have not received an interim letter from The Adjudicator, and it is nine months since you lodged your complaint

This review would be undertaken by a person not involved in the first stage decision.

You must make your stage 2 claim in writing, and if applicable, enclose a copy of the Stage 1 decision you disagree with. You should give full details of why you disagree with it and produce any further evidence to support your argument. The member will need to send the appropriate administering authority their complaint in writing. The administering authority will consider the complaint and give you their decision in writing.

The Pensions Advisory Service is available to give assistance in connection with any difficulty that remains unresolved, and the Pensions Ombudsman may investigate and determine any complaint or dispute of fact or law in relation to the Scheme.

The Pensions Advisory Service can be contacted at:

The Pensions Advisory Service
11 Belgrave Road, London SW1V 1RB
Telephone: 0300 123 1047
Website: pensionsadvisoryservice.org.uk

Pensions Ombudsman

In cases where a complaint or dispute has not been resolved through Internal Disputes Resolution Procedure or with the help of the Fund's Administering Authority an application can be made to the Pensions Ombudsman within three years of the event that gave rise to the complaint or dispute. The Ombudsman can investigate and determine any complain or dispute involving maladministration of the Scheme or matters of fact or law and his or her decision is final and binding (unless the case is taken to the appropriate Court on a point of law). Matters where legal proceedings have already started cannot be investigated by the Pensions Ombudsman.

The Pensions Ombudsman can be contacted at:

The Office of the Pensions Ombudsman
10 South Colonnade, Canary Wharf, London, E14 4PU.

Telephone: 0800 917 4487
Website: pensions-ombudsman.org.uk