



SOUTH YORKSHIRE  
**PENSIONS AUTHORITY**

**a guide to the . . .**

**Local Government Pension Scheme**

**Internal Dispute  
Resolution Procedure**

[www.sypensions.org.uk](http://www.sypensions.org.uk)

Authorised and Regulated by the Financial Conduct Authority

**This booklet provides a guide to how the internal dispute resolution procedure operates in the Local Government Pension Scheme (LGPS), 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 rights.**

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# 1 Introduction

The Internal Dispute Resolution Procedure (IDRP) is a formal procedure which is in place to resolve disagreements in relation to decisions taken regarding LGPS pension matters.

Sometimes, informal attempts to resolve disagreements fail. If this happens and you wish to instigate the formal IDRP, your first step is to complain to whoever you feel is at fault, either your employer or South Yorkshire Pensions Authority.

**This booklet is only for disputes against decisions made by SYPA. For all other disputes, please contact your employer directly.**

## **Who does it apply to?**

The right to invoke the formal process is open not only to members themselves. You can use the IDRP rules if you fall into one of the following categories. You can also do so if you think you should fall into one of these categories or did so during the last six months.

## 1 Introduction continued...

- **A member:** this means you are paying into the Fund, you are receiving a pension from us or you have a deferred benefit in our Fund: or
- **A prospective member:** in other words, you are not a member yet but could become one if your employer brings you in or you opt to join: or
- **A dependant:** that is a widow, widower, civil partner or child of a member or prospective member.

### Can someone else represent you?

You may feel happier with someone else representing you because you do not feel able to put your case yourself. You will have to give the person you have chosen written authority to act for you by signing a simple statement to that effect.

## **1 Introduction continued...**

### **What type of decisions do the dispute rules cover?**

From the day you join the scheme, various decisions are being taken about your pension. These include things like:

- The benefits you can have and how much they will be.
- When you die, what death benefits can be paid.
- Explaining how you are affected by Scheme changes.

### **How do the dispute rules work?**

It is a two stage process as outlined on pages 5, 6 & 7 and will be handled at present at Stage 1 by our Head of Pensions Administration and Stage 2 by our Fund Director, referred to as adjudicators.

## 2 Stage 1 – Internal Dispute

### Using the dispute rules

You must put your claim in writing by using the Form 17 you will find enclosed in this guide. This will help you to include the information needed to enable your claim to be investigated.

You must submit your initial claim within **six months** of the decision made by SYPA that you are disputing. If the Stage 1 adjudicator feels it is reasonable the time limit can be extended.

### What happens next?

The Stage 1 adjudicator will look at the facts and your case, along with the Scheme rules and current legislation. In addition, to help with the understanding of your claim, the adjudicator may also need to ask your employer for more details.

The Stage 1 adjudicator should reply to you within **two months** of receiving your claim, giving details of the decision or acknowledging your claim and explaining when you will have a decision.

## 2 Stage 1 – Internal Dispute continued...

### Taking your claim further

You can go to Stage 2 if:

- You have not heard from the Stage 1 adjudicator within **three months** of making your claim under the dispute rules.
- You have not had a decision from the Stage 1 adjudicator within **one month** of the date the adjudicator told you, you would get one.
- You have had a decision from the Stage 1 adjudicator but you disagree with it.



## 3 Stage 2 – Appeals

### Using the dispute rules

If you disagree with the Stage 1 adjudicator's decision, you should appeal within **six months** of the decision. If you have not received a decision from the Stage 1 adjudicator in time, you should appeal as soon as possible after the time limit has passed.

You must make your Stage 2 claim in writing, enclosing a copy of the Stage 1 decision you disagree with. You must give full details of why you disagree with it and produce any further evidence to support your argument.

### What happens next?

The Stage 2 adjudicator will re-examine your case, again referring to the Scheme rules and relevant legislation and may ask your employer for more information.

The Stage 2 adjudicator should reply to you within two months of receiving your claim under the IDRPs rules.

This will either:

- Give a decision which will confirm or replace the Stage 1 adjudicator's decision; or
- Acknowledge your claim and explain when you will have a decision.

## 4 Getting Outside Help

There are also two outside bodies who may be able to help, and these are the Pensions Advisory Service (TPAS) and the Pensions Ombudsman.

### **TPAS**

TPAS offers a free service to all members of company pension schemes. They have local advisers who can help explain or get more information about your pension.

You can ask TPAS to help at any stage of the dispute procedure – for example if it is taking too long to sort out. In some cases they will refer you to the Pensions Ombudsman.

You can contact TPAS at:

11 Belgrave Road

London

SW1V 1RB

**Tel:** 0485 601 2923

## 4 Getting Outside Help continued...

### **Pensions Ombudsman**

The Pensions Ombudsman can investigate any type of dispute about your pension, but you must first have been through Stages 1 and 2 of the dispute rules.

You can, however, complain to the Ombudsman about the way any of the adjudicators have handled your case and do not have to wait for it to be completed.

You can contact the Ombudsman at

11 Belgrave Road

London

SW1V 1RB

**Tel:** 020 7630 2200

<b>Time limits under the Internal Dispute Resolution Procedure</b>		
<b>Your situation</b>	<b>To complain to</b>	<b>You must submit your claim in writing before</b>
You are unhappy with a decision made regarding your pension	Stage 1 specified person	6 months from the date you were notified of the decision
Your employer or administering authority has failed to make a decision about your benefits under the pension scheme	Stage 1 specified person	6 months from the date when the decision should have been made
You are not satisfied with the Stage 1 decision	Stage 2 specified person	6 months from the date of the specified person's decision
You have not received a Stage 1 decision on your complaint or any interim reply within 3 months of your application	Stage 2 specified person	9 months from the date you submitted your complaint
You received an interim reply to your Stage 1 complaint but one month after the date they specified you still have not received their decision	Stage 2 specified person	7 months from the date by which you were promised you would receive a decision
You are still not satisfied following a Stage 2 decision	The Pensions Ombudsman	3 years from the date of the original decision about which you are complaining
You have not received a decision or any interim reply from the Stage 2 specified person within 2 months of your application to them	The Pension Ombudsman	3 years from the date of the original decision about which you are complaining
You received an interim reply to your Stage 2 complaint but one month after the date they specified you still have not received their decision	The Pensions Ombudsman	3 years from the date of the original decision about which you are complaining

## Notes

The person specified in Stage 1 of the procedure can allow a longer period if he feels this is reasonable.

The Pensions Ombudsman will normally expect you to have asked TPAS for help before he is asked to look at your complaint.