

Internal Dispute Resolution Procedure (IDRP)

This is a guide to how the internal dispute resolution procedures operate in the Firefighter Pension Scheme, it 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.

Enquiries

If you are not sure which benefits you are entitled to, or you have a problem with your benefits, in the first instance please contact *name of department/person*; *email* or *phone*.

The *name of department/person* will try to deal with the problem as quickly and efficiently as possible.

Many problems that members 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.

Decisions

From the day a person starts a job with an employer, to the day when benefits or dependants' benefits are paid, the employer and the pension fund administrator has 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

You can make a complaint if you

- are a member paying into the pension scheme, or
- are retired and getting a pension from us, or
- left your benefits 'on hold' with us, or
- are a not a member yet but could become one if your employer brings you in, or you ask to join, or
- are a dependant of a member or prospective member (widow, widower, surviving civil partner, eligible cohabiting partner or child).

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'.

There are also a number of other regulatory bodies, such as The Pensions Ombudsman, which may be able to help you. The Pension Ombudsman's role is described in the [Additional help](#) section.

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 internal dispute resolution procedure. 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 The Pensions Ombudsman for information and advice (see [Additional help](#) section).

Please remember that, before going to the trouble of making a formal complaint, your pensions section welcome the opportunity to try to resolve the matter about which you are dissatisfied in an informal way. It may be worth checking again that they know you are concerned, and why.

First stage

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

- in writing, using the application form in Appendix 2 of this document and
- within six months of the day when you were told of the decision you want to complain about

Your complaint will be considered carefully by a nominated person. The nominated person for *insert name of FRA* is the *Insert nominated person*. You'll find that this guide refers to them as the **adjudicator**.

Any decisions will be provided in writing and should be done so in line with statutory time limits.

Second stage

In the circumstances mentioned below you can move to the second stage of the process:

- You are not satisfied with the adjudicator's first-stage decision
- You have not received a decision or an interim letter from the adjudicator and it is three months since you lodged your complaint
- It is one month after the date by which the adjudicator told you (in an interim letter) that they would give you a decision, and you have still not received that decision.

Your complaint will be considered carefully by a nominated person. The nominated person in these circumstances is the *insert nominated person*.

You will need to send your complaint in writing. The time limits for making the complaint are set out in [Appendix 1](#).

Once the *nominated person* has considered your complaint a decision will be provided in writing in line with statutory time limits.

If you are still unhappy following the second-stage decision, you can take your case to The Pensions Ombudsman. This is providing you do so within three years from the date of the original decision (or lack of a decision) about which you are complaining.

Time Limits

Please refer to [Appendix 1](#)

Exemptions

An IDRP cannot be used where –

- (a) proceedings in respect of the dispute have been commenced in any court or tribunal;
- (b) the Pensions Ombudsman has commenced an investigation into a complaint made or dispute referred to him; or
- (c) a notice of appeal has been issued by the complainant in accordance with – i. Rule H2 of Schedule 2 to the Firemen’s Pension Scheme Order 1992 (appeal against opinion on a medical issue); ii. Rule 4 of Part 8 of Schedule 1 to the Firefighters’ Pension Scheme (England) Order 2006 (appeals against decisions based on medical advice);

Additional help

Money and Pensions Service

At any time if you are having difficulties sorting out your complaint, you may wish to contact the Governments new Money and Pensions Service (MaPS) called MoneyHelper. To get information or guidance, you can look at the website on <https://www.moneyhelper.org.uk/en> or you can contact MoneyHelper by phone, webchat and their web form.

The Pensions Helpline phone number is 0800 011 3797 and lines are staffed Monday to Friday 9am to 5pm.

Their online enquiry form is at www.moneyhelper.org.uk/en/contact-us/pensions-guidance/pensions-guidance-enquiry-form

Or try their web chat service at www.moneyhelper.org.uk/PensionsChat/

If you have received a second-stage decision under the internal dispute resolution procedure, are not satisfied with that decision, and still think your complaint is well-founded, MoneyHelper may be able to help to resolve your pensions complaint or dispute. Before asking for their help resolving a dispute, you must have already tried to settle it using the internal disputes resolution procedure described above.

MoneyHelper cannot force a pension scheme to take a particular step but, if they think your complaint is justified, they will try to resolve the problem through conciliation and mediation. They would need copies of all relevant documents, including the correspondence about your complaint under the internal complaints procedure and how it was dealt with.

The Pensions Ombudsman

At any time if you are having difficulties sorting out your complaint, you may wish to contact The Pensions Ombudsman's early resolution team.

The early resolution team can provide free advice and information to explain your rights and responsibilities. To get information or guidance, you can look at the website on **www.pensions-ombudsman.org.uk** or you can contact The Pensions Ombudsman by phone, post or email.

The Pensions Helpline free phone number is **0800 917 4487**.

Lines are staffed Monday to Friday 9am to 5pm.

Outside of these times, you can leave your number and someone will phone you back later.

You can write to

The Pensions Ombudsman
10 South Colonnade
Canary Wharf
E14 4PU

Email helpline@pensions-ombudsman.org.uk

If you have received a second-stage decision under the internal dispute resolution procedure, are not satisfied with that decision, and still think your complaint is well-founded, The Pensions Ombudsman may be able to help to resolve your pension complaint or dispute. Before asking for their help in resolving a dispute, you must have already tried to settle it using the internal disputes resolution procedure described above.

An adviser for The Pensions Ombudsman cannot force a pension scheme to take a particular step but, if they think your complaint is justified, they will try to resolve the problem through conciliation and mediation. The Pensions Ombudsman would need copies of all relevant documents, including the

correspondence about your complaint under the internal complaints procedure and how it was dealt with.

The Pensions Ombudsman's role is to investigate complaints and settle disputes about pension schemes. However, before contacting The Pensions Ombudsman, you would normally be expected to have been given first-stage and second-stage internal dispute resolution procedure decisions.

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.

Appendix 1

Time Limits

Your situation	Complain to	Time limit
You have received a decision on your benefits under the pension scheme from your employer/WYPF and there seem to be good grounds for complaint.	The adjudicator under the first stage of the procedure.	Six months from the date when you were notified of the decision ¹ .
Your complaint is that your employer or administering authority has failed to make any decision about your benefits under the pension scheme.	The adjudicator under the first stage of the procedure.	Six months from the date when the employer or WYPF should have made the decision ¹ .
You have received a first-stage decision on your complaint from the adjudicator but you are not satisfied.	The named person under the second stage of the procedure.	Six months from the date of the adjudicator's decision.
You made your complaint in writing to the adjudicator with all the information they needed but three months later you have not received their decision on your complaint or any interim reply.	The named person under the second stage of the procedure.	Nine months from the date when you submitted your complaint.
You received an interim reply to your complaint to the adjudicator within two months of applying to them. Their reply	The named person under the second	Seven months from the date by which you were promised you would receive a decision.

promised you a decision by a specified date but one month after the specified date you still have not received their decision.

stage of the procedure.

Your complaint went to the named person under the second stage of the procedure. You received their decision but you are still not satisfied.

The Pensions Ombudsman.

Three years from the date of the original decision about which you are complaining.

You have taken your complaint to named person under the second stage of the procedure but two months after your complaint was received you have not received their decision on your complaint or any interim reply.

The Pensions Ombudsman.

Three years from the date of the original decision about which you are complaining.

You received an interim reply to your second-stage complaint. Their reply promised you a decision by a certain date but by that date, you still have not received their decision.

The Pensions Ombudsman.

Three years from the date of the original decision about which you are complaining.

¹ The adjudicator can extend the six month time limit for a reasonable period where there are special circumstances.

Appendix 2

Application under the Internal Dispute Resolution Procedure - Firefighter Pension Scheme only

Use this form

- If your complaint is in relation to the Firefighter Pension Scheme
- to apply to the nominated person at stage 1 of the internal dispute resolution procedure if you want them to investigate a complaint concerning your pension
- to apply to the Fire Authority if you want them to reconsider a determination made by the nominated person.

Please write clearly in ink, and use capital letters in parts 1, 2 and 3

Part 1 – Member 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 **part 4**.
- If you are the member's dependant (for example, their husband, wife, partner or child), please give the member's details in this section, and then go to **part 2**.
- If you are representing the person with the complaint, please give the member's details in this section, and then go to **part 3**.

Full name

Home address

Date of birth

Service Number

National Insurance Number

Part 2 – Dependant details

- If you are the member's dependant and the complaint is about a benefit for you, please give **your** details here then go to **part 4**.
- If the complaint is about a benefit for a dependant and you are the dependant's representative, please give the dependant's details here then go to **part 3**.

Full name

Home address

Date of birth

Relationship to member

Part 3 – Representative details

If you are the member's or dependant's representative, please give your details here.

Full name

In what capacity are you acting?

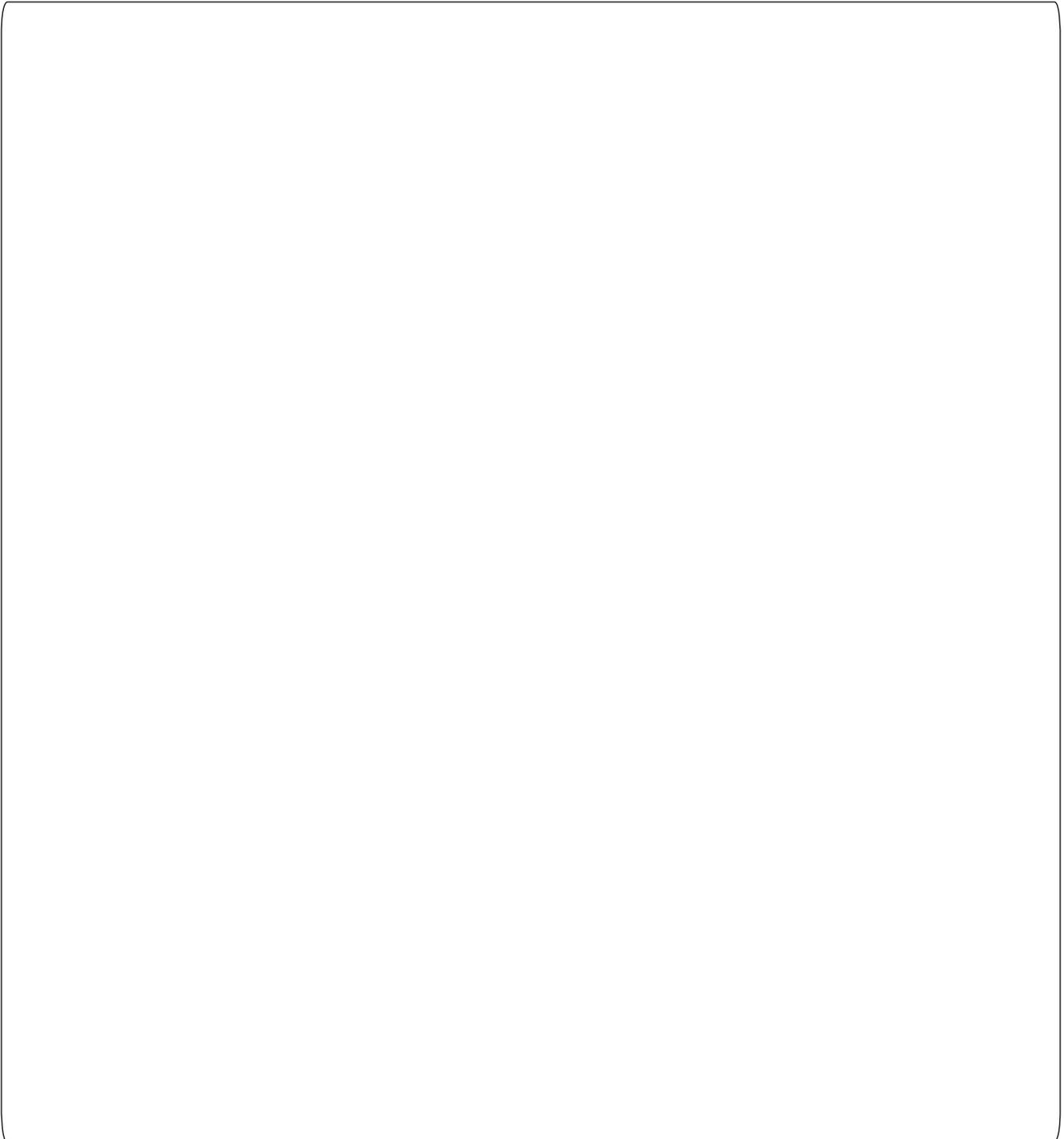
Correspondence address

Part 4 – Your complaint

Write the full details of your complaint here. Please try to explain exactly why you are unhappy, giving any dates or periods of pension scheme membership that you think is relevant.

If there is not enough space, please use a separate sheet and attach it to this form.

Remember to write 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.



Part 5 – Your signature

I would like my complaint to be considered and a decision to be made about it.

Signed:
Date:

Part 6 – Enclosures

Please enclose a copy of any notification of the decision you are complaining of which has been issued by the Fire Authority. Also enclose any other letter or notification that you think might be helpful.

Part 7 - Please send this form to:

Insert postal address

Your complaint will be forwarded to the relevant adjudicator.