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 **Internal Dispute Resolution Procedure**

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IDRP Application Form

**What is the Internal Dispute Resolution Procedure (IDRP)?**

If you disagree with a decision that Southwark Council has made about your pension, the IDRP gives you the right to apply to an adjudicator who will consider your case and decide if the original decision was correct or overturn that decision.

IDRP can be a two stage process. Under stage one the adjudicator will consider the points raised by you in determining a decision. You will need to carefully consider why in your opinion the Local Government Pension Scheme Regulations have not been applied. If you disagree with the stage one decision maker, you can appeal the decision and the case will pass to a different adjudicator, who will assess any new information afresh and make a final decision on behalf of Southwark Council.

**PLEASE NOTE:** **It is not sufficient to claim that the application of the regulations reached in your case was unfair or not to your liking. It must be demonstrated with evidence why you feel an injustice has occurred.**

**Who can apply?**

* Contributors to the Local Government Pension Scheme (LGPS) within the Council, **or**
* Those who have been excluded by the Council from joining the LGPS, **or**
* If you have suffered an accident at work and have been refused an injury allowance, **or**
* A widow, widower or other surviving dependants of a deceased member may also apply.

**How do I apply?**

The Council has eight adjudicators who are all senior officers – Ms A Armstrong, Mr D Bateman, Mr B Berkengoff, Ms K Enver and Mr P Hughes who consider initial submissions made under IDRP, and Ms J Anson, Ms J Foy and Mr S Parker who consider any appeals made under the second stage of IDRP. Please note, if any officer has been involved with your case before, they cannot act as an adjudicator at any stage.

The adjudicator may call upon any technical or expert advice as appropriate.

**When can I apply?**

An application must be made as soon as possible, but in any case no later than 6 months from the date of the act, event, or omission being complained about. If the complaint is later than 6 months then the application may not be considered other than in exceptional circumstances.

**What details should my application contain?**

Your application must be in writing and should include the following details:

* Your full name, address, date of birth and National Insurance number, (if you are applying on behalf of a deceased member you must also supply the above information for that member and your relationship to them).
* The address to which any documents relating to the application should be sent, if this is not your address please supply the name of any representative acting on your behalf.
* A statement as to the nature of the disagreement with sufficient details and evidence to show why you consider the Council has made a mistake in your case.
* The steps that you have already undertaken to try and resolve the matter.
* Copies of all correspondence regarding your case.
* All other documentation that you consider relevant to your case which you feel may be helpful to the adjudicator in reaching a decision.

Note: You may wish to seek further advice or assistance in making an application, this should be sought from your trade union representative (also refer to ‘Further Rights’ below).

**Do I have to pay?**

No. However, you may be required to meet the costs of anyone acting on your behalf, for example, a doctor or other personal representative.

**How long before a decision is made?**

The adjudicator will be expected to reach a decision within a period of 2 months after receipt of the application and all supporting evidence. Where it is not possible to give a written decision within this timescale, an interim response and a letter of explanation will be sent outlining the circumstances why the decision is delayed and an expected date for issuing the decision.

**Notice of a decision**

The adjudicator will give you in writing the reasons for their decision, and will make reference to any legislation and relevant regulations where discretionary.

**Further** **Rights**

If you are still dissatisfied with the initial decision of the adjudicator, you (or your personal representative) have the right to make a further appeal application to the administering authority to reconsider the disagreement. Such appeals should be submitted within 6 months of the date of the notice of the stage one decision. Either Ms Anson or Ms Foy will consider all second stage appeals. The Council has a similar right to make an application.

**The Pensions Advisory Service (TPAS)**

TPAS is the Department for Work and Pensions (DWP) arms length body for delivering personal information and guidance on pension matters. It can help resolve problems an individual may be having with their pension and they can write on your behalf to obtain further information if you have been unable to do so.

TPAS can be contacted on 0800 011 3797

Address: 120 Holborn, London, EC1N 2TD

Website: [www.pensionsadvisoryservice.org.uk](http://www.pensionsadvisoryservice.org.uk)

**The Pensions Ombudsman (TPO)**

TPO deals with all complaints and disputes. If TPAS guidance cannot resolve your problem, you can make a formal application to TPO setting out your complaint. Please note, anyone using TPO’s ‘Early Resolution Service’ will **not** be expected to have first used the LGPS’ IDRP if the parties are happy with that.

TPO is impartial and looks at all the facts without taking sides. It has legal powers to make decisions that are final, and binding and enforceable in Court. There is no charge for using TPO as it is funded by grant-in-aid, paid by the DWP.

TPO can be contacted on 0800 917 4487

Address: 10 South Colonnade, Canary Wharf, E14 4PU

Website: [www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk)

**Local Government Pension Scheme (LGPS) Regulations**

All LGPS Regulations are held within Pension Services, 2nd Floor, 160 Tooley Street, London, SE1 2QH and are available for inspection upon request.

 Ref: Appeal (A)

Form Ref

 

**SOUTHWARK COUNCIL**

 **Local Government Pension Scheme Regulations**

**INTERNAL DISPUTE RESOLUTION PROCEDURE**

**APPLICATION FORM**

 **Please write clearly and use BLOCK CAPITALS**

**MEMBER’S (OR DECEASED MEMBER’S) DETAILS**

**NAME** **DEPARTMENT**

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**ADDRESS** **JOB TITLE**

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............................................................. **NATIONAL INSURANCE NO**

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............................................................. **TELEPHONE No (or Internal Extension)**

**POSTCODE:** ..................................

**What are the grounds for your appeal?** (If necessary, please attach additional sheets of paper)

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**Signature** ........................................................... **Date** .......................................

If you are not the person named please remember to give details of your address and your relationship to the above.

 Please return this form together with any background documentation to:

Mr Peter Hughes, Deputy Pensions Manager, Pension Services, 2nd Floor Hub 1, PO Box 64529, London, SE1P 5LX