



Windsor Academy Trust

Local Government Pension Scheme – Internal Disputes Resolution Procedure (IDRP)	
Responsible Committee:	Windsor Academy Trust, Board of Directors
Date revised by the Finance and Audit Committee:	March 2018
Next review date:	September 2021

1. Background

1.1. The Local Government Pension Scheme Regulations 2013 allow for members of the scheme to raise a disagreement in respect of decisions made in respect of their membership of the scheme or benefits to be paid from it.

1.2. West Midlands Pension Fund have agreed the following process. This complies with the Pension Regulator's guidance on dealing with disputes.

2. First Instance Decisions - Decision of an employer

2.1. First instance decisions are decisions taken by an employer on matters relating to a member's pension rights. It is the employer's responsibility to ensure that a first instance decision has been issued. These decisions are mostly taken at the time of joining or leaving the scheme, in accordance pension scheme legislation or the employer's discretions policy.

Examples of first instance decisions may be:

- Entitlement to join the Scheme
- Benefit entitlement on leaving the Scheme
- Deciding not to allow early payment of benefits to a member who is now 55, but left before 1 April 2014 (employer discretion).

3. IDRP Stage One

3.1. Where a member of the pension scheme believes that the decision made by the employer in the first instance is unfair or they don't agree with it, they may invoke stage one of the internal dispute resolution. This is made by written application to the employer's named adjudicator within 6 months from the date of the notification of the original decision.

3.2. The regulations require that a decision is made and notified to the member within two months of receipt of the application.

On receiving the form/letter:	the employer must notify West Midlands Pension Fund's compliance team within 2 days
Where a decision has been reached:	the employer must notify the member within 15 days <i>and</i> the Fund's compliance team within 5 days

3.3. Should the employer believe that the timeframe notified to the member and the Fund is not going to be met, they must notify the member and the Fund's compliance team providing confirmation as to when the complaint will be resolved together with the reason for the delay.

4. IDRP Stage 2

4.1. Where a member believes that the decision reached by their employer in stage one is unfair or they don't agree with it, they may invoke stage two of the internal dispute resolution.

4.2. The Administering Authority (West Midlands Pension Fund) will allocate an investigating officer to review.

4.3. If there is a different outcome between the stage one decision and the stage two, in accordance with the regulations, the decision made by the Administering Authority takes effect except in the case of an employer's exercise of a discretion.

4.4. The Fund cannot review the discretionary policy of an employer, only whether the decision has been made in line with the policy.

4.5. Where a decision has been reached, the Administering Authority must notify the member within the required timeframe (no later than 15 days of the date the decision was made).

5. Decision to be taken by the Trust

5.1. The LGPS Regulations 2013 state:

74. -(1) Each Scheme employer and administering authority must appoint a person ("the adjudicator") to consider applications from any person whose rights or liabilities under the Scheme are affected by-

- (a) a decision under regulation 72 (first instance decisions); or
- (b) any other act or omission by a Scheme employer or administering authority, and to make a decision on such applications.

5.2. The Trust's Chief Finance Officer is the appointed Adjudicator for the purpose of dealing with the Internal Disputes Resolution Procedure.

5.3. Further information (including template letters can be found on WMPF portal).

<http://lgpsregs.org/schemeregs/lgpsregs2013>

<http://www.wmpfonline.com/article/10444/Internal-Dispute-Resolution>