

CHECKING AND DISPUTING YOUR EMPLOYER'S PENSION DECISION

Introduction

This guide is to help you understand what you need to do now that your Employer has made a decision that affects your Local Government Pension Scheme (LGPS) pension rights. It also details the procedure for settling any disagreement or complaint you may have about this decision.

What is a decision?

From the day you start a job with an employer who offers the LGPS to the day your benefits are paid to you or your dependents, your employer makes decisions about your pension entitlement. The fact that you have received this guide means that a decision has just been made. You should have received a letter, or a form, telling you what the decision is, alongside this guide. You may have also received information on specific action you need to take.

What do I do now?

Check, as far as you can, to see if you think the decision is based on the correct details and that you agree with it. If you are happy please follow any instruction contained in the letter.

If you are unhappy you need to start a dispute process – this is a four stage process:

1. An **informal stage**;
2. A **first, formal, stage of the internal dispute resolution procedure (IDRP)**, this is carried out by your employer;
3. A **second, formal, stage of the IDRP** which is carried out on behalf of the administering authority by the LGSS Director of Law & Governance – Northamptonshire and Cambridgeshire;
4. A final referral to the **Pensions Ombudsman**. He will not take cases until they have been through both stages of the formal IDRP process.

How do I start the disputes process?

Start by making an informal enquiry to the person who sent you the letter explaining the decision. Ask them to explain the decision again and why it has been made and, if you still believe the decision is wrong, ask them to change their decision and explain why.

Most problems are, in fact, resolved in this way. They are often caused by misunderstandings, wrong information or human error which can be explained or put right quickly and easily.

The informal approach did not work; what next?

If you remain unhappy with the decision (or the lack of one) then, under the dispute rules, you have the right to have the decision looked at again by a person specified by your employer – this is known as the first, formal stage of IDRPs.

Your employer should have provided details of their adjudicator in the notification of their decision. You should now contact them and ask for a full guide to the dispute procedure. If you have not been provided with details of the adjudicator, ask the person who made the decision for contact details. Failing this, contact the LGSS Pensions Service, see details below. They will provide the full guide and ask your employer to nominate and confirm to you details of the adjudicator who will deal with your dispute.

The full guide will give you all of the details you need and explain the process in detail, including what happens if you are unhappy with the first stage IDRPs decision. It also contains an application form.

There is no charge made for investigating any dispute at any stage under the dispute rules - the only expenses you will have to meet are those of your own (or your representative's) time, stationery and postage.

Are there any time limits for my application?

Yes – if you want to use the dispute procedure you must make your application to the adjudicator within 6 months of the date the decision was notified to you or should have been notified to you. In certain circumstances the adjudicator can agree to extend this time limit.

Can I get help to resolve my dispute?

The Pensions Advisory Service (TPAS) can provide free advice and information to explain your rights and responsibilities. There are a number of ways of contacting them to get information or guidance:

The TPAS Helpline phone number is 0300 123 1047

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

The TPAS website <http://www.pensionsadvisoryservice.org.uk/contacting-us> also offers:

- a live webchat service from Monday to Friday 9am to 5pm, and also on Tuesdays from 7pm to 9pm, and
- an online enquiry form.

You can also write to them at: TPAS
11 Belgrave Road
London
SW1V 1RB

How do I contact the LGSS Pensions Service?

LGSS Pensions Service

Email: pensions@northamptonshire.gov.uk

PO Box 202

John Dryden House

Tel: 01604 366537

8-10 The Lakes

Northampton

NN4 7YD

Website: <http://pensions.cambridgeshire.gov.uk>
<http://pensions.northamptonshire.gov.uk>