

# ITEM NO: 15(c)

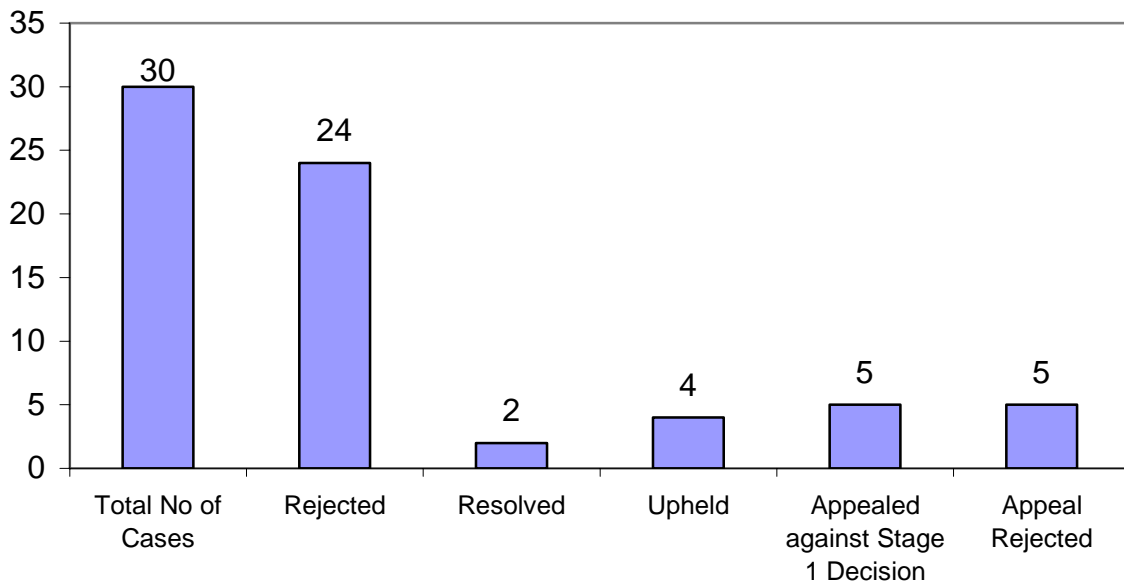
<b>Report To:</b>	<b>Pension Fund Management Panel</b>
<b>Date:</b>	18 September 2009
<b>Reporting Officer:</b>	Peter Morris, Director of Pensions
<b>Subject :</b>	<b>INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)</b>
<b>Report Summary:</b>	This report outlines the IDRP process and gives details of the number of Stage 1 and Stage 2 cases and their outcomes that have been received during the period April 2008 to June 2009.
<b>Recommendation:</b>	It is recommended that the Panel note the report.
<b>Financial Implications:</b> <b>(Authorised by the Borough Treasurer)</b>	There are no direct financial implications arising from this monitoring report.
<b>Legal Implications:</b> <b>(Authorised by the Solicitor to the Fund)</b>	The Administering Authority needs to apply the Regulations. Similarly complaints need to be fairly dealt with on an individual basis. Complaints should assist in reviewing the application of the regulations, discretions and policies.
<b>Risk Management:</b>	<p>The Administering Authority needs to ensure that benefits are paid correctly. The periodic review of complaints provides an indication of issues about which scheme members are concerned and where systems and procedures can be improved.</p> <p>Failure to deal adequate with complaints can affect the Fund's reputation.</p>
<b>ACCESS TO INFORMATION:</b>	<b>NON-CONFIDENTIAL</b> <b>This report does not contain information which warrants its consideration in the absence of the Press or members of the public.</b>
<b>Background Papers:</b>	<p>This report is drawn from a summary of individual cases considered under Stage 1 and Stage 2 procedures. Individual case details are confidential.</p> <p>For further information please contact Peter Morris, Greater Manchester Pension Fund, Wellington Road, Ashton-under-Lyne, Tel 0161 342 3438, email <a href="mailto:peter.morris@tameside.gov.uk">peter.morris@tameside.gov.uk</a></p>

## 1. INTRODUCTION

- 1.1 With effect from 1 June 2004 new arrangements were introduced for the Internal Dispute Resolution Procedure (IDRP).
- 1.2 The main features of the arrangements are:
- 1.2.1 Responsibility for determinations under Stage 1 of the procedure (arrangements for the determination of disputes) to be vested in a “specified person” (Peter Morris re appeals on administering authority decisions, or the complainant’s Employer re employer decisions).
- 1.2.2 Responsibility for determinations under Stage 2 of the procedure rests with the Administering Authority (Appointed Person – David Postlethwaite or Colin Fielding). At this stage consideration is given to appeals against both employer and administering authority Stage 1 decisions.
- 1.2.3 The removal from the IDRP of the former role of the Secretary of State.
- 1.3 The purpose of this report is to inform the Panel of the number of cases that have been considered under Stage 1 and Stage 2 of the IDRP during the period April 2008 to June 2009 and the outcome of those cases. The Stage 1 cases relate to disputes with the administering authority only.

### STAGE 1 CASES

#### INTERNAL DISPUTE RESOLUTION PROCEDURE Stage 1 Cases from April 2008 - June 2009



- 1.4 Of the 30 cases received, 24 were rejected, 4 were upheld and 2 cases were resolved. Of the 24 cases that were rejected 5 of those appealed against the Stage 1 decision via Stage 2 of the procedure.

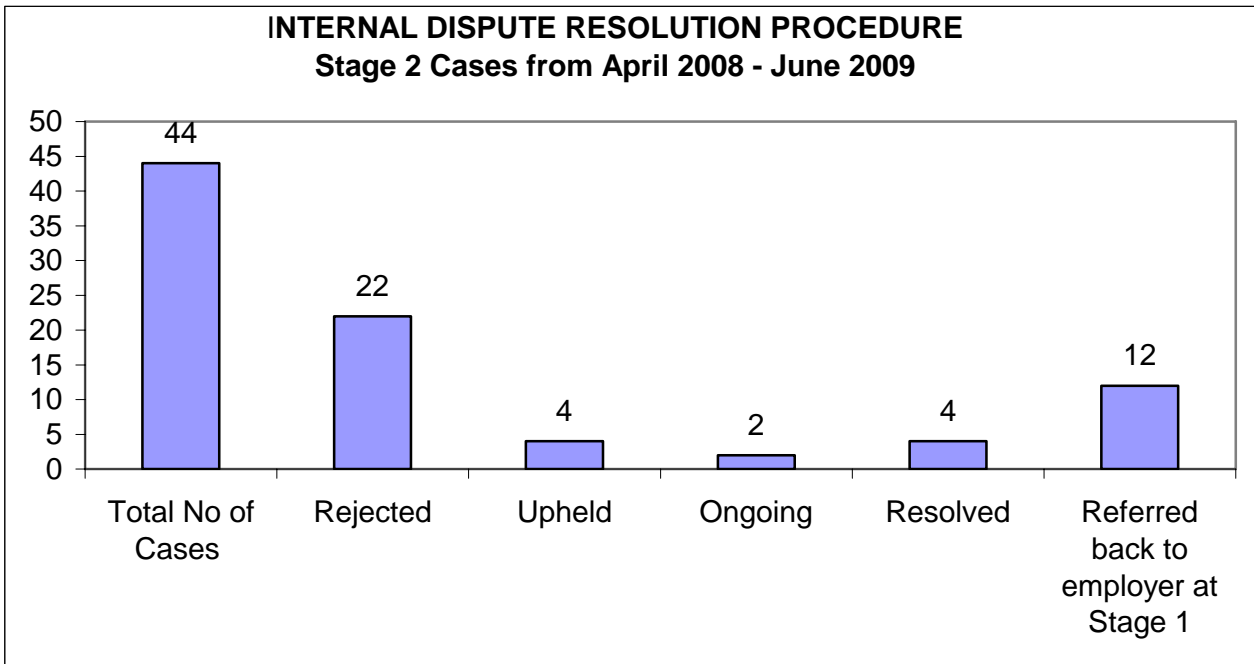
1.5 The main causes of concern for scheme members related to:-

1.5.1 requests for the refund of contributions;

1.5.2 refusal of inward transfer requests; and

1.5.3 disagreement with the calculation of pension overpayments and preserved benefits.

## STAGE 2 CASES



1.6 Of the 44 cases received, 22 were rejected, 4 cases were upheld, 4 were resolved and 1 is ongoing. 12 of the cases were referred back to the employer as the Stage 1 process had not been concluded satisfactorily.

1.7 The main cause of appeals to employers related to disputes on ill health retirement.

1.8 There have been no subsequent appeals to the Pensions Ombudsman arising from the last 15 months appeals, albeit a long standing case is being considered by the Ombudsman.

## 2. SUMMARY AND CONCLUSIONS

2.1 The outcomes of the IDRPs procedures suggest that the regulations (in respect of the complainants) are being appropriately applied.

2.2 As a consequence of reviewing complaints, there have been a small number of changes to systems and procedures.

2.3 As predicted last year, the changes to the ill health rules have increased the number of Stage 2 appeals from October 2008.

### **3. RECOMMENDATION**

3.1 To note the report.