

WEST MIDLANDS PENSION FUND

INTERNAL DISPUTE RESOLUTION PROCEDURE

The West Midlands Pension Fund believes in putting our members first and we are constantly looking at ways we can improve the services we provide through regular feedback and focus groups.

The Fund encourages engagement from members and employers and has found that one of the best ways to obtain a true opinion on the services we provide is through the comments, compliments and complaints we receive.

This policy sets out the Fund's Internal Dispute Resolution Procedure and details what service you can expect to receive when using this service.

1. Internal Dispute Resolution Procedure (IDRP)

From the day a person starts a job with an employer, to the day when pension benefits are paid, the employer and administering authority have to make decisions (in compliance with the legislation) that affect you as our Member.

Where you are notified of a decision, you must check, as far as possible, that the decision is based on the correct information.

If you are not satisfied with a decision made about you, you have the ability to challenge that decision and invoke the Internal Dispute Resolution Process (IDRP). You may also use this procedure if you believe a decision should have been made, but has not been made.

At any stage during the procedure you can contact the Pension Advisory Service for support and assistance, their details are provided in the Useful Contacts section of this document.

Before starting this procedure, we would encourage you to speak to your employer or in-house pension department, often many issues can be resolved without the need for formal processes.

2. Who can make a complaint?

This procedure applies to disagreements or disputes relating to the Pension Scheme, including decisions made or not made.

Persons who can use this policy include

- Active, deferred and pensioner Members of the scheme
- A widow, widower or surviving dependent of a deceased member of the scheme
- Prospective members of the scheme
- Any person who in the previous six months was entitled to be considered as one of the above
- Any person who believes they should be included in one of the above categories

(In this document all of the above category of persons are referred to as “Members”.)

You can also ask someone to take your complaint forward on your behalf, this may be a trade union representative, welfare officer, a family member or friend. In order to provide information to a representative, the Fund will require confirmation from you that have appointed them and are happy for them to receive correspondence on your behalf.

3. Exceptions

While the Fund will always try to address any contact received from Members, there may be occasions where we will not be able to deal with the query under this process either because it is covered by a different policy or because the complaint is already being addressed under another route.

The types of areas that we won't deal with through this process include

- Staff/ex staff complaints about employment matters including grievances or disciplinary hearings
- Cases where legal action has started
- Complaints about Trustees or Pension Board Members
- Where the matter is already being dealt with another way

4. Time Limits

A member seeking to use this process must do so within six months from the date of the decision or event they wish to complain about.

5. Specified Person

In compliance with the legislation, the Fund has appointed “Specified Persons” to investigate and determine first stage IDRPs complaints.

The Specified Person will be the employer or person who made the decision you wish to challenge.

6. Discretionary policies

Under the Scheme rules, employers are entitled to have discretion on how they apply certain aspects of pension legislation. The West Midlands Pension Fund has no authority to request employers to change these policies and when reviewing appeals under the IDR process, we can only review them in consideration of the discretionary policy implemented by the employer.

7. What will happen to your complaint?

To ensure a fair and balanced approach, the fund has created a 2 stage IDR process.

Methods of communication

When seeking to use this procedure, all correspondence must be in writing and contain the following information

- Name
- Contact details including address, telephone number
- Date of birth
- National insurance number
- The name of any representative acting on your behalf
- Details of the complaint

Stage One

1. On receiving the complaint, the Specified Person will acknowledge its receipt within five working days. Within this acknowledgement will be details of the Pension Advisory Service who are available to assist members and beneficiaries with any difficulties.
2. The Specified Person will then investigate the matter which may include a request for additional information from you and a review of the Scheme rules. The Specified Person will aim to complete their investigation within 4 months. Where an investigation is likely to take longer, you will be notified of the reasons why.
3. On concluding the investigation the Specified Person will issue a decision notice within 15 days of reaching a decision detailing
 - A statement of the decision
 - Any reference to the legislation which supports that decision

- Whether a discretion has been exercised by the decision-maker when making the decision which is the subject of the complaint
- Detailing the right to appeal the outcome of the investigation
- Provide details of the Pension Advisory Service

Appeals – Stage Two

You may appeal against the outcome of the investigation by the Specified Person within 6 months of receiving the notice of their decision. An appeal may also be brought if you have made a challenge under Stage One but it has not been acknowledged or dealt with within the timeframe allowed.

Where you wish to appeal, you must send your appeal to the West Midlands Pension Fund in writing providing

- All of the details provided to the specified person under Stage One
- A copy of the specified person's decision notice
- An explanation of why the Member is unhappy with the decision
- A formal request to review the decision

If an appeal is received after 6 months of the specified person issuing their decision, the Fund may choose not to consider your request for appeal.

Appeal process

1. The Fund will acknowledge the appeal request within five working days providing details of the contact officer investigating the request.
2. The officer will investigate the matter and may request further information from you or the Specified Person. The investigation may take up to four months to complete; any delay in this timescale will be notified to you with the reasons for the delay.
3. On completing the investigation, the officer will notify you of the outcome providing detail as to
 - The decision reached
 - An explanation of how this decision compares to the decision made under Stage One
 - Any reference to the legislation
 - Whether any discretion has been relied upon
 - Contact details for the Pension Advisory Service
 - Information about the Pensions Ombudsman.

The Appeal investigation will involve the fund reconsidering the matters in dispute and we may take into account new information/evidence not presented under the Stage One process provided such new

information/evidence is not so extensive that it creates an entirely new matter to be investigated.

9. Useful contacts

WMPF

Write to us at:
West Midlands Pension Fund
PO Box 3948
Wolverhampton
WV1 1XP

pensionfundenquiries@wolverhampton.gov.uk

Telephone Customer Services on:
0300 111 1665

Visit our website at:
wmpfonline.com

Fax us on:
0845 230 1565

Minicom/Typetalk:
01902 554607

The Pension Advisory Service

TPAS
11 Belgrave Road
London
SW1V 1RB
Fax: 0207 233 8016

Email: enquiries@pensionsadvisoryservice.org.uk

The Pensions Ombudsman

11 Belgrave Road
London
SW1V 1RB

Tel: 0207 834 9144
Fax: 0207 821 0065

Email: enquiries@pensionsombudsman.org.uk
Website: www.pensionsombudsman.org.uk