

Introduction

We have produced this factsheet to tell you about the appeals procedure for the Local Government Pension Scheme (LGPS).

This process is officially called the Internal Dispute Resolution Procedure, or IDR for short.

Briefly, it is a two stage procedure, where you first raise the dispute with whoever you feel is at fault. This can either be your employer, or ourselves at Greater Manchester Pension Fund.

Then, if you are not satisfied, you can make a further appeal to a referee.

No matter who your dispute is with, it's a good idea to use the enclosed form, as this will help you include the necessary information.

We hope you find this factsheet helpful, and if you need to know more, you are welcome to ring our helpline, as shown in the contact details.



Who can raise a dispute?

You can use the dispute system if you are:

- **A member:** in other words, you are paying into GMPF, or you have retired and draw a pension from us, or you have left your benefits 'on hold' with us
- **A prospective member:** in other words, you are not a member yet, but could become one if your employer brings you in, or you ask to join
- **A dependant:** in other words, you are the widow, widower, surviving civil partner, eligible cohabiting partner or child of a member or prospective member

You can even use the dispute system if you think you should fall into one of these categories, or you did so during the last six months.

Using someone else to represent you

You might feel happier with someone else representing you, or you may not be able to put your case yourself, for example because you are a child.

In this case you can choose someone else to represent you. This can be whoever you like - a friend, relative, solicitor, union rep, and so on.

What can I raise a dispute about?

From the day you join the pension scheme, various **decisions** are being made about your pension - both by your employer, and by ourselves here at GMPF. If you disagree with a decision, you can dispute it.

Examples of decisions made by your employer include:

- Deciding whether you can retire on ill health
- Deciding the level of pay we should use to work out your benefits

Examples of decisions made by GMPF include:

- Applying any discretions we have - for example whether or not to accept a transfer from another scheme
- Explaining how you are affected by the various Scheme rules
- Working out your benefits

Whenever a decision is made about your pension, you should be told about it in writing.

Other disputes

You can also dispute about other aspects of your pension, for example if you feel that you haven't been given the information you need, or you think there has been an unreasonable delay in paying your benefits.

Who do I raise a dispute with?

First you raise a **stage 1 formal dispute** as explained below. Then if you are unhappy with the outcome of that, (or you haven't had a reply within certain time limits) you can go to **stage 2, further appeal**. This involves taking your case to a referee appointed by GMPF. *This is the case no matter who your original dispute was against.*

stage 1: formal dispute

What to do first

You should write to **whoever you think is at fault** - either your employer, or ourselves at GMPF.

It's best to use the enclosed form, as it will help you include the right details.

You must raise your initial dispute within **six months** of the date:

- Your were told of the decision, or
- The decision should have been made but wasn't.

Your dispute can only be looked at later than this in special cases.

What happens next

The facts of your case will be examined, along with the Scheme rules, and any other legislation which is relevant. You may also be asked for more details, to help understand your case.

You should receive a written reply within **two months** of the date your dispute arrives. The letter will either give you a decision, or will acknowledge your dispute, and explain when you will have a decision.

For disputes against your employer, please send your form to your employer's pensions officer.

For disputes against GMPF, please send your form to:

*The Stage 1 Pensions Referee
Guardsman Tony Downes House
5 Manchester Road
Droylsden
M43 6SF*

stage 2: further appeal

Taking your dispute further

If you are unhappy with the **stage 1** decision, you have **six months** from receiving it to appeal to a **stage 2** referee who has been appointed by GMPF. You must make your **stage 2** appeal in writing, enclosing a copy of the **stage 1** decision with it.

You can also go straight to stage 2 if:

- You have gone through **stage 1** and have had an interim reply but no decision. In this case you can appeal within 7 months of the expected decision date
- You have gone through **stage 1** and haven't had a decision or an interim reply. In this case you can appeal within 9 months from the date you raised your stage 1 dispute.

In either case, you should do this as soon as possible after the time limit has passed.

What happens next

The **stage 2** referee will re-examine your case, once again looking at the Scheme rules, and so on. They may also need to ask you or your employer for more details, to help them understand your dispute.

The **stage 2** referee should reply to you within **two months** of receiving your appeal. This will be to either...

- Give you a decision, which will confirm or replace the **stage 1** referee's decision, or
- To acknowledge your appeal, and explain when you will have a decision.

For all stage 2 appeals please write to:

*The Stage 2 Pension Referee
Guardsman Tony Downes House
5 Manchester Road
Droylsden
M43 6SF*

How to get outside help

The Pensions Advisory Service (TPAS) provides independent and impartial information about pensions, free of charge, to members of the public. TPAS can help members or beneficiaries of the scheme with any pension query they have, or any general requests for information or guidance concerning their pension benefits:



11 Belgrave Rd, London, SW1V 1RB



0800 011 3797



www.pensionsadvisoryservice.org.uk

The Pensions Ombudsman (TPO) only deals with pension complaints. It can help if you have a complaint or dispute about the administration and/or the management of personal or occupational pension schemes. You have the right to refer your complaint to the TPO free of charge. There is no limit on the amount of money that TPO can make a party award you. It's rulings are legally binding on all parties and enforceable in court.



10 South Collonade, Canary Wharf, E14 4PU



0800 917 4487



www.pensions-ombudsman.org.uk

Independent advisers are not tied to selling the products of just one company, but will charge a fee for their advice. To find an adviser near you, go to:



www.unbiased.co.uk

The Pension Tracing Service holds the details of all pension schemes including ourselves. If you were in a scheme in the past and you have lost touch with them, the Tracing Service may be able to help you track them down.



The Pension Service 9, Mail Handling Site A,
Wolverhampton, WV98 1LU



0800 731 0193



www.gov.uk/find-lost-pension

State Pensions

For information about state pensions please contact your local Department for Work & Pensions Office

gmpf contact details

Here are the ways you can find out more or get in touch with us. If you do contact us, please quote your National Insurance number.



Visit our website to find out more or to contact us by email...

www.gmpf.org.uk



Follow us on Twitter...

@GMPF_LGPS



Call our friendly helpline...

0161 301 7000



Call in or write to us...

Guardsman Tony Downes House
5 Manchester Road, Droylsden, M43 6SF



stage 1 dispute form

P39
Version 11

BLACK INK ONLY

1. ABOUT THE DISPUTE Please fill in this part in all cases

Who is the dispute against?

- The following employer
- Greater Manchester Pension Fund (GMPF)

2. DETAILS OF THE PERSON RAISING THE DISPUTE Please fill in this part in all cases

<input type="text" value="Title"/>	<input type="text" value="Surname"/>	Address <hr/> <hr/> <hr/> <hr/> Postcode
<input type="text" value="Other names"/>		
<input type="text" value="National Insurance no."/>		
<input type="text" value="Pay number"/>		
<input type="text" value="Date of birth"/>		

Are you a... GMPF member Prospective member Pensioner Deferred member Dependant

Please give details of the member you are a dependant of...

<input type="text" value="Their full name:"/>	
<input type="text" value="Their address:"/> <hr/> <hr/> <hr/>	<input type="text" value="Their National Insurance no."/>
<input type="text" value="Postcode"/>	<input type="text" value="Their date of birth:"/>
	<input type="text" value="Their employer:"/>
	<input type="text" value="Your relationship:"/>

⋮

DEPENDANTS ONLY: Please fill in this section!

3. USING A REPRESENTATIVE Please fill in this part in all cases

Is a representative raising this dispute on behalf of the person named above?

- NO → YES →

Representative's details

<input type="text" value="Title"/>	<input type="text" value="Surname"/>	Address <hr/> <hr/> <hr/> <hr/> Postcode
<input type="text" value="Other names"/>		
<input type="text" value="Your relationship to person raising the dispute (for example friend, solicitor)"/>		

Whose address should letters go to? (Please tick one box) Yourself as representative The person you represent

Continued...

