

## Local Pension Board

14 March 2022

### Internal Dispute Resolution Procedure (IDRP) Cases



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## Report of Paul Darby, Corporate Director of Resources

### Purpose of the Report

- 1 To provide Board Members with a summary of the outcomes of any internal dispute cases or Pensions Ombudsman cases the Pension Fund has been involved in since April 2021.

### Executive summary

- 2 Since April 2021, 6 scheme members or their representatives have made an appeal under the Pension Fund's IDRP process. All of these applications related to ill health retirement applications. Of the 6 applications, 5 were reviewed at Stage 1 by the adjudicator, who in all cases upheld the original decision. Two cases were also reviewed at Stage 2 of the IDRP Process and remain ongoing.

### Recommendation(s)

- 3 The Board is asked to note the report.

## **Background**

- 4 Scheme members with an unresolved complaint concerning their pension benefits are able to make use of the Pension Fund's two-stage Internal Dispute Resolution Procedure (IDRP). Whenever a scheme member initially receives a benefit from the scheme, they are made aware of this procedure – a copy of the information sent to the scheme members about the procedure is enclosed as Appendix 1.

## **Review of IDRP Cases**

- 5 From 1 April 2021 to 1 March 2022 the Fund has received a total of 6 applications under the IDRP process. The first stage of the process is an application to the Fund's adjudicator. There has been a total of 5 applications to the adjudicator during 2021-22 and all related to ill-health retirements. In all 5 applications the adjudicator upheld the Council's original decision.
- 6 The Council's Occupational Health Team is responsible for submitting ill health retirement applications to an independent doctor for review where the individual worked (or formerly worked) for the Council. As the Council represents around two thirds of the non-active members, most of the ill health retirement applications are initially processed by the Council's Occupational Health Team.
- 7 The Council's Occupational Health Team provide up to date instructions to the independent doctors that provide opinions in respect of ill health retirement applicants, partly as a consequence of previous comments made by the adjudicator. For example, the instructions now make it clear that the independent doctors need to be clear about the probability of success of any untried treatments if they are going to make reference to any such treatments in their report. The Fund continues to monitor the reasons for disputes which are referred back for further consideration.

## **Stage Two Appeals and Ombudsman Rulings**

- 8 The Pension Fund monitors all Stage Two Appeals, and any rulings of the Pensions Ombudsman in respect of the Fund and its employers. The Fund has received 2 Stage Two Appeals during 2021-22. Both related to the award of ill-health benefits.
- 9 One of the cases was reviewed at Stage 1 during 21-22, and the other during 20-21. In both cases the adjudicator upheld the employer decision, causing both individuals to initiate Stage 2 of the IDRP process. Both cases remain ongoing.

- 10 The Pension Fund has received no Pensions Ombudsman rulings during 2021-22
- 11 Officers will continue to monitor the IDRPs cases, making suggestions regarding employer processes where deemed necessary. These cases will continue to be reported to Pension Board annually.

**Author(s)**

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