

Local Pension Board

24 June 2024

Internal Dispute Resolution Procedure (IDRP) Cases



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 in which the Pension Fund has been involved in during 2023/24.

Executive summary

- 2 Since April 2023, 17 scheme members or their representatives have made an appeal under the Pension Fund's IDRP process. These applications were of a varying nature.
- 3 Of the 17 applications, 17 were reviewed at Stage 1 by the Fund's appointed Adjudicator, who in 13 cases upheld the original decision. Three of these cases were then progressed to be reviewed at Stage 2 of the IDRP Process, with one case being turned down and two remaining ongoing.

Recommendation(s)

- 4 The Board is asked to note the report.

Background

- 5 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

- 6 From 1 April 2023 to 31 March 2024 a total of 17 applications under the IDRP process were resolved. The first stage of the resolution process is an application to the Fund's Adjudicator. There have been a total of 17 applications to the Adjudicator resolved during 2023/24 - thirteen of these applications related to ill-health retirement, one related to the calculation of survivor benefits, one related to the reductions applied in benefit calculations and two appeals relate to disputes concerning transfers.
- 7 In 13 of the 17 applications the adjudicator upheld the Council's original decision, whilst four cases were referred back to the fund employer to gather further information. In one case the fund was recommended to make a compensation payment.
- 8 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.
- 9 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 referred back for further consideration.

Stage Two Appeals and Ombudsman Rulings

- 10 The Pension Fund monitors all Stage Two Appeals, and any rulings of the Pensions Ombudsman in respect of the Fund and its employers.

- 11 Three cases which were reviewed at Stage One during 2023/24 were progressed to Stage Two Appeals. In all cases the Adjudicator had upheld the original decision, with the individuals subsequently initiating Stage Two of the IDR process. Two of these cases related to ill-health retirement the other related to the award of survivors' benefits.
- 12 Two of these cases remains ongoing, however the other appeal which was considered has been turned down. This has resulted in the individual progressing their appeal to the Pension Ombudsman, (the final stage of IDR) and this remains ongoing.

Author(s)

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