

Local Government Pension Scheme (Scotland) Regulations 2018 Lothian Pension Fund - Internal Dispute Resolution Procedure

Pension's law requires that the Local Government Pension Scheme must have a formal procedure in place for resolving disputes arising from the running of the scheme. This note summarises the procedure you can use if you wish to make such a complaint, including situations where you have first tried to resolve your complaint on an informal basis.

You must make a complaint or appeal any decision within six months of the act or omission about which you are complaining or notification of the decision.

Complaints covered by this procedure

Complaints can be made under this procedure by or on behalf of:

- Any active member, deferred member, or retiree.
- Any person entitled to benefits under the Scheme following a pension sharing order.
- Any member who is a prospective member.
- A deceased member's widow or widower, surviving civil partner or surviving dependant or other survivor entitled to benefits under the Scheme on the member's death.
- Anyone who ceased to be in one of the above categories in the previous six months.
- Anyone claiming to be in one of the above categories.

A complaint may be made on your behalf by a representative nominated by you.

What sort of complaints are covered by this procedure

You can use this procedure for any disputes you have about any pension related matters.

The regulations give specific responsibilities to scheme employers and pension fund administrators, each of whom must make decisions in relation to some matters and can exercise their discretion in relation to others. For example, your employer has responsibility to decide the contribution rate that you pay and your entitlement to benefits. Lothian Pension Fund as administering authority processes the information given by your employer and calculates and pays your benefits under the Scheme regulations.

What is the procedure?

The procedure is a two-stage process:

Stage 1

1. You must complete the attached form for Stage 1 of the procedure and return it to Lothian Pension Fund within six months of the day when you were told of the decision you want to complain about. Lothian Pension Fund will pass it on to the stage 1 appointed person on your behalf. The stage 1 appointed person for The Fund is Mrs Linda Welsh, Pension Scheme Manager, Strathclyde Pension Fund Office, City of Glasgow Council, Capella Building, PO Box 27001, Glasgow, G2 9EW.
2. Your complaint will be acknowledged within ten working days.

3. The appointed person may need to request further information to establish the facts of your case. A written decision will normally be issued within two months of receipt of the complaint. If your complaint cannot be addressed within this timescale, you will be notified and provided with an explanation of the reason for the delay and an expected date for issuing a decision.

Stage 2

1. If you remain unhappy with the outcome of your Stage 1 appeal, you can pursue matters further. Stage 2 of the IDRP provides a further right of appeal to the Scottish Ministers.

If you wish to proceed to Stage 2 you should submit an IDRP Stage 2 application to the Scottish Public Pensions Agency (SPPA) within 6 months of the decision. Application forms and guidance can be found on the [SPPA website](#).

Completed forms can be returned by:

- Post to LGPS Policy Manager, Scottish Public Pensions Agency, 7 Tweedside Park, Tweedbank, Galashiels, TD1 3TE
 - Email to IDRPAApplications@gov.scot.
2. Your complaint will then be considered by the Scottish Ministers who may need to request further information to establish the facts of your case. A written decision will normally be issued within two months of the complaint. If your complaint cannot be addressed within these timescales you will be notified and provided with an explanation of the reason for the delay and an expected date for issuing a decision.

If you are dissatisfied with the decision of the Scottish Ministers, you can refer your complaint to The Pensions Ombudsman free of charge.

The Pensions Ombudsman deals with complaints and disputes which concern the administration and/or the management of occupational and personal pension schemes.

Contact with the Pensions Ombudsman about a complaint needs to be made within three years of when the event(s) you are complaining about happened – or, if later, within three years of when you first knew about it (or ought to have known about it). There is discretion for those time limits to be extended.

The Pension Ombudsman can be contacted at: 10 South Colonnade, Canary Wharf, London, E14 4PU
Tel: 0800 917 4487

Email: Enquiries@pensions-ombudsman.org.uk

Website: www.pensions-ombudsman.org.uk

You can also submit a complaint online: www.pensions-ombudsman.org.uk/making-complaint

Please note that the [Money and Pensions Service](#) is available to assist members and beneficiaries of the Scheme in connection with any difficulty with the Scheme which remains unresolved. You can contact the Money and Pensions Service at Borough Hall, Cauldwell Street, Bedford MK42 9AP, Tel 01159 659570, or by email contact@maps.org.uk

Stage 1 application to the Appointed Person

1. Details of scheme member

Name	
Address	
Date of Birth	
Employer	
National Insurance Number	

2. Details of person making the complaint

Name	
Address	
Date of Birth	
Relationship to Member	
Telephone number	
Email address	

3. Details of Representative acting on behalf of the complainant (if any)

Name	
Address	
Telephone	

Email address	
Whose address should letters go to?	

4. Details of the complaint

A statement of the disagreement together with sufficient details to demonstrate why you are aggrieved must be provided in the space below. Continue on a separate piece of paper if necessary.

To consider the complaint, Lothian Pension Fund and the stage 1 appointed person may need to see the scheme member's health records. They may need to see all the scheme member's records as they need to assess which parts are relevant to the complaint. By signing this form, I authorise Lothian Pension Fund and the stage 1 appointed person to obtain any relevant background information including health data contained in medical reports which they may request for the specific purpose of assisting a decision in respect of my Stage 1 appeal.

Signed:	Date:
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<i>(by or on behalf of the complainant)</i>	
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Please return the completed form to: Customer Experience Manager, Lothian Pension Fund, PO Box 24158, Edinburgh EH3 1GY.