

WIRRAL COUNCIL

PENSIONS COMMITTEE

25 MARCH 2013

SUBJECT:	INTERNAL DISPUTE RESOLUTION PROCEDURE
WARDS AFFECTED:	ALL
REPORT OF:	INTERIM DIRECTOR OF FINANCE
RESPONSIBLE PORTFOLIO HOLDER:	
KEY DECISION	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The Local Government Pension Scheme (LGPS) has an inbuilt complaints procedure for dissatisfied members, called the Internal Dispute Resolution Procedure (IDRP).
- 1.2 This report seeks to appoint and authorise officers who can consider appeals at stage 1 and stage 2 of the IDRP process in respect of MPF.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Section 50 of the Pensions Act 1995 and the Occupational Pensions Schemes (Internal Dispute Resolution Procedures) Regulations 1996 requires the LGPS to operate a two stage procedure for the resolution of disagreements.
- 2.2 The Regulations require the individual Scheme Employers to consider any stage 1 appeal against a decision taken by them. If the applicant is dissatisfied with the stage 1 decision then he or she may appeal further to the Administering Authority (MPF) which is responsible for consideration of the stage 2 appeal.
- 2.3 Both stage 1 and stage 2 appeals against decisions taken by the Pension Fund need to be considered by the persons appointed by the Administering Authority to undertake this role. The same appointed person cannot consider an appeal from an individual at both the first and second stage of the process.
- 2.4 At the present the panel of Appointed Persons established by the Merseyside Pension Fund consists of:-

Ian Coleman	Director of Finance
David Taylor Smith	Deputy Director of Finance
Michael Fowler	Head of Support Services
Peter Wallach	Head of Merseyside Pension Fund
Yvonne Caddock	Principal Pension Officer

2.5 It is proposed to amend the panel of Appointed Persons to:

Malcolm Flanagan	Head of Benefits, Revenue & Customer Services
Peter Wallach	Head of Merseyside Pension Fund
Yvonne Caddock	Principal Pension Officer
Barbara King	Benefit Manager
Keith Higgins	Benefit Manager

2.6 The proposed changes are intended to ensure sufficient resource is available for the administration, consideration and appropriate determinations of cases within the IDR process.

2.7 The inclusion of the Head of Benefits, Revenue & Customer Services is based on the need to appoint a non Fund officer to demonstrate appropriate governance when re-considering previous Fund determinations. The post holder is an authorised signatory to MPF and the officer responsible for the operational aspects of the department's complaints procedure.

3.0 RELEVANT RISKS

3.1 If the Pension Fund does not have a suitably qualified panel of persons to determine disputes then there is a risk of criticism from the Pensions Ombudsman.

4.0 OTHER OPTIONS CONSIDERED

4.1 Any officer could be appointed to consider appeals but I recommend these officers as having the most relevant experience.

5.0 CONSULTATION

5.1 No specific consultation has been undertaken with regard to this report

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 There are none arising from this report.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 There are no additional requirements

8.0 LEGAL IMPLICATIONS

8.1 There are none arising from this report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality? Equality Impact Assessment (EIA) is not required for this report.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 None arising from this report

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 None arising from this report

12.0 RECOMMENDATION/S

12.1 That Members agree the proposed changes to the panel of authorised officers to consider appeals under the Internal Dispute Resolution Procedure

13.0 REASON/S FOR RECOMMENDATION/S

13.1 Three of the existing signatories are no longer available to undertake IDRP reviews and it has been necessary to refresh the panel of authorised officers.

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REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date