

Lancashire Local Pension Board

Meeting to be held on Tuesday, 14 July 2020

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| Electoral Division affected: (All Divisions); |
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Appeals Update

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Executive Summary

This report provides an update and broad analysis of appeals received under the Internal Disputes Resolution Procedure for the period 1st January 2020 to 30th June 2020.

Recommendation

The Board is asked to consider and note the contents of the report.

Background and Advice

The Scheme's rules set out a formal procedure to resolve disagreements. This is called the Internal Dispute Resolution Procedure (the Procedure). Specifically the rules for the appeal process are set out in the Local Government Pension Scheme Regulations 2013 within regulations 72 to 79.

The Procedure has 2 stages. Stage 1 is dealt with by the body who made the initial decision (or omission of a decision) that is in dispute. This will normally either be the scheme employer or the pension administrators.

If the disagreement is not resolved at stage 1, the individual can refer it to the Pension Fund for a decision at stage 2. The nominated Appeals Officer for reviewing stage 2 appeals is Abigail Leech, the Head of the Pension Fund.

Overview of stage 1

The right to make a stage 1 complaint is time limited. Generally, the applicant has 6 months from the decision under dispute. The employer will nominate a person to determine stage 1 complaints known as the adjudicator. The adjudicator should provide their written decision within 2 months (although if there are specific reasons to do so they could send a letter extending and revising this deadline).

Overview of stage 2

The applicant can ask the pension fund to take a fresh look at their complaint if they are not satisfied with the adjudicator's stage 1 decision, or the applicant has not received the stage 1 decision letter within certain deadlines. The decision at stage 2 must be given within 2 months (although again if there are specific reasons to do so a letter can be sent extending and revising this deadline). If the applicant is still unhappy following the stage 2 decision, they can take their case to The Pensions Ombudsman for a formal determination provided they do so within 3 years of the event that gave rise to the initial complaint.

Analysis of appeals 01 January 2020 to 30 June 2020

Stage 1 cases

| Type of Case | Total | Breakdown |
|--------------|-------|--|
| Received | 20 | 8 - Ill-health 4 - combining/aggregation of service 2 - Death benefits 1 - Member data/Additional pension contributions 1 - Transfer 1 - Re-employment 1 - Retirement benefits 1 - Co-habiting partners benefits 1 - Refund of contributions |
| Upheld | 1 | 1 - Combining/aggregation of service |
| Dismissed | 12 | 6 - Ill-health 1 - Transfer 1 - Re-employment 1 - Co-habiting partner benefits 1 - Combining/aggregation of service 1 - Refund 1 - Retirement benefits |
| Outstanding | 7 | - |

Stage 2 cases

| Type of Case | Total | Breakdown |
|--------------------------------------|-------|--|
| Carried forward from previous period | 5 | 5 - Ill-health |
| Received | 7 | 3 - Ill-health 1 - Member data/Additional pension contributions 1 - Child benefit 1 - Re-employment 1 - AVC transfer payment |
| Upheld | 5 | 5 - Ill health |
| Dismissed | 5 | 3 - Ill-health 1 - Member data/Additional pension contributions 1 - AVC transfer payment |
| Outstanding | 2 | - |

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No significant risks have been identified

**Local Government (Access to Information) Act 1985
List of Background Papers**

N/A

Reason for inclusion in Part II, if appropriate

N/A