



**Northamptonshire  
County Council**

Democratic Services  
One Angel Square  
Northampton  
NN1 1ED

<b>Northamptonshire Local Pension Board (Firefighters' Pension Scheme)</b>	<b>1 December 2017</b>	<b>Conference Room Moulton Logistics Centre Northants Fire &amp; Rescue HQ Moulton Way Northampton NN3 6XJ</b>	<b>2.00pm</b>
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## AGENDA

### \* Papers enclosed

Item No.	Subject	Responsible Officer
1.	Apologies for Absence and Declaration of Interests	Jim Dorrill
2.*	Minutes from the meeting held on 21 June 2017	Jenny Rendall
3.*	Firefighters' Pension Scheme(s) Administration	Joanne Walton
4.*	Northamptonshire Firefighters' Pension Scheme(s) Draft Risk Register	Joanne Walton
5*	Northamptonshire Firefighters' Pension Schemes and Firefighters' Compensation Scheme Internal Dispute Resolution Procedures Policy	Joanne Walton
6.	Date and Time of Future Meetings	Jenny Rendall

### EXEMPT ITEMS

In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them:

The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them"

**Issued: 23 November 2017**

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Democratic Support Service  
County Hall  
Northampton  
NN1 1DN

**Northamptonshire Fire & Rescue Service  
Local Pension Board  
Meeting held in public in  
The Conference Room, Moulton Logistics Centre, Moulton, Northampton**

**Actions & Summary of Meeting: Wednesday 21 June 2017**

**Agenda Item No: 2**

**PRESENT:-**

Terry Smith (Employee Representative & Chairman)

Dave Harding

Employer Representative

Jim Dorrill

Employee Representative

Also in attendance (for all or part of the meeting)

Darren Dovey  
Paul Hanson  
Gary McLellan  
Jenny Rendall  
Joanne Walton

Chief Fire Officer  
Democratic Services Manager  
LGSS Pensions Principal Regulations Officer  
Democracy Officer (minutes)  
LGSS Pensions Governance & Regulations Manager

Item No.	Item	Action to be taken by
01/17	<p><b><u>Apologies for Absence and Declarations of Interest:</u></b></p> <p>There were none.</p> <p>There were no declarations of interest.</p>	Jenny Rendall
02/17	<p><b><u>Election of Chairman &amp; Vice-Chairman:</u></b></p> <p>Jim Dorrill proposed Terry Smith as Chairman. This was seconded by Dave Harding.</p> <p>Dave Harding then proposed Jim Dorrill as Vice-Chairman. This was seconded by Terry Smith.</p> <p><b>RESOLVED that: the Local Pension Board</b></p> <p>1) Elected Terry Smith as Chairman for the year 2017-18; and</p> <p>2) Elected Jim Dorrill as Vice-Chairman fro the year 2017-18.</p>	Jenny Rendall
03/17	<p><b><u>Minutes of the Meeting held on 16 November 2016:</u></b></p> <p>The Local Pension Board approved the minutes of the meeting held on 16 November 2016 as an accurate record of the meeting.</p> <p>A list of those affected by B5B had been forwarded and Dave Harding could look over it again. Each enquiry would be treated on its own merits. It was also confirmed LSI would be shown as a separate accrued benefit on the annual benefit statement.</p>	

	<p><b>RESOLVED that: the Local Pension Board approved the minutes of the meeting held on 16 November 2016 as an accurate record of the meeting.</b></p>	<p><b>Jenny Rendall</b></p>
<p><b>04/17</b></p>	<p><b><u>Northamptonshire Firefighters Pension Scheme(s) Risk Register:</u></b></p> <p>At the Chairman’s invitation, Pensions Governance &amp; Regulations Manager Joanne Walton introduced this report (copies of which had been previously circulated) stating that the spreadsheet included with the papers had been produced from the risk register. The Council’s risk scoring had been used.</p> <p>In answer to queries on the report the following was confirmed:</p> <ul style="list-style-type: none"> <li>• Risk number 2 had the highest score. The majority were quite low.</li> <li>• There were a number of incidences in the list that could be reduced as they were the cause of another risk.</li> <li>• Some risks were as a result of the fact that LGSS Pensions were effectively third party pension administrations. Some were potentially the administrators risk and some were the Scheme Manager’s risks.</li> <li>• There was a need to address service delivery.</li> <li>• Training could mitigate some risks. KPMG were offering to deliver training on site and had discussed undertaking this on a regional basis. Leicestershire also offered training as did the Fire Brigade Union (FBU) (although FBU training was usually in London) and the Local Government Association (LGA). The Pensions Governance &amp; Regulations Manager would source some training and liaise with the Democracy Officer in relation to members’ diaries/availability.</li> <li>• Failing to provide the annual benefit statements on time would be a serious breach. Whilst the Government might not intervene the Pensions Regulator would be likely to.</li> <li>• If pensions systems and data were not secure and appropriately maintained there would definitely be an intervention.</li> </ul> <p><b>RESOLVED that: the Local Pension Board (Firefighters' Scheme):</b></p> <ol style="list-style-type: none"> <li><b>1) Noted the Northamptonshire Firefighters Pension(s) Scheme Risk Register;</b></li> <li><b>2) That members would forward any further comments to the Pensions Team; and</b></li> <li><b>3) That training would be organised split around areas of risk.</b></li> </ol>	<p><b>Joanne Walton Jenny Rendall</b></p>

05/17	<p><b><u>Data Quality:</u></b></p> <p>At the Chairman’s invitation, LGSS Pensions Governance &amp; Regulations Manager, Joanne Walton introduced this report (copies of which had been previously circulated) stating this was a big issue in terms of governance in that the following all affected it:</p> <ul style="list-style-type: none"> <li>• Pensions Act 2004 (Section 249B)</li> <li>• Public Service Pensions (Record keeping and Miscellaneous Amendments) Regulations 2014</li> <li>• The Data Protection Act 1988 Schedule 1</li> <li>• The Pensions Act 2004 (Section 90A)</li> <li>• The Pensions Regulator’s Code of Practice: Governance and Administration of public service pension schemes – code 14</li> <li>• The Pensions Regulator’s code of practice in line with the Pensions Act 2004 – Section 90A</li> <li>• The Pensions Regulators’ A quick guide to record keeping and the Pensions Regulator’s Compliance and enforcement policy for public service pension schemes (June 20015).</li> <li>• The Pensions Team had run an analysis of data held on Altair compared to data held on payroll and there had been some discrepancies.</li> <li>• More under than over payments had been discovered and a report on progress in this area and how issues had been addressed would be presented later in the year.</li> <li>• There was no specific provision for interest on arrears of pension but the scheme manager could choose to pay it.</li> <li>• There was a need for a policy to set out how over-payments would be addressed including writing them off and how far they were backdated. An initial draft would be made based on the LGPS and the LGA had provided some guidance. The policy should be presented to the next meeting.</li> <li>• Contracting out reconciliation was a large piece of work that had to be completed. It had been out-sourced to a data audit company (ITM Limited) who had begun on 1 June 2017. The table in section 4.5 of the report could be disregarded due to fresh data being available which demonstrated that there were currently 971 active deferred pensioners and 321 had already been reconciled correctly within the £2 per week tolerance that was allowed. The project had to be completed by 31 December 2018 but they expected to complete it by 31 December 2017.</li> </ul>	
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	<p>Queries on the report were answered as follows:</p> <ul style="list-style-type: none"> <li>• ITM would produce a report that would be fed into the the pensions administration system to ensure they had the correct records moving forward.</li> <li>• There was as yet no figure for a cost for the work.</li> <li>• Under payments would be addressed fully.</li> <li>• The Home Office had promised guidance which would mean in future it would be centralised information.</li> </ul> <p><b>RESOLVED that: the Local Pension Board (Firefighters’ Scheme) noted the content of the Data Quality Report.</b></p>	<p><b>Joanne Walton</b></p>
<p><b>06/17</b></p>	<p><b><u>Annual Report of the Local Pension Board:</u></b></p> <p>At the Chairman’s invitation, Democracy Officer, Jenny Rendall introduced this report (copies of which had been previously circulated) stating it included a summary of the work undertaken during the year.</p> <p>Members commented as follows:</p> <ul style="list-style-type: none"> <li>• This was the second report and it was felt the paragraph on member representatives had been more appropriate for the first one rather than the second.</li> <li>• Current membership required updating and the column relating to roles could be deleted.</li> <li>• Links in the section on constitution and membership required checking.</li> <li>• The work programme would be added by LGSS Pensions Governance &amp; Regulations Manager, Joanne Walton.</li> <li>• LGSS Pensions Principal Regulations Officer Garry McLellan needed to be added to the section on the list of officers supporting the Local Pension Board.</li> <li>• The section on compliance and the work plan would be updated by LGSS Pensions Governance &amp; Regulations Manager, Joanne Walton.</li> <li>• The section on Key Performance Indicators would be updated by LGSS Pensions Governance &amp; Regulations Manager, Joanne Walton.</li> <li>• References to Cambridgeshire were not required.</li> <li>• References to 2016/17 required updating to 2017/18.</li> <li>• As Chairman, Terry Smith would attend the meeting at which it would be presented to Full Council to</li> </ul>	

	<p>answer any queries.</p> <p><b>RESOLVED that: the Local Pension Board (Firefighters Scheme) commented on and approved its annual report for 2017/18.</b></p>	<p><b>Paul Hanson Joanne Walton</b></p>
07/17	<p><b><u>Requesting Items for Consideration at the Local Pension Board:</u></b></p> <p>At the Chairman's invitation Democracy Officer, Jenny Rendall introduced this item stating it informed the Local Pension Board of the protocol to follow when requesting items be considered for presentation at the Local Pension Board.</p> <p><b>RESOLVED that: the Local Pension Board (Firefighters' Scheme) agreed the protocol for requesting items for consideration at the Local Pension Board</b></p>	<p><b>Paul Hanson Joanne Walton</b></p>
08/07	<p><b><u>Voluntary Scheme Pays' in the Firefighters' Pension Scheme:</u></b></p> <p>At the Chairman's invitation Dave Harding introduced a document issued by the Home Office on Voluntary Scheme Pays (copies of which were previously circulated). This was discussed and that it was resolved to bear the guidance in mind should such a case arise.</p> <p><b>RESOLVED that: should a case arise, the guidance from the Home Office on Voluntary Scheme Pays would be considered.</b></p>	<p><b>Dave Harding</b></p>
09/07	<p><b><u>Date and Time of Next Meeting:</u></b></p> <p>It was noted the date and time of the next meeting would be 2pm on Wednesday 15 November 2017 in the Conference Room in the Moulton Logistics Centre.</p>	<p><b>Jenny Rendall</b></p>

There being no further business the meeting closed at 3.45pm.  
Jenny Rendall, Democracy Officer

**NORTHAMPTONSHIRE  
FIREFIGHTERS'  
PENSION SCHEMES**



**LOCAL PENSION BOARD (Firefighters Scheme)**

**1 December 2017**

**Report by: THE HEAD OF PENSIONS**

<b>Subject:</b>	<b>Firefighters' Pension Scheme(s) Administration</b>
<b>Purpose of the Report</b>	<a href="#">To present members of the Local Pension Board with information on the administration of the Firefighters' Pension Scheme(s) by LGSS Pensions</a>
<b>Recommendations</b>	<b>That the Local Pension Board notes the content of the report.</b>
<b>Enquiries to:</b>	Name: Jo Walton – Governance and Regulations Manager E-mail: <a href="mailto:jwalton@northamptonshire.gov.uk">jwalton@northamptonshire.gov.uk</a>

**1. Background**

1.1 One of the core functions of the Local Pension Board is to ensure the effective and efficient governance and administration of the Scheme. This report demonstrates a number of key areas of administration performance for consideration by the Local Pension Board.

**2. Administration Performance**

2.1 The following key performance indicators represent the regular casework activities that are undertaken by LGSS Pensions in the administration of the Firefighters' Pension Schemes.

- Notify employees retiring from active membership of benefits award
- Notify leavers of deferred benefit entitlement
- Provide transfer in quote to scheme member
- Confirm transfer in payment and benefits credited to scheme member
- Provide a cash equivalent transfer value
- Process transfer out and issue CETV statement
- Provide a divorce quotation
- Obtain details of beneficiaries after advice of death
- Provide an estimate of benefits
- Calculate cost of purchasing additional pension and notify scheme member

2.2 All of the key performance indicators have a target of 10 working days for completion.

2.3 For the months of August, September and October 2017, all targets were achieved and further details can be found in appendix one to this report.

### 3. Pensioner payroll reconciliation

3.1 It was reported at the June meeting of the Local Pension Board that LGSS Pensions were undertaking a reconciliation of their administration records compared with the pensioner payroll records in order to demonstrate data quality to comply with prevailing regulations on data held.

3.2 An analysis of the pensioner administration system pension in payment compared with the pension physically in payment on the pensioner payroll was carried out with the potential variances above £100 per annum identified as detailed in the table below.

<b>Potential Over/Underpayments</b>	<b>Number to be investigated</b>
Overpayments £100+ pa	20
Underpayments £100+ pa	54
<b>Total potential over/underpayments</b>	<b>74 / 372 records in scope</b>

3.4 These variances have now been investigated ahead of the anticipated completion date of 31 March 2018 and the findings are as follows:

<b>Potential Overpayments</b>	<b>Number</b>	<b>Details</b>
No error with pension in payment identified	13	Pension on administration system was incorrect – pension in payment correct therefore no overpayment
Error with pension in payment identified	7	2 overpayments totalling £4,010.13 5 underpayments totalling £15,946.28

<b>Potential Underpayments</b>	<b>Number</b>	<b>Details</b>
No error with pension in payment identified	34	Pension on administration system was incorrect – pension in payment correct therefore no overpayment
Error with pension in payment identified	20	2 overpayments totalling £4.33 13 underpayments totalling £37,861.28 5 requiring further verification

3.5 Of the 27 errors identified, four have already been fully resolved leaving 23 to be resolved in the next stage of this project.

3.6 A breakdown of the 27 errors that have been identified can be found in appendix two of this report.

3.7 Of the remaining 23 errors only one case is an overpayment. It would be for the Scheme Manager to determine what course of action to take with this overpayment. LGSS Pensions are in the process of drafting a policy on the overpayments of pension policy which would provide guidance on the appropriateness of either writing off or attempting recovery of overpayments. An external legal view will be sought to clarify the tax implications of writing off an overpayment. This policy will be brought to the next meeting of the Local Pension Board to seek the views of the Local Pension Board with the Scheme Manager ultimately providing sign off.

3.8 The remaining 19 underpayments will be fully resolved with arrears paid to the scheme members when the next stage of the project commences in January 2018.

#### 4. Contracting-out reconciliation

4.1 It was reported at the June meeting of the Local Pension Board that LGSS Pensions were undertaking an exercise to reconcile contracted-out details held on pensions administration records compared with that held by HMRC.

4.2 All UK pension schemes that were contracted out of the state second pension are advised to reconcile their individual member records with that held by HMRC by 31 December 2018 to ensure that schemes hold the correct period and amount of contracting-out liability.

4.5 The reconciliation project has been outsourced to ITM Limited (an external data audit company) and the progress on the reconciliation is reported below.

Reconciliation stage	Progress
Baseline (23 June 2017)	33% of the data was correct 67% of the data needed further reconciliation
16 November 2017	53% of the data now correct 47% still to be reconciled

4.6 ITM are continuing to reconcile the data directly with HMRC. This stage of the project was due to complete by 31 December 2017, however, with an increasing number of pension schemes now also trying to reconcile their data, HMRC have become slower at issuing responses to queries. As such, the reconciliation stage of the project is due to complete by 31 March 2018 which is still nine months ahead of the 31 December 2018 deadline.

4.9 The next stage will be for LGSS Pensions to calculate any over or underpayments that may be due in respect of previously holding an incorrect amount of contracting-out liability for scheme members whose pension is already in payment.

4.10 As with the project to reconcile the pensions administration system with the pensioner payroll, the scheme manager will need to consider how overpayments are to be managed as a result of an incorrect amount of contracting-out liability previously being paid.

4.11 As detailed in section 3.7 of this report, a policy on managing overpayments of pension will be presented to the Local Pension Board for comments with ultimate sign off by the Scheme Manager.

4.11 The Local Pension Board will receive regular updates on how this reconciliation project is progressing.

## 5. Finance & Resources Implications

- 5.1 The cost of external support to complete the contracting-out reconciliation is not being charged to the Fire Authority.

## 6. Risk Implications

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
There are no risks associated with ensuring that records held on members of the Firefighters' Pension Schemes are accurate	N/A	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Failure to ensure the records held on members of the Firefighters' Pension Scheme are accurate would be a breach of the law.	Red

## 7. Communication Implications

<b>Direct communications</b>	Members affected by an overpayment of pension will be managed in line with the policy detailed in section 3.6 and 4.9 of this report.
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## 8. Legal Implications

- 8.1 Failing to comply with the legislation detailed in section 1 of this report is a breach of the law, reportable to the Pensions Regulator.

## 9. Consultation with Key Advisers

- 9.1 LGSS Pensions have consulted with ITM regarding the contracting-out reconciliation.

## 10. Alternative Options Considered

- 10.1 There are no alternative options to be considered.

## 10. Background Papers

- 10.1 Not applicable

## 11. Appendices

**Appendix 1 - Northamptonshire Fire and Rescue Service Performance Monitoring**  
**Appendix 2 - LGSS Pensions Pensioner Administration vs Pensioner Payroll Reconciliation**

<b>Checklist of Key Approvals</b>	
Has this report been cleared by Head of Pensions?	Mark Whitby – 20 November 2017

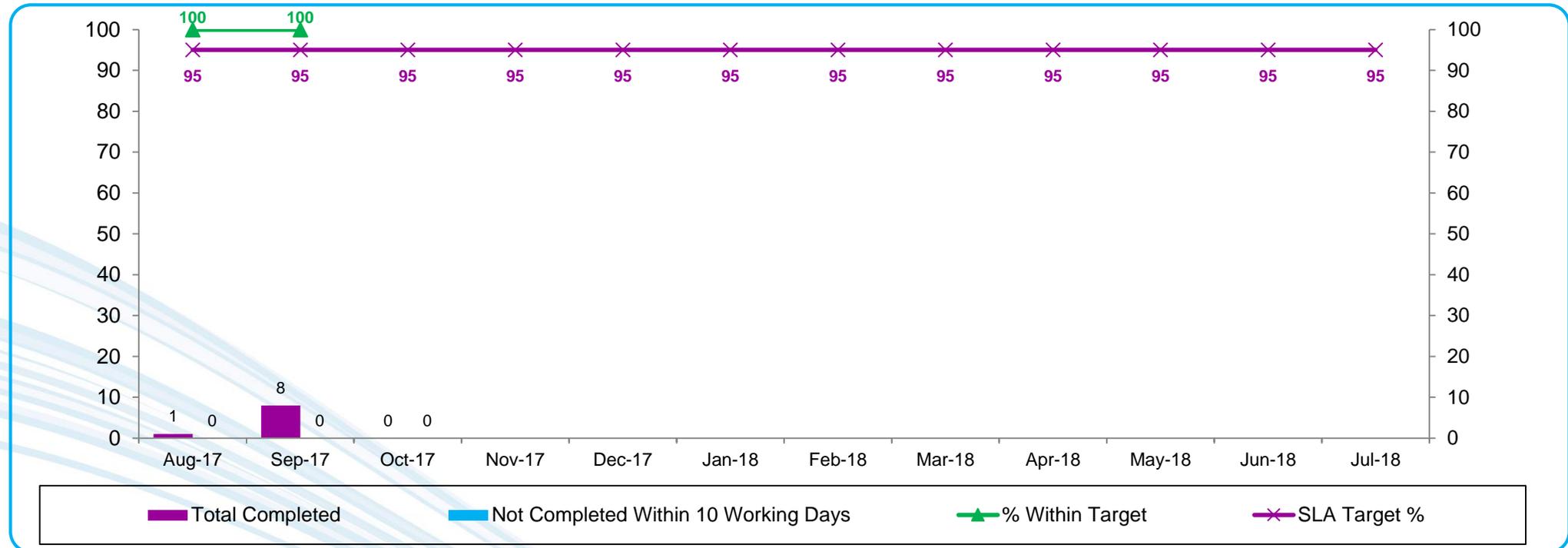


# **Northamptonshire Fire and Rescue Service Performance Monitoring October 2017**

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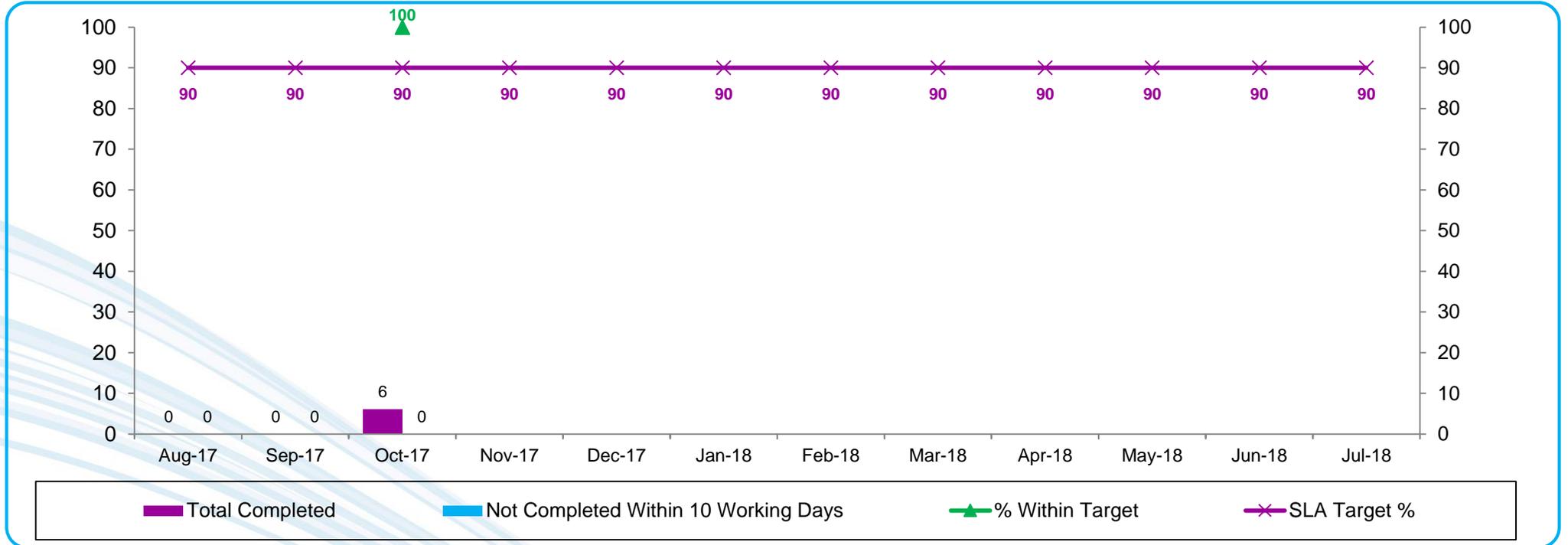
No	Contents	Slide
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## SLA Target - Notify employees retiring from active membership of benefits award



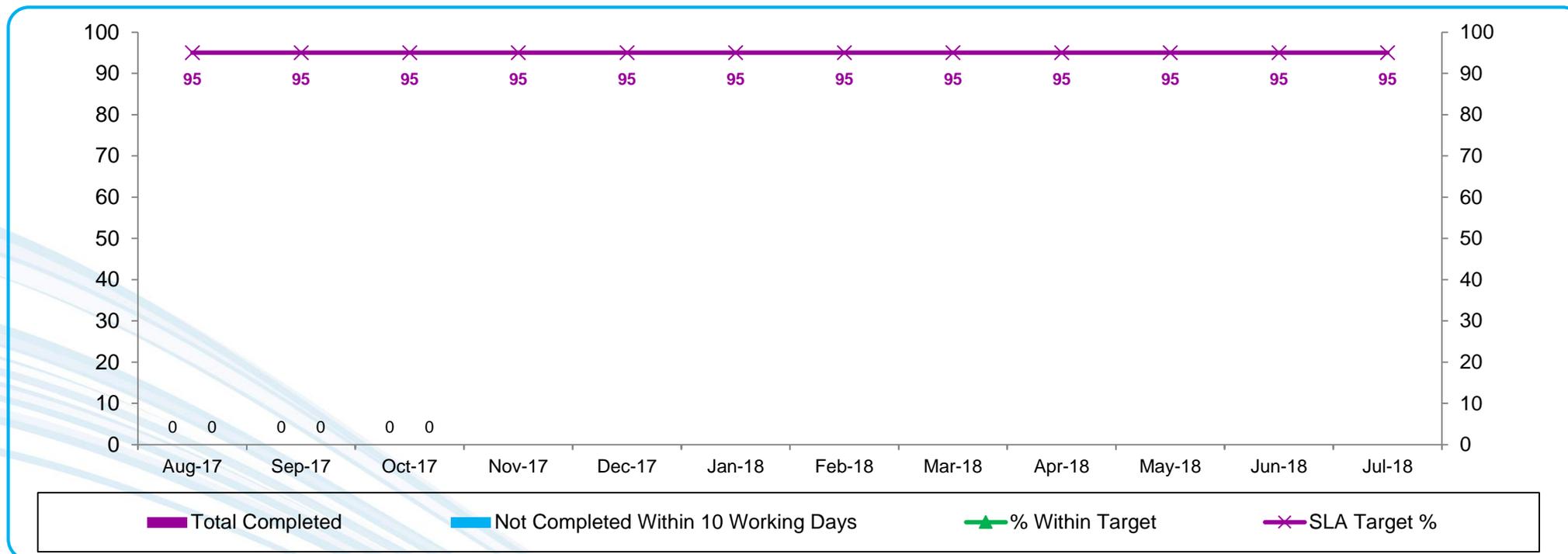
- This chart shows the number of cases and time period for notifying employees retiring from active membership of benefits award, from date of receiving all necessary information, based on the SLA target.

### SLA Target - Notify leavers of deferred benefit entitlement



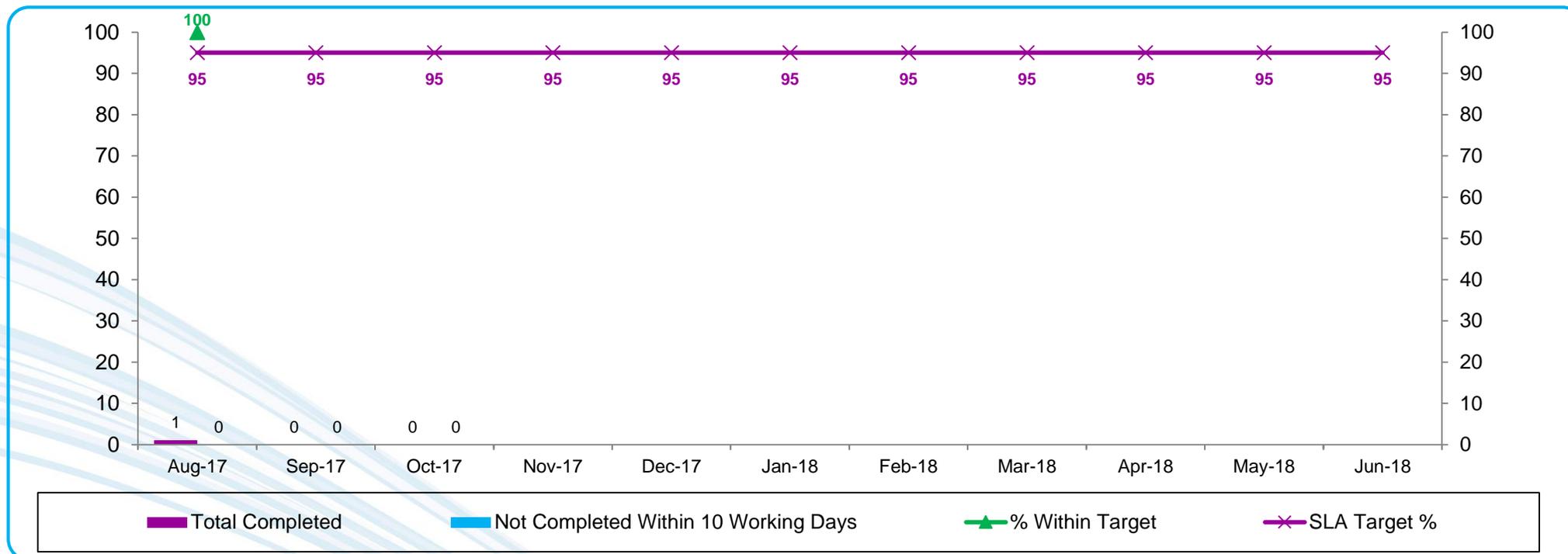
- This chart shows the number of cases and time period for notifying leavers of deferred benefit entitlement from receipt of all information, based on the SLA target.

## SLA Target – Provide transfer in quote to scheme member



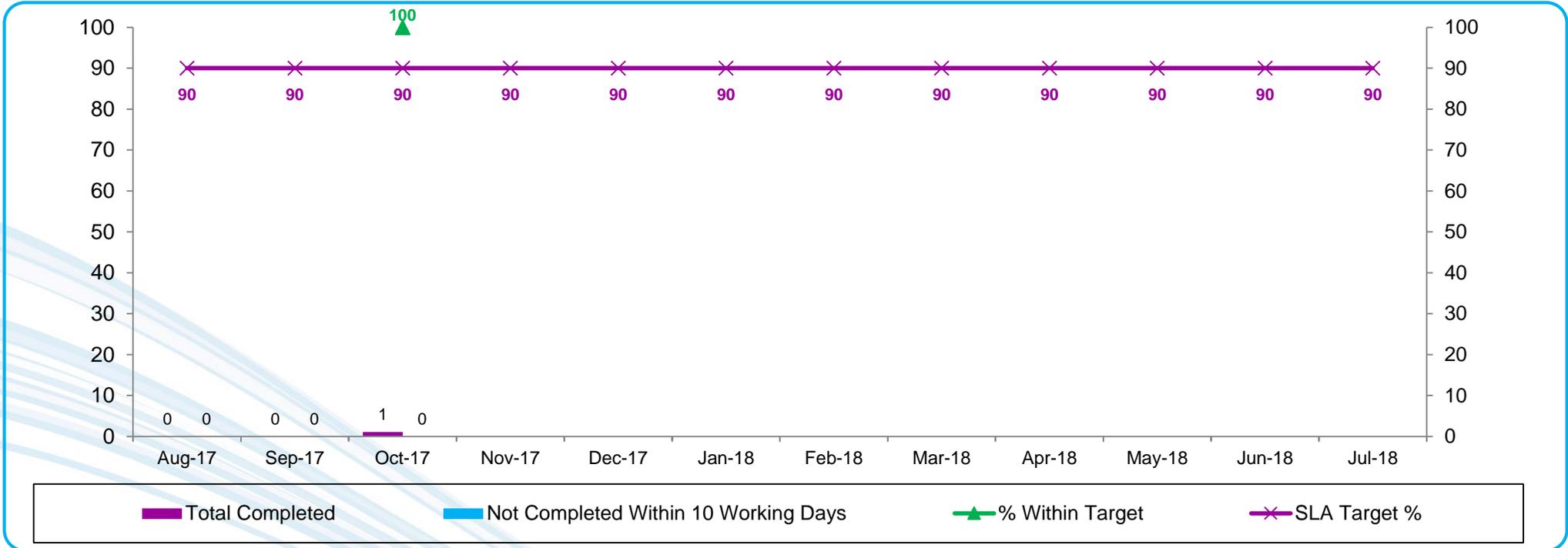
- This chart shows the number of cases and time period for issuing a transfer-in quote letter from receipt of all appropriate information, based on the SLA target.

## SLA Target – Confirm transfer in payment and benefits credited to scheme member



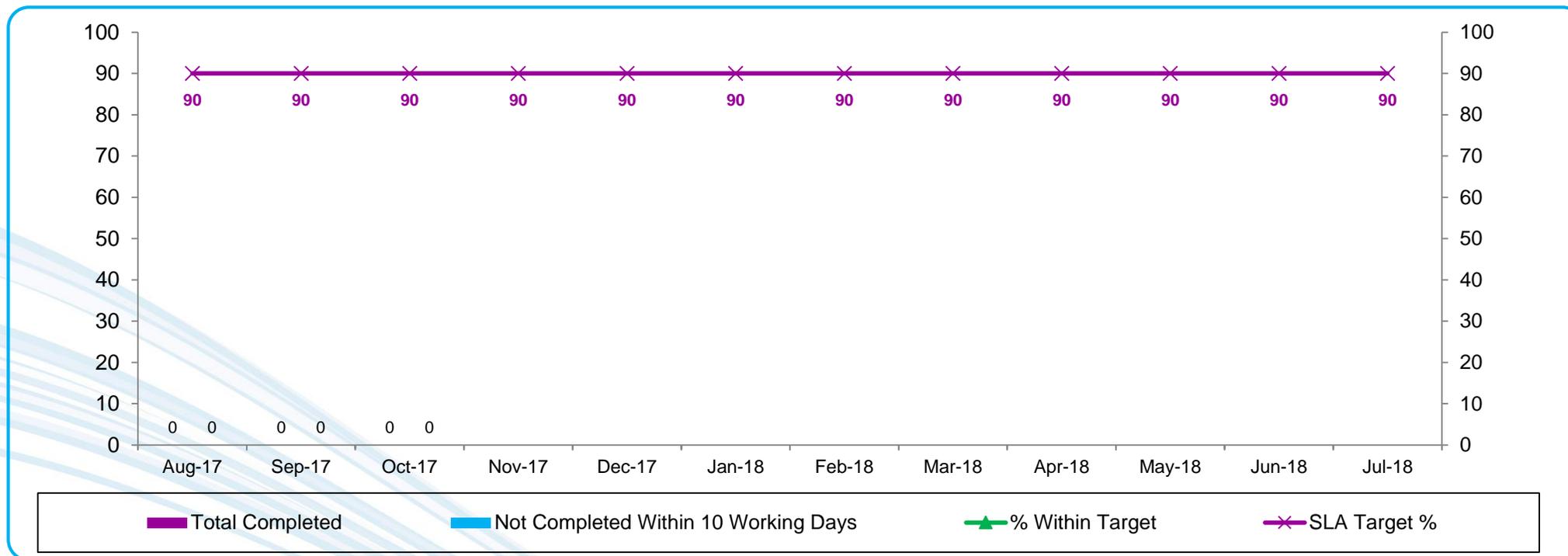
- This chart shows the number of cases and time period for confirming transfer in payment and benefits credited from receipt of all appropriate information, based on the SLA target.

### SLA Target – Provide a cash equivalent transfer value – CETV



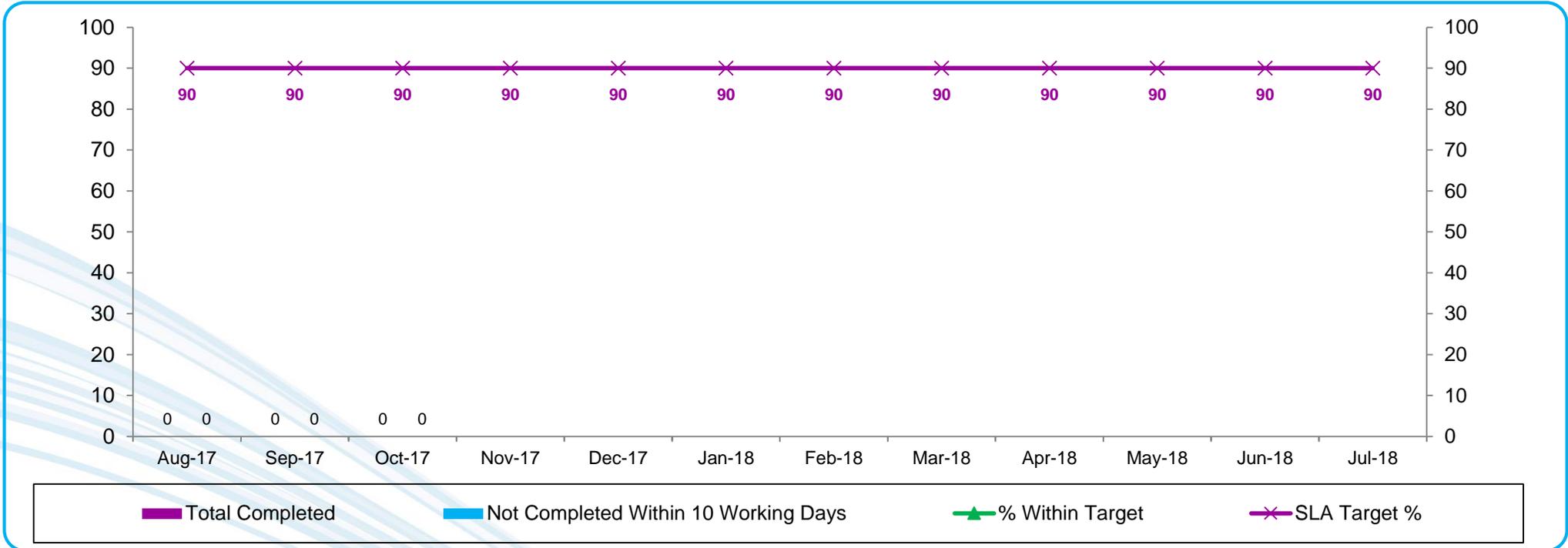
- This chart shows the number of cases and time period for issuing a CETV from receipt of all appropriate information, based on the SLA target.

## SLA Target – Process transfer out and issue CETV statement



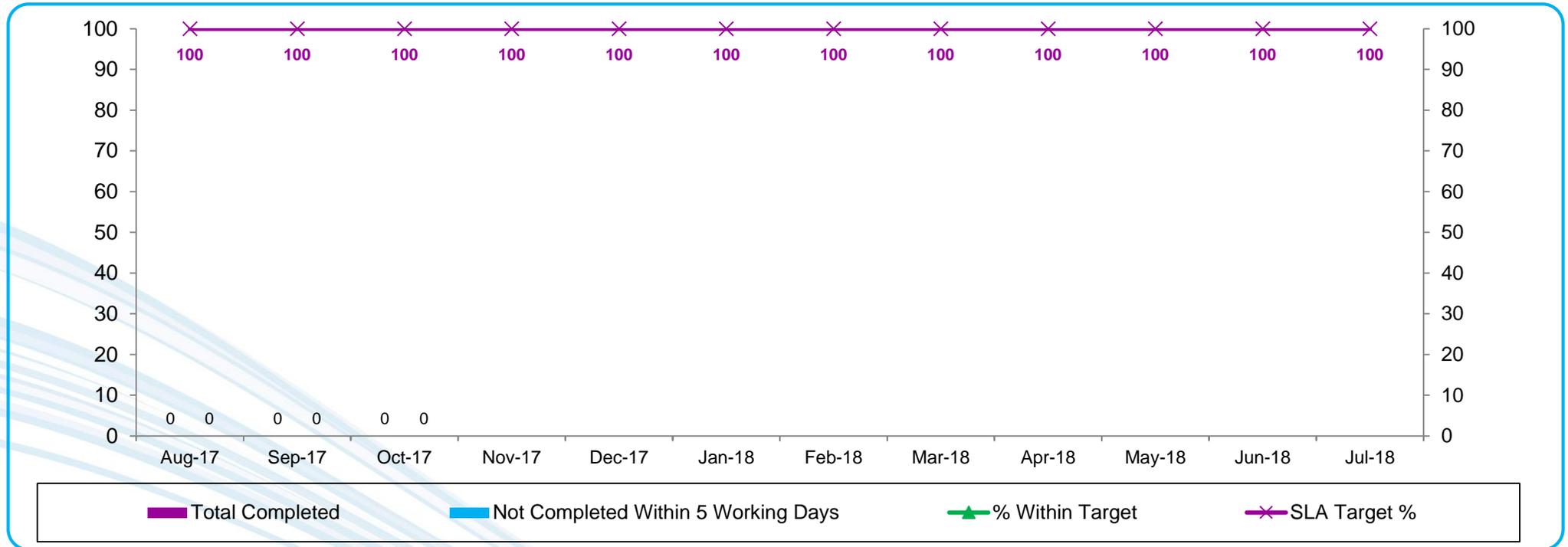
- This chart shows the number of cases and time period for processing transfer out payments from the receipt of all information needed to calculate the CETV, based on the SLA target.

### SLA Target – Provide a divorce quotation



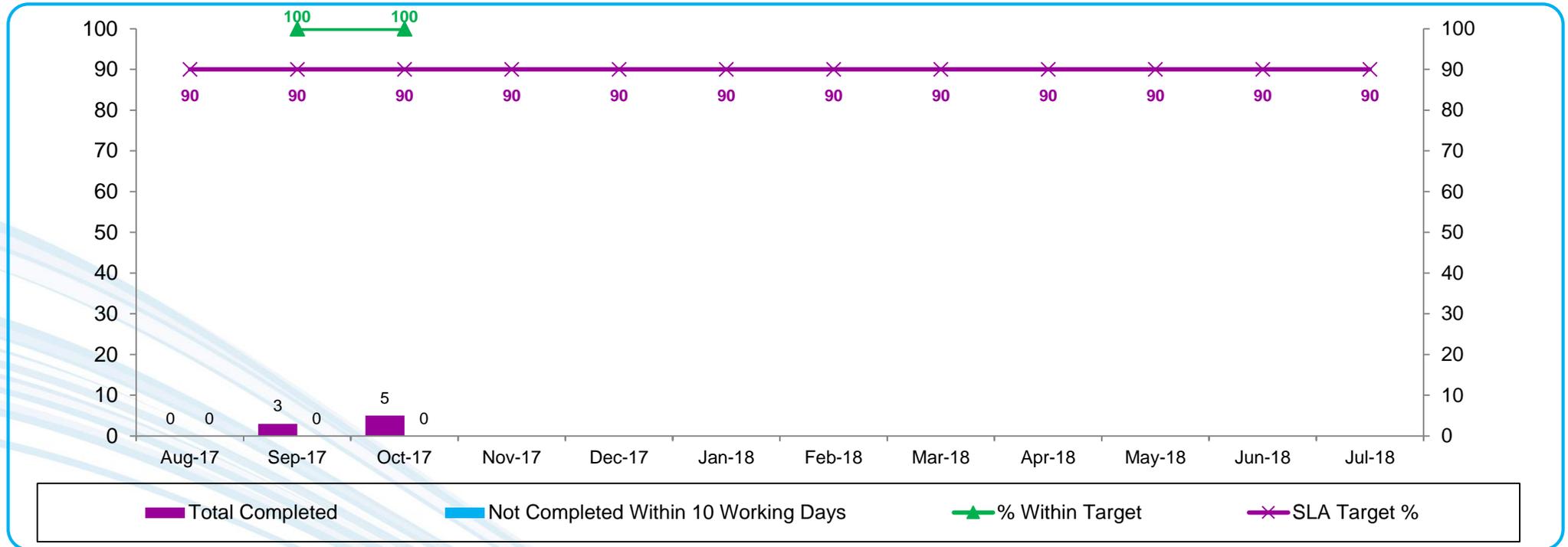
- This chart shows the number of cases and time period for providing a divorce quotation from receipt of all information, based on the SLA target.

### SLA Target – Obtain details of beneficiaries after advice of death



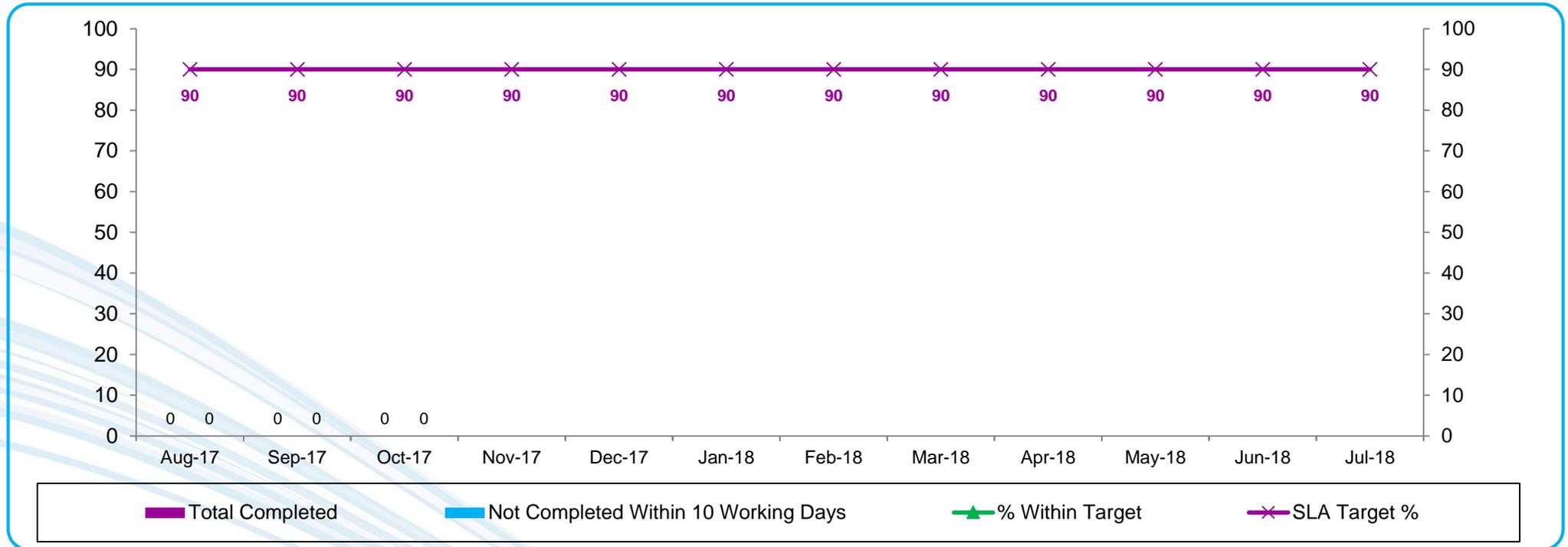
- This chart shows the number of cases and time period for obtaining details of beneficiaries, based on the SLA target.

### SLA Target – Provide an estimate of benefits



- This chart shows the number of cases and time period for issuing an estimate of benefits from receipt of all appropriate information, based on the SLA target.

### SLA Target – Calculate cost of purchasing additional pension and notify scheme member



- This chart shows the number of cases and time period for notifying member of cost of buying additional pension from receipt of request, based on the SLA target.



# NORTHAMPTONSHIRE FIREFIGHTERS' PENSION SCHEME



## LOCAL PENSION BOARD

1 December 2017

Report by: THE HEAD OF PENSIONS

<b>Subject:</b>	<b>Northamptonshire Firefighters' Pension Scheme(s) Draft Risk Register</b>
<b>Purpose of the Report</b>	To present the Northamptonshire Firefighters' Pension Scheme(s) Draft Risk Register to the members of the Local Pension Board
<b>Recommendations</b>	<p>The Local Pension Board are asked to</p> <ol style="list-style-type: none"> <li>1) Approve the risks identified on the Draft Northamptonshire Firefighters' Pension(s) Scheme Risk Register; and</li> <li>2) Consult with the Scheme Manager as to the appropriate risk ratings to be allocated</li> </ol>
<b>Enquiries to:</b>	Name – Joanne Walton – LGSS Pensions Governance and Regulations Manager E-mail – <a href="mailto:jwalton@northamptonshire.gov.uk">jwalton@northamptonshire.gov.uk</a>

### 1. Background

- 1.1 Good governance ensures that there is an appropriate Risk Register in place supported by an appropriate Risk Strategy outlining the approach to managing risk

### 2. The Pensions Regulator's Requirements

- 2.1 The Public Service Pensions Act 2013 added an additional provision to the Pensions Act 2004 relating to the requirements to have internal controls in public service pension schemes. The Pensions Regulator's code of practice guidance on internal controls requires schemes managers to carry out a risk assessment and produce a risk register which should be reviewed regularly.

### 3. The Risk Strategy

- 3.1 In November 2016 the Risk Strategy was approved by the Local Pension Board and from this a risk register needed to be established. The strategy and risk register should be read in conjunction with each other as the strategy sets out the principles of risk management and how the risks are profiled. This profiling is undertaken by using the impact and likeliness tables to determine the gross and residual likelihood and impact on the authority once mitigations are in place.

#### **4. The Northamptonshire Firefighters Pension Scheme(s) Risk Register**

- 4.1 The proposed risk register can be found in appendix 1 of this report and consists of relevant risks to all parties that are responsible for the administration of the Firefighters' Pension Schemes and the operation of the Local Pension Board. The risk register has been produced using The Pension Regulator's template.
- 4.2 At the last meeting of the Local Pension Board the formulation of the Risk Register and how risks should be scored in line with the other, arguably more catastrophic risks faced by Northamptonshire Fire and Rescue Service in their operational duties, was discussed in some detail.
- 4.3 As such, the risk register (appendix one) sets out the risks that the Scheme Manager has in terms of the management of the Firefighters' Pension Schemes with administration currently undertaken by LGSS Pensions and other LGSS services and also the risks faced by the Local Pension Board.
- 4.4 The risk register identifies where a risk belongs to and is in control of by the Scheme Manager, and asks that the Scheme Manager insert details of the relevant tests and controls that they would like to be in place. An example of this type of risk is under the category of administration process failure/maladministration with the control being to have a formal agreement in place with LGSS Pensions, including a SLA.
- 4.5 Risk scores have not been allocated to any of the risks as it was felt at the last meeting of the Local Pension Board that the risks needed to be rated in line with all the risks faced by Northamptonshire Fire and Rescue Service. It is therefore a recommendation of this report that the Scheme Manager consult with the Local Pension Board as to the scores that should be allocated to each of the risks.
- 4.6 The suggested risk scoring has been taken from Northamptonshire County Council's risk impact descriptors and risk analysis table as detailed in the Risk Strategy. The suggested risk scoring matrix is in appendix 2 and the impact descriptors are in appendix 3 of this report.
- 4.7 Should it be decided that Northamptonshire County Council's risk impact descriptors are not appropriate and alternative measures used the Risk Strategy would need amending accordingly.

#### **5. Next Steps**

- 5.1 Once the risks and associated scores have been agreed, the register should be presented for review on a yearly basis unless a significant risk is identified prior to the review date or the rating of a risk requires an amendment. This will be either be reported on during the next meeting or outside of the meeting with the Chairman's approval if deemed appropriate.

#### **6. Finance & Resources Implications**

- 6.1 There are no financial and resource implications associated with this risk register.

## 7. Risk Implications

a) Risk(s) associated with the proposal

<b>Risk</b>	<b>Mitigation</b>	<b>Residual Risk</b>
None	A risk register highlights areas of concern and allows for appropriate mitigations to be put in place.	Green

b) Risk(s) associated with not undertaking the proposal

<b>Risk</b>	<b>Risk Rating</b>
If the authority does not monitor and report risks the authority will not demonstrate that it has appropriate control over the management of the risks it faces	Red

## 8. Communication Implications

<b>Website</b>	Officers will keep the Local Pensions Board updated with changes to the risks.
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## 9. Legal Implications

9.1 Not applicable

## 10. Consultation with Key Advisers

10.1 Not applicable.

## 11. Alternative Options Considered

11.1 Not applicable

## 12. Background Papers

12.1 Not applicable

## 13. Appendices

**Appendix 1 – Draft Risk Register**

**Appendix 2 –Suggested Risk Scoring Matrix**

**Appendix 3 – Suggested Impact Descriptors**

### **Checklist of Key Approvals**

Is this decision included in the Business Plan?	Not applicable
Will further decisions be required? If so, please outline the timetable here	Not applicable
Is this report proposing an amendment to the budget and/or policy framework?	No
Has this report been cleared by Head of Pensions?	Mark Whitby – 20 November 2017

**Appendix 1 – Northamptonshire Fire and Rescue Service – Firefighters’ Pension Scheme(s) Risk Register**  
*(template provided by The Pensions Regulator)*

	Likelihood (1:low, 5: high)	Impact (1:low, 5: high)	Score (likelihood x impact)	Control	Owner	Test	Next review	Comment
<b>Risk area 1 – Operations</b>								
Operational disaster (fire/flood)	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Business continuity plan (BCP) in place for LGSS Pensions.	LGSS Pensions	Up to date and regularly reviewed BCP and disaster recover in place.	Dec 2018	LGSS Pensions have in place a BCP which is regularly reviewed.
				Business continuity plans in place for Scheme Manager.	Scheme Manager		Dec 2018	<i>Northants Fire to insert comment here:</i>
Member data incomplete or inaccurate	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Data to be analysed and a data improvement plan to be implemented.	LGSS Pensions	Resolution of errors highlighted in the data improvement plan.	June 2018	Irregularities and solutions to be reported to the Scheme Manager. Payroll vs Pensions administration and contracted out reconciliation underway.
Administration process failure/ maladministration	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Formal agreement in place with LGSS Pensions, including SLAs.	Chief Fire Officer	<i>Northants Fire to insert comment here:</i>	November 2018	<i>Northants Fire to insert comment here:</i>
				Authority levels clearly agreed and kept up to date with regards to exercising discretions.	Scheme Manager		<i>Northants Fire to insert comment here:</i>	November 2018

	Likelihood (1:low, 5: high)	Impact (1:low, 5: high)	Score (likelihood x impact)	Control	Owner	Test	Next review	Comment
<b>Risk area 2 – Financial</b>								
Officers acting outside of delegated responsibility	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Regular reviews of policy and constitution	Scheme Manager	<i>Northants Fire to insert comment here:</i>	November 2018	<i>Northants Fire to insert comment here: Possibly referring to the Scheme of Delegation</i>
				Appropriate approval measures in place	LGSS Pensions	All calculations checked and appropriate system authority reviewed regularly.	November 2018	LGSS Pensions regularly review the levels of system access and ensure officers are suitably knowledgeable in the subject area to authorise transactions and payments.
<b>Risk area 3 – Funding</b>								
Employer fails to deduct pension contributions	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Monthly monitoring of contribution payments by LGSS Payroll and LGSS Finance	LGSS Payroll / Finance and Scheme Manager	Fully reconciled contributions to be credited to the appropriate account by the 19 <sup>th</sup> of the month following deduction	November 2018	All contributions deducted as necessary and reconciled. Failure to transfer contributions to the appropriate account by the 19 <sup>th</sup> is a breach of the law reportable to the Pensions Regulator.

	Likelihood (1:low, 5: high)	Impact (1:low, 5: high)	Score (likelihood x impact)	Control	Owner	Test	Next review	Comment
<b>Risk area 4 – Regulatory and Compliance</b>								
Failure to interpret legislation correctly	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Up to date and documented evidence of training for Local Pension Board members	LGSS Pensions	Annual assessment undertaken to ensure each member of the Local Pension Board has received appropriate skills and knowledge.	November 2018	Members will receive opportunities to receive training to assist them in their roles including The Pension Regulator toolkit. A Training Strategy is being developed which will details methods and expectations of training.
				Technical advice and updates	LGSS Pensions	Officers of LGSS to update the Scheme Manager and members of the Local Pension Board of any new or amending legislation.	November 2018	Updates received from the responsible authority (Home Office), Scheme Advisory Board and professional advisors. Attendance at the Firefighter Pensions Technical Community meetings (both LGSS staff, Local Pension Board members and Scheme Manager where relevant).

	<b>Likelihood (1:low, 5: high)</b>	<b>Impact (1:low, 5: high)</b>	<b>Score (likelihood x impact)</b>	<b>Control</b>	<b>Owner</b>	<b>Test</b>	<b>Next review</b>	<b>Comment</b>
	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Local Pension Board Annual report	Scheme Manager	To be drafted by Democratic Services each year to report on the activities undertaken by the Local Pension Board.	November 2018	The annual report demonstrates the effectiveness of the Board at fulfilling their roles.
Legal responsibilities	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	Scheme Manager and Local Pension Board members to be aware of their legal responsibilities.	Local Pension Board Members / LGSS Pensions	LGSS Pensions to deliver regular training on legal obligations.	November 2018	Reporting Breaches of the Law to the Pensions Regulator policy is in place as approved by the Local Pension Board.
Conflicts of interest	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	<i>Northants Fire to insert rating here:</i>	All Local Pension Board members to declare any conflicts and potential conflicts	Local Pension Board members / Democrat ic Services	Conflicts of interest must be reported and managed appropriately in line with the Terms of Reference of the Local Pension Board.	November 2018	Conflicts document signed by all Local Pension Board members, recorded in a conflicts register. Any declarations at meetings will be recorded in the minutes.



## Appendix 2 –Suggested Risk Scoring Matrix

Potential impact if risk occurred	<b>5 Catastrophic</b>	5	10	15	20	25
	<b>4 Major</b>	4	8	12	16	20
	<b>3 Moderate</b>	3	6	9	12	15
	<b>2 Minor</b>	2	4	6	8	10
	<b>1 Insignificant</b>	1	2	3	4	5
		<b>1 Rare</b>	<b>2 Unlikely</b>	<b>3 Possible</b>	<b>4 Likely</b>	<b>5 Almost certain</b>
		<b>Likelihood of risk occurring</b>				

Red (risk scores 15 to 25):

Excess of risk appetite

Yellow (risk scores 7 to 14):

Likely to cause some difficulties

Green (risk scores 1 to 6)

Monitor as necessary

### Appendix 3 – Suggested Impact Descriptors

The following descriptors are designed to assist the scoring of the impact of a risk:

	<b>Negligible (1)</b>	<b>Low (2)</b>	<b>Medium (3)</b>	<b>High (4)</b>	<b>Very High (5)</b>
<b>Legal and Regulatory</b>	Minor civil litigation or regulatory criticism	Minor regulatory enforcement	Major civil litigation and/or local public enquiry	Major civil litigation setting precedent and/or national public enquiry	Section 151 or government intervention or criminal charges
<b>Financial</b>	<£0.5m	<£1m	<£5m	<£10m	>£10m
<b>Service provision</b>	Insignificant disruption to service delivery	Minor disruption to service delivery	Moderate direct effect on service delivery	Major disruption to service delivery	Critical long term disruption to service delivery
<b>Reputation</b>	No reputational impact	Minimal negative local media reporting	Significant negative front page reports/editorial comment in the local media	Sustained negative coverage in local media or negative reporting in the national media	Significant and sustained local opposition to policies and/or sustained negative media reporting in national media

**NORTHAMPTONSHIRE  
FIREFIGHTERS'  
PENSION SCHEME**



**LOCAL PENSION BOARD**

**1 December 2017**

**Report by: THE HEAD OF PENSIONS**

<b>Subject:</b>	<b>Northamptonshire Firefighters' Pension Schemes and Firefighters' Compensation Scheme Internal Dispute Resolution Procedures Policy</b>
<b>Purpose of the Report</b>	To present draft suggested documentation in support of the Firefighters' Pension Schemes and Firefighters' Compensation Scheme Internal Dispute Resolutions Procedures policy to the Board and to seek confirmation of the appropriate person(s) to decide any Stage 2 applications.
<b>Recommendations</b>	The Board are asked to – <ol style="list-style-type: none"> <li>1) Consider the report and recommendations made,</li> <li>2) Confirm the appropriate person(s) to decide any Stage 2 applications.</li> <li>3) Approve the draft suggested Internal Dispute Resolutions Procedures documentation presented subject to the necessary amendments being made in relation to 2) above.</li> </ol>
<b>Enquiries to:</b>	Jo Walton, LGSS Pensions Governance and Regulations Manager <a href="mailto:jwalton@northamptonshire.gov.uk">jwalton@northamptonshire.gov.uk</a>

**1. Background**

- 1.1 It is important for Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire to have a policy on the internal dispute resolution procedure to follow for disputes about decisions that do not involve an issue of a medical nature in connection with decisions made on rights under the Firefighters' Pension Scheme 1992, the Firefighters' Pension Scheme 2006, the Firefighters' Pension Scheme 2015 or the Firefighters' Compensation Scheme.
- 1.2 A review of the IDRPs arrangements was requested by the Board at their last meeting and this has now been completed by LGSS Pensions, who have also prepared suggested draft documentation for approval as requested.

**2. Review of IDRPs Arrangements**

- 2.1 In January 2009 the Department for Communities and Local Government (DCLG) issued a Circular, FPSC 1/2009, (attached as Appendix 1) which set out an Internal Dispute Resolution Procedure (IDRP) to be followed for the then Firefighters' Pension Schemes (1992 and 2006) and the Firefighters' Compensation Scheme. This IDRP had been considered by and agreed with the Firefighters' Pension Committee.

2.2 A review of the current wording of the relevant legislation revealed the following:

- The respective Orders and Regulations that make provisions for the 1992, 2006 and 2015 Firefighters' Pension Schemes all state that the scheme manager (Northamptonshire County Council in its role as Fire & Rescue Authority for Northamptonshire) is to deal with pension disagreements that do not involve an issue of a medical nature by means of arrangements implemented by it pursuant to the requirements of section 50 of the Pensions Act 1995 (requirement for dispute resolution arrangements) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. These Orders and Regulations also all stipulate a period of 28 days from receipt of a decision within which a member, prospective member or dependant may raise, in writing, a formal disagreement.
- The Firefighters' Compensation Scheme (England) Order which makes provision for the payment of pensions, allowances and gratuities to and in respect of persons who die or are permanently disabled as the result of an injury sustained or disease contracted while employed by a fire and rescue authority does not contain the same explicit requirement, although it is understood and accepted that Internal Dispute Resolution Procedure arrangements should apply to Firefighters' Compensation Scheme disagreements that do not involve an issue of a medical nature. There is no period from receipt of a decision within which a firefighter or dependant may raise a formal disagreement under an IDRPs stipulated in the Order.
- It is understood that there has been resistance to individual Fire & Rescue Authorities setting their own IDRPs that deviate from that set out in the DCLG's 2009 Circular. The Firefighters' Pension Team at the Local Government Association, the Home Office and the Office of the Pensions Ombudsman are understood to be liaising over potential changes to the IDRPs arrangements as they apply to the Fire Schemes, however it may be some time before this concludes.

### **3. Advice from LGSS Pensions**

- 3.1 Set out in this section is the advice and recommendation of LGSS Pensions as to the IDRPs and associated guides that it is considered by them as appropriate for those firefighters and their dependants affected.
- 3.2 Given that potential changes to the IDRPs arrangements are being considered at national level it is the view of LGSS Pensions that it would be prudent to retain as far as possible the IDRPs as set out in the DCLG's 2009 Circular since this cannot be considered in any way contentious.
- 3.3 The one area where deviation from the process as set out in the Circular is recommended is the timescale for raising an IDRPs application in relation to Firefighters' Pension Scheme 1992 disagreement. Prior to a legislative amendment in July 2013, individuals used to have a period of 6 months within which to raise such disagreements, however this was brought into line with the 28 day timescale stipulated in the Firefighters' Pension Scheme 2006, and this same timescale was replicated in the Firefighters' Pension Scheme 2015 provisions when they were introduced.

- 3.4 There was no similar amendment to the Order relating to the Firefighters' Compensation Scheme, so there is the choice of retaining the 6 month timescale as set out in the Circular, or moving to the 28 day timescale that applies to all of the Firefighters' Pension Schemes for consistency.
- 3.5 Bearing in mind the advice in 3.2 to retain as far as possible the IDRPs as set out in the Circular, the advice of LGSS Pensions is to retain the 6 month timescale for Firefighters' Compensation Scheme matters that do not involve an issue of a medical nature.
- 3.6 Three suggested draft documents are presented for consideration:
- A 2 page guide to IDRPs to accompany decisions under one of the Firefighters' Pension Schemes or the Firefighters' Compensation Scheme,
  - A Full Guide to IDRPs relating to Firefighters' Pension Scheme decisions, and
  - A Full Guide to IDRPs relating to Firefighters' Compensation Scheme decisions
- 3.7 The IDRPs set out in the Circular includes Stage 2 decisions being taken by *"elected members of the fire and rescue authority. The authority may provide for decisions to be taken by or on their behalf by one or more of their number"*. A decision is therefore required on whether Stage 2 applications should be determined by elected members, and if so, how many members should be involved and how they shall be selected, and if not, who shall determine Stage 2 applications.
- 3.8 Bearing in mind the advice in 3.2 to retain as far as possible the IDRPs as set out in the Circular, the advice of LGSS Pensions is to retain the elected member role at Stage 2. There is no specific advice regarding how the elected member(s) should be selected, although perhaps the process should be consistent with that of the Ad Hoc Appointment and Appeals Committee.

#### 4. Risk Implications

- a) Risk(s) associated with the proposal - none
- b) Risk(s) associated with not undertaking the proposal

Risk	Mitigation	Residual Risk
Not having appropriate documentation and processes in place at the point a decision is made that is actually challenged.	This report recommends a process and supporting documentation.	Amber

#### 5. Communication Implications

<b>Website</b>	A statement regarding the policy being, where possible, as set out in the 2009 Circular together with the 3 Guides will be published on the Firefighters' pages on the LGSS Pensions website.
<b>Correspondence</b>	The 2 page guide will be provided with each firefighters' pension scheme or firefighters' compensation scheme decision communicated by LGSS Pensions and the relevant Full Guide will be provided upon request. The documents will also be made available to LGSS HR

Transactions for use in relation to decisions communicated by them.
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**6. Legal Implications**

6.1 None

**7. Consultation with Key Advisers**

7.1 None.

**8. Alternative Options Considered**

8.1 There are no alternative options to be considered as it is good governance to have a policy in place that ensures transparency and equity of treatment. Not having a policy can leave the Fire and Rescue Service open to criticism and unfavourable decisions made by the Pensions Ombudsman.

**9. Background Papers**

Not applicable.

**10. Appendices**

**Appendix 1 – DCLG Circular FPSC 1/2009**

**Appendix 2 – Draft A 2 page guide to IDFP to accompany decisions under one of the Firefighters’ Pension Schemes to the Firefighters’ Compensation Scheme**

**Appendix 3 – Draft A Full Guide to IDRP relating to Firefighters’ Pension Scheme**

**Appendix 4 – Draft A Full Guide to IDRP relating to Firefighters’ Compensation Scheme decisions**

<b>Checklist of Key Approvals</b>	
Has this report been cleared by Head of Pensions?	Mark Whitby – 20 November 2017



## Firefighters' Pension Scheme Circular

<b>Circular Number:</b>	FPSC 1/2009	<b>Date Issued:</b>	02/01/2009
<b>Action:</b>	For Information and Action [Non-statutory guidance]		
<b>Title:</b>	<i>Firefighters' Pension Scheme: INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)</i>		
<b>Issued by:</b>	Martin Hill Local Government and Firefighters' Pensions Division		

<b>Summary:</b>	This circular advises FRAs that IDRP arrangements have been reviewed and changes introduced with the agreement of the Firefighters' Pension Committee to ensure that they continue to meet the requirements of the Pensions Act 1995, as amended.
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<b>Addressed to:</b>	<b>Please Forward to:</b>
The Clerk to the Fire and Rescue Authority	Pension and human resources managers
The Chief Fire Officer	Medical/Occupational health managers
	Scheme members

### Enquiries:

#### **Pensions Team Leader:**

Martin Hill	<a href="mailto:martin.hill@communities.gsi.gov.uk">martin.hill@communities.gsi.gov.uk</a>	020 7944 8641
Andy Boorman	<a href="mailto:andy.boorman@communities.gsi.gov.uk">andy.boorman@communities.gsi.gov.uk</a>	020 7944 8123
Anthony Mooney	<a href="mailto:anthony.mooney@communities.gsi.gov.uk">anthony.mooney@communities.gsi.gov.uk</a>	020 7944 8087

#### **Medical Appeals**

Philip Brown	<a href="mailto:philip.Brown@communities.gsi.gov.uk">philip.Brown@communities.gsi.gov.uk</a>	020 7944 6787
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**General Enquiries:** [firepensions@communities.gsi.gov.uk](mailto:firepensions@communities.gsi.gov.uk)

**Firefighters' Pension Scheme Website:** [www.communities.gov.uk/firepensions](http://www.communities.gov.uk/firepensions)

## **1. Background**

- 1.1 We have reviewed the Internal Dispute Resolution Procedures set out in Fire Service Circular 2/1997 in the light of changes made to section 50 of the Pensions Act 1995 by section 273 of the Pensions Act 2004, as amended by section 16 of the Pensions Act 2007, and the Occupational Pension Schemes (Internal Dispute resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008 (SI 2008/649).
- 1.2 The advice set out in this circular has been agreed with the Firefighters' Pension Committee.
- 1.3 This advice on the procedure for dealing with complaints under the Firefighters' Pension Scheme 1992 (FPS), the New Firefighters' Pension Scheme 2006 (NFPS) and the Firefighters' Compensation Scheme 2006 (FCS) should be followed in all cases where there is a dispute other than appeals lodged under Rule H2 of the FPS, Part 8, rule 4 of the NFPS or Part 6, rule 2 of the FCS, which are exempted under the 2008 Regulations.
- 1.4 Also exempted are matters in respect of which proceedings have been commenced in any court or tribunal, or the Pensions Ombudsman has commenced an investigation in respect of it as a result of a complaint made or a dispute referred to him.
- 1.5 If, after an application for the resolution of a pension dispute has been made, the dispute becomes an exempted dispute under paragraphs 3 and 4 above, the resolution of the dispute under the procedure ceases.

## **2. Who is entitled to make a complaint under IDRP?**

- 2.1 The IDRP are available to the following:
  - (a) a member (active, deferred or pensioner) of the FPS or NFPS,
  - (b) a widow, widower or surviving dependant of a deceased member of the FPS or NFPS,
  - (c) a surviving non-dependant beneficiary of a deceased member of the FPS or NFPS,
  - (d) a prospective member of the scheme,
  - (e) persons who have ceased to be within any of the categories of persons referred to in paragraphs (a) to (d), or
  - (f) persons who claim to be such a person as is mentioned in paragraphs (a) to (e) and the dispute relates to whether he/she is such a person.
- 2.2 As the procedures apply also to disputes relating to the Firefighters' Compensation Scheme 2006, they will be available to those who are entitled to benefits under the Scheme, i.e. optants out of the FPS and NFPS, and retained firefighters employed before 6<sup>th</sup> April 2006 with protected rights.

### **3. Representation**

- 3.1 An application under the IDRPs may be made or continued on behalf of a person who is a party to the dispute:
- (a) where the person dies, by his/her personal representative,
  - (b) where the person is a minor or is otherwise incapable of acting for him/herself, by a member of his/her family or some other person suitable to represent him/her, and
  - (c) in any other case, by a representative nominated by him/her.

### **4. How are IDRPs to be applied to the FPS and NFPS?**

- 4.1 The IDRPs provide recourse for a person mentioned in paragraph 2.1 above who has a complaint relating to their pension, other than matters covered by the medical appeal arrangements in the FPS, NFPS and FCS. The amended arrangements allow for a single stage, although pension schemes have a discretion to make provision for two stages.
- 4.2 It is proposed that two-stage arrangements should be maintained on the following basis:

Stage One: the matters should be considered by the Chief Fire Officer, or a senior manager specified by him/her, who will give a decision in the matters; and

Stage Two: the decision should be confirmed or replaced by the decision of elected members of the fire and rescue authority. The authority may provide for decisions to be taken by or on their behalf by one or more of their number.

### **5. Stage One**

- 5.1 The application for consideration of the dispute should be made in writing, giving details of the complaint. A suggested format is attached at Annex 1.
- 5.2 When an application is received, the Chief Fire Officer, or the person specified by him/her, should acknowledge, and must inform the applicant that the Pensions Advisory Service (TPAS) is available to assist members and beneficiaries of the scheme(s) in connection with any difficulty with the scheme, and give the applicant the contact details of TPAS.
- 5.3 Except in cases referred to in section 3, applications must be made by any person referred to in paragraph 2(a) to (d) above within six months beginning after the date on which the person could have reasonably known about the matter in dispute, or in the case of a person in categories (e) and (f) the person ceased to be a member of the FPS or NFPS. The Chief Fire Officer, or the person specified by him/her, has discretion to accept an application made outside this period.

- 5.4 The exceptions are any determinations by an authority under Part 8, rule 2 of the New Firefighters' Pension Scheme 2006, where rule 5 provides for written notice of any disagreement to be submitted within 28 days of receipt of the determination.
- 5.5 A decision on the application must be notified to the complainant or his representative within two months of receipt of the application or a further letter must be sent explaining the reason for the delay and the expected date of the decision.

## 6. Stage Two

- 6.1 If the complainant is dissatisfied with the decision at Stage One, he or she can apply in writing, not later than six months after the date on which notified of the Stage One decision, for the decision to be reconsidered by the fire and rescue authority. A suggested format is attached at Annex 2.
- 6.2 When an application is received, it should be acknowledged.
- 6.3 A decision must be taken within two months of receipt of the application or a further letter must be sent explaining the reasons for the delay and the expected date of the decision.
- 6.4 The notice of the decision must include a statement that the Pensions Ombudsman appointed under section 145(2) of the Pension Schemes Act 1993 may investigate and determine any complaint or dispute of fact or law, in relation to the schemes, made or referred in accordance with that Act; and contact details

## 7. Pro-formas

- 7.1 To assist fire and rescue authorities, draft application forms and letters for each stage have been prepared and are annexed. Copies will be available on the website at:  
<http://www.communities.gov.uk/fire/working/firefighterpensions/>

*Martin Hill*

**Martin Hill**

**Stage One: Application**

*This application may be submitted by a person (or nominated representative) who is (a) an active, deferred or pensioner member of the Firefighters' Pension Scheme, or the New Firefighters' Pension Scheme; (b) a widow, widower or surviving dependant of a deceased member of the FPS or NFPS; (c) a surviving non-dependant beneficiary of a deceased member of the FPS or NFPS; (d) a prospective member of the NFPS; (e) persons who have ceased to be within any of the categories in (a) to (d); or (f) persons who claim to be a person mentioned in (a) to (e) and the dispute relates to whether he is such a person.*

**To the Chief Fire Officer, ..... Fire and Rescue Authority**

1. I wish to apply for a decision to be made, under section 50 of the Pensions Act 1995, in respect of the disagreement set out in this application.
2. I understand that an application may not be made where, in respect of a disagreement:
  - A notice of appeal has been issued under Rule H2 of the Firefighters' Pension Scheme 1992, Part 8, rule 4 of the New Firefighters' Pension Scheme 2006 or Part 6, rule 2 of the Firefighters' Compensation Scheme 2006 (appeal to a board of medical referees against a decision on an issue of a medical nature), or
  - Proceedings in respect of this dispute have begun in any court or tribunal, or
  - The Pensions Ombudsman has commenced an investigation into a complaint or a dispute referred to him.
3. The nature of the disagreement is set out in the attached page(s).

**Complete in all cases (in Block capitals)**

Full name of Scheme member .....

Role and employment reference .....

Address of Scheme member .....

.....

Member's date of birth ..... Member's National Insurance No. ....

**Complete if complainant is not a Scheme member (in Block Capitals)**

Full name of complainant .....

Address for correspondence .....

.....

Relationship of complainant to Scheme member (if relevant) .....

**Signature of complainant (or representative) .....Date .....**

**Nature of disagreement**

Give a statement of the nature of the disagreement with sufficient details to show why aggrieved. If necessary, continue details on to another page and attach the application form with any supporting documents.

**Signature of complainant (or representative) .....**

**Date .....**

**Stage One: Letter 1**

**Fire and Rescue Service Headed Notepaper**

Dear *(name of complainant)*

**FIREFIGHTERS' PENSION SCHEME/NEW FIREFIGHTERS' PENSION SCHEME/FIREFIGHTERS' COMPENSATION SCHEME (as appropriate):  
PENSIONS ACT 1995, SECTION 50  
Internal Dispute Resolution Procedures: Stage One**

Your application under Section 50 of the Pensions Act 1995 for a decision in respect of a disagreement was received on *(date)*.....

I intend to make a decision on the matters raised by your application within two months from the date the application was received.

If, for any reason, I am unable to issue you with a decision within this time-scale you/and your representative *(complete as appropriate)* will be sent:

an interim reply;

the reasons for the delay; and

an expected date for the issue of the decision.

TPAS (the Pensions Advisory Service) is available to assist members and beneficiaries of pension schemes in connection with any difficulty with the scheme. TPAS can be contacted at: 11 Belgrave Road, London SW1V 1RB, telephone 0845 6012923

Yours sincerely,

(Chief Fire Officer or the person specified by him)

*This acknowledgement letter must be sent, in all cases, where a Stage One application is received from a complainant. If there are problems with the way in which the application has been completed, then this letter should be adapted accordingly.*

*If the application was made by a representative of the complainant, ensure this letter is copied to the representative.*

**Stage One: Letter 2**

**Fire and Rescue Service Headed Notepaper**

Dear *(name of complainant)*

**FIREFIGHTERS' PENSION SCHEME/ NEW FIREFIGHTERS' PENSIONS SCHEME/  
FIREFIGHTERS' COMPENSATION SCHEME (as appropriate):  
PENSIONS ACT 1995, SECTION 50  
Internal Dispute Resolution Procedures: Stage One**

Further to my letter of *(date of issue of IDRPs Stage One: Letter 1)*....., I regret I am not yet in a position to issue you with a decision.

The reasons for the delay are *(reasons)*

I expect to be able to issue you with a decision on *(date)*.

Yours sincerely,

*(Chief Fire Officer or the person specified by him/her)*

*This letter must be sent if a decision cannot be made within two months of receipt of a Stage One application from a complainant.*

*If the application was made by a representative of the complainant, ensure this letter is copied to the representative.*

**Stage One: Letter 3**

***Fire and Rescue Service Headed Notepaper***

Dear *(name of complainant)*

**FIREFIGHTERS' PENSION SCHEME/NEW FIREFIGHTERS' PENSION SCHEME/FIREFIGHTERS' COMPENSATION SCHEME *(as appropriate)*: PENSIONS ACT 1995, SECTION 50  
Internal Dispute Resolution Procedures: Stage One**

I have considered your application received on *(date)*..... for a decision to be made under Section 50 of the Pensions Act 1995 in respect of your disagreement referred to in the application.

My decision is as follows:

*Give a statement of the decision and make reference to any legislation (including the relevant pension or compensation scheme orders) relied upon for the decision and also including, if a discretion has been exercised under the scheme, a reference to the provisions of the scheme under which the discretion is conferred.*

If you are not content with this decision, you have a right to apply for reconsideration of the disagreement by the ..... Fire and Rescue Authority *(complete with appropriate reference to the committee or individuals who will be responsible for Stage 2 consideration)* no later than six months from the date of this notice. A form designed for this purpose can be obtained from .... *(complete as appropriate)*.

TPAS (the Pensions Advisory Service) is available to assist members and beneficiaries of pension schemes in connection with any difficulty with a scheme which remain unresolved. TPAS can be contacted at: 11, Belgrave Road, London, SW1V 1RB; Telephone 0845 6012923

Yours sincerely,

*(Chief Fire Officer or the person specified by him/her)*

*If the application was made by a representative of the complainant, ensure this letter is copied to the representative.*

**Stage Two: Application**

*If a person is dissatisfied with the decision of the Chief Fire Officer or the person specified by him at Stage 1 of the IDRPs, an application may be submitted by that person (or nominated representative) for the decision to be confirmed or replaced by the decision of elected members of the fire and rescue authority. The authority may provide for decisions to be taken by or on their behalf by one or more of their number.*

**To the .....Fire and Rescue Authority**

1. I am applying for reconsideration of the decision of .....made under section 50 of the Pensions Act 1995. I understand that the Fire and Rescue Authority will either confirm the decision or replace it.
2. I understand that an application may not be made where, in respect of the matter:
  - A notice of appeal has been issued under Rule H2 of the Firefighters’ Pension Scheme 1992, Part 8, rule 4 of the New Firefighters’ Pension Scheme 2006 or Part 6, rule 2 of the Firefighters’ Compensation Scheme 2006 (appeal to a board of medical referees against a decision on an issue of a medical nature), or
  - Proceedings in respect of this dispute have begun in any court or tribunal, or
  - The Pensions Ombudsman has commenced an investigation into a complaint or a dispute referred to him.
3. I attach a copy of the notice of the decision referred to in paragraph 1 and a statement of the reason(s) for dissatisfaction with that decision.

**Complete in all cases (in Block capitals)**

Full name of Scheme member .....  
 Role and employment reference .....  
 Address of Scheme member .....  
 .....  
 Member’s date of birth ..... Member’s National Insurance No. ....

**Complete if complainant is not a Scheme member (in Block Capitals)**

Full name of complainant .....  
 Address for correspondence .....  
 .....  
 Relationship of complainant to Scheme member (if relevant) .....  
 Signature of complainant (or representative) ..... Date .....

**Nature of disagreement**

*Give a statement of the nature of the disagreement with the decision made by the Chief Fire Officer or the person specified by him. If necessary, continue details on to another page and attach the application form with any supporting documents.*

**Signature of complainant (or representative) .....**

**Date .....**

## Stage Two: Letter 1

### Fire and Rescue Authority Headed Notepaper

Dear *(name of complainant)*

**FIREFIGHTERS' PENSION SCHEME/NEW FIREFIGHTERS' PENSION SCHEME/FIREFIGHTERS' COMPENSATION SCHEME (as appropriate):  
PENSIONS ACT 1995, SECTION 50  
Internal Dispute Resolution Procedures: Stage Two**

Your application for a reconsideration of a decision dated ..... made under Section 50 of the Pensions Act 1995 by ..... *(complete as appropriate)* was received on .....

The Fire and Rescue Authority or one or more of their number will consider the matters raised by your application and will confirm or replace that decision under Section 50 of the Pensions Act 1995 within two months from the date your application was received.

If, for any reason, the Authority/the members of the Authority (complete as appropriate) are unable to issue you with a decision within this time-scale you/and your representative (complete as appropriate) will be sent:

- an interim reply;
- the reasons for the delay; and
- an expected date for the issue of the decision.

TPAS (the Pensions Advisory Service) is available to assist members and beneficiaries of pension schemes in connection with any difficulty with a scheme which remain unresolved. TPAS can be contacted at: 11, Belgrave Road, London, SW1V 1RB; Telephone 0845 6012923

Yours sincerely,

**Secretary to the Fire and Rescue Authority**

*If the application was made by a representative of the complainant, ensure this letter is copied to the representative.*

**Stage Two: Letter 2**

**Fire and Rescue Authority Headed Notepaper**

Dear *(name of firefighter)*

**FIREFIGHTERS' PENSION SCHEME/NEW FIREFIGHTERS' PENSION SCHEME/FIREFIGHTERS' COMPENSATION SCHEME (as appropriate): PENSIONS ACT 1995, SECTION 50  
Internal Dispute Resolution Procedures: Stage Two**

Further to my letter of ....., I regret *the Fire and Rescue Authority/ members of the Fire and Rescue Authority appointed to consider the matter (as appropriate)* are not yet in a position to issue you with a decision.

The reasons for the delay are (reasons)

The panel expect to be able to issue you with a decision on *(date)*

Yours sincerely,

Secretary to the Fire and Rescue Authority

*This letter must be sent if a decision cannot be made within two months of receipt of a Stage Two application from a complainant.*

*If the application was made by a representative of the complainant, ensure this letter is copied to the representative.*

**Stage two: Letter 3**

**Fire and Rescue Authority Headed Notepaper**

Dear *(name of complainant)*

**FIREFIGHTERS' PENSION SCHEME/NEW FIREFIGHTERS' PENSION SCHEME/FIREFIGHTERS' COMPENSATION SCHEME (as appropriate): PENSIONS ACT 1995, SECTION 50  
Internal Dispute Resolution Procedures: Stage Two**

*The Fire and Rescue Authority/members of the Fire and Rescue Authority (as appropriate) have considered your application received on (date)..... for reconsideration of the disagreement which was the subject of a decision made by the Chief Fire Officer/by the person specified by the Chief Fire Officer (as appropriate) under Section 50 of the Pensions Act 1995, as indicated in the notice of decision dated (date).....*

The decision of the panel, made under Section 50 of the Pensions Act 1995, is as follows:

*Give a statement of the decision and an explanation as to whether, and if so to what extent, that decision either confirms or replaces the decision made by the Chief Fire Officer or the person specified by him/her.*

*Refer to any legislation, including the FPS, NFPS or FCS relied upon for the decision and also including, if a discretion has been exercised under the Scheme, a reference to the provisions of the Scheme under which the discretion is conferred.*

If you remain dissatisfied.

- TPAS (the Pensions Advisory Service) is available to assist members and beneficiaries of pension schemes in connection with any difficulty with a scheme which remain unresolved. TPAS can be contacted at:11 Belgrave Road, London, SW1V 1RB; Telephone 0845 6012923
- the Pensions Ombudsman, appointed under Section 145(2) of the Pension Schemes Act 1993 may investigate and determine any complaint or dispute of fact or law in relation to a scheme made or referred in accordance with that Act. He can be contacted at:11 Belgrave Road, London, SW1V 1RB; Telephone 020 7834 9144

Yours sincerely,

**Secretary to the Fire and Rescue Authority**

*If the application was made by a representative of the complainant, ensure this letter is copied to the representative.*

# CHECKING AND DISPUTING PENSION SCHEME AND/OR COMPENSATION SCHEME DECISIONS MADE BY NORTHAMPTONSHIRE COUNTY COUNCIL IN ITS ROLE AS FIRE & RESCUE AUTHORITY FOR NORTHAMPTONSHIRE



## Introduction

This guide is to help you understand what you need to do now that Northamptonshire County Council, in its role as Fire & Rescue Authority for Northamptonshire has made a decision that affects your rights under one or more of the Firefighters' Pension Schemes or the Firefighters' Compensation Scheme. It details the procedures for settling any disagreement or complaint you may have about this decision that does not involve an issue of a medical nature.

## What is a decision?

From the day you first join as a firefighter to the day that Northamptonshire County Council, in its role as Fire & Rescue Authority for Northamptonshire, is responsible for making a range of decisions that affect your pension benefits and any entitlement under the Compensation Scheme. The fact that you have received this guide means that a decision has just been made. You should have received a letter, or a form, telling you what the decision is, alongside this guide. You may have also received information on specific action you need to take.

## What do I do now?

Check, as far as you can, to see if you think the decision is based on the correct details and that you agree with it. If you are happy please follow any instruction contained in the letter.

If you are unhappy about something that does not involve an issue of a medical nature, you need to start a dispute process – this is a four stage process:

1. An **informal stage**;
2. A **first, formal, stage of the internal dispute resolution procedure (IDRP)**, this is carried out by the Chief Fire Officer;
3. A **second, formal, stage of the IDRP** which is carried out by **xxx elected members of the Fire and Rescue Authority; the Authority may provide for decisions to be taken by or on their behalf by one or more of their number xxx**;
4. A final referral to the **Pensions Ombudsman**. He will not take cases until they have been through both stages of the formal IDRP process.

## How do I start the disputes process?

Start by making an informal enquiry to the person who sent you the letter explaining the decision. Ask them to explain the decision again and why it has been made and, if you still believe the decision is wrong, ask them to change their decision and explain why.

Most problems are, in fact, resolved in this way. They are often caused by misunderstandings, wrong information or human error which can be explained or put right quickly and easily.

### **The informal approach did not work; what next?**

If you remain unhappy with the decision (or the lack of one), and this does not involve an issue of a medical nature, then, under the dispute rules, you have the right to have the decision looked at again by the Chief Fire Officer – this is known as the first, formal stage of IDRPs.

You should now contact the Chief Fire Officer in his role as adjudicator for Stage 1 disputes that do not involve an issue of a medical nature and ask for a full guide to the dispute procedure that applies to the decision you are challenging, which may be in connection with either:

- the Firefighters' Pension Scheme 1992, the Firefighters Pension Scheme 2006 or the Firefighters' Pension Scheme 2015, or
- the Firefighters' Compensation Scheme

A separate full guide to each is available; the guides will give you all of the details you need and explain the process in detail, including what happens if you are unhappy with the first stage IDRPs decision. Each guide also contains an appropriate application form.

There is no charge made for investigating any dispute at any stage under the dispute rules - the only expenses you will have to meet are those of your own (or your representative's) time, stationery and postage.

### **Are there any time limits for my application?**

Yes – if you want to use the dispute procedure you must make your application to the adjudicator within the specified period from the date the decision was notified to you or should have been notified to you; this period is 28 days for Pension Scheme decisions and 6 months for Compensation Scheme decisions.

### **Can I get help to resolve my dispute?**

The Pensions Advisory Service (TPAS) can provide free advice and information to explain your rights and responsibilities. There are a number of ways of contacting them to get information or guidance:

The TPAS Helpline phone number is 0300 123 1047

Lines are open Monday to Friday 9am to 5pm.

The TPAS website <http://www.pensionsadvisoryservice.org.uk/contacting-us>

also offers:

- a live webchat service from Monday to Friday 9am to 6.20pm, and also on Tuesdays from 7pm to 9pm, and
- an online enquiry form.

You can also write to them at:

The Pensions Advisory Service, 11 Belgrave Road, London, SW1V 1RB

### **How do I contact the LGSS Pensions Service?**

LGSS Pensions Service

One Angel Square

4 Angel Street

Northampton

NN1 1ED

Email: [FirePensions@northamptonshire.gov.uk](mailto:FirePensions@northamptonshire.gov.uk)

Tel: 01604 366537

Website: <http://pensions.northamptonshire.gov.uk>

# A GUIDE TO RESOLVING DISPUTES ABOUT A PENSION SCHEME DECISION MADE BY NORTHAMPTONSHIRE COUNTY COUNCIL IN ITS ROLE AS FIRE & RESCUE AUTHORITY FOR NORTHAMPTONSHIRE



## **About this guide**

This guide gives you help on how to resolve disputes in relation to the Firefighters' Pension Schemes relating to disagreements that do not involve an issue of a medical nature. It explains the responsibility of Northamptonshire County Council, in its role as Fire & Rescue Authority for Northamptonshire, and what you need to do.

In the event of any unintentional differences between this guide and the relevant Pension Scheme's Order or Regulations, the Scheme's Rules or Regulations will prevail. This guide does not confer any contractual or statutory rights.

## **Who does this apply to?**

The process applies to you if your rights or liabilities under the Firefighters' Pension Scheme 1992, the Firefighters Pension Scheme 2006 or the Firefighters' Pension Scheme 2015 are affected by a decision made, act or omission by Northamptonshire County Council, in its role as Fire & Rescue Authority for Northamptonshire, which did not involve an issue of a medical nature. This includes, for example:

- a current firefighter who is or has paid into one of the Firefighters' Pension Schemes;
- an ex-firefighter who has a deferred benefit or refund entitlement that has not been paid;
- an ex-firefighter who is entitled to, or is already receiving, a pension;
- a current firefighter who has not yet joined one of the Firefighters' Pension Schemes but is, or believes they are, entitled to join;
- a pension credit member;
- a dependant of one of the above who is, or believes they are, entitled to pension benefits on the death of the member.

## **Decisions – your right to notification**

Northamptonshire County Council in its role as Fire & Rescue Authority for Northamptonshire is responsible for making a range of decisions that affect your pension benefits. This starts from the day you first join as a firefighter and only ends when there are no more benefits to be paid. When these decisions are made you should be told about them, along with details as to how and why that decision was made. At the same time you should be told how to find out further information about the decision and how to dispute it.

When you (this includes dependants) are notified of a decision you should check, as far as you can, that it is based on the correct details and that you agree with the decision. If you do not agree this guide is for you.

## **What do I do if I disagree with the decision?**

If you are not satisfied a correct decision has been made about your pension rights you have a right to have the decision looked at again and corrected if necessary. You also have a right to use the procedure if you think a decision should have been made by Northamptonshire County Council in its role as Fire & Rescue Authority for Northamptonshire but it has not been.

You can ask someone to take your dispute forward on your behalf. This could be, for instance, a trade union official, welfare officer, your husband, wife or partner, or a friend.

The disputes process is a four stage process:

- An **informal stage** – here decisions can be explained or errors corrected that have been caused by misunderstandings, wrong information or human error;
- The **first stage of the formal internal dispute resolution procedure (IDRP)** - this is carried out by the Chief Fire Officer.
- The **second stage of the formal internal dispute resolution procedure** - this is carried out by **xxx elected members of the Fire and Rescue Authority; the Authority may provide for decisions to be taken by or on their behalf by one or more of their number xxx.**
- Finally, if you are still not satisfied a correct decision has been made you can refer your case to the **Pensions Ombudsman**. He will not take cases until they have been through both formal stages of the IDRP process.

These stages are looked at in more depth later.

No charge is made at any stage for investigating a dispute. You will have to meet your own (and/or your representative's) expenses for time, stationery, postage, telephone calls and any independent advice.

**Please note: The IDRP process is for disputing pensions decisions that do not involve an issue of a medical nature – for example which Scheme you are an active member of and the rate of employee contribution that applies. If your dispute relates to an employment decision – for example the fact that you have been dismissed - you need to make use of Authority's employment appeals process, and if it relates to an issue of a medical nature a separate process is available for challenging that.**

## **Getting help to resolve your dispute**

At any time, if you are having difficulties in sorting out your dispute, you may wish to contact The Pensions Advisory Service (TPAS) for help. TPAS can provide free advice and information to explain your rights and responsibilities.

A TPAS adviser cannot force a pension scheme to take a particular step but, if they think your dispute is justified, they will try to resolve the problem through conciliation and mediation.

There are a number of ways of contacting TPAS to get information or guidance:

Their Helpline phone number is 0300 123 1047

Lines are open Monday to Friday 9am to 5pm.

Their website <http://www.pensionsadvisoryservice.org.uk/contacting-us>

also offers:

- a live webchat service from Monday to Friday 9am to 6.20pm, and also on Tuesdays from 7pm to 9pm, and
- an online enquiry form.

You can also write to them at:

The Pensions Advisory Service, 11 Belgrave Road, London, SW1V 1RB

## **RAISING AN INFORMAL ENQUIRY**

Many issues are caused by misunderstandings, wrong information or human error. These can be quickly corrected or explained by informal contact with the person who has made the decision you are disputing.

You are not required to do this but it is recommended. An informal enquiry of this kind may save you a lot of time and trouble. If an error has been made it should be dealt with as quickly and efficiently as possible. Most problems that members have are, in fact, resolved in this way.

Any query of this sort should first be directed to the person who has informed you of the decision – you would expect to find their contact details in the written notification you have been sent informing you of the decision. If you require a further technical explanation of a decision please feel free to contact the LGSS Pensions Service.

## **FIRST STAGE OF THE INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)**

If you are not satisfied by the response to your informal enquiry you need to start the formal IDRP process.

**To do this you need to put the details of your dispute in writing within 28 days of the day when you were told of the decision you want to dispute.**

Use the application form, IDRPFPS1, in this guide to ensure you provide all of the required basic information. To the IDRPFPS1 you should then attach:

- a copy of the relevant decision notice;
- details of why you are disputing the decision; and
- any supporting information.

In preparing information please be specific on what you are actually disputing and why you believe it is incorrect. You should focus on the pension decision that has been made.

Once completed your application should be sent to the Chief Fire Officer, who is the adjudicator for Stage 1 disputes. We recommend that your application is sent by recorded delivery so that you are certain it has been received.

Once the adjudicator has received your dispute they should consider it carefully. The adjudicator may ask you, your managers or others involved in your case for further information.

You should receive a full written response within two months or an interim response telling you when to expect a full response.

## **Notification of a First Stage Decision**

Once the Chief Fire Officer has reached a decision they will tell you their decision in writing. This decision notification should:

- Be clear about the issue they have considered;
- Inform you of the decision itself;
- Detail the evidence received and considered;
- Detail any Scheme Rules or Regulations considered, and the reasons for the decision;
- If the decision is based on a discretionary power contained in a policy made by Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, a copy of the policy or the relevant part of it, and a reference to the Scheme Rule or Regulation that allows the policy;
- Provide details of the second stage of the IDRP process.

## **What happens next?**

The decision letter will inform you of what should happen next. There are two likely options:

- The adjudicator has upheld the original decision and that decision will continue to apply. You have to decide if you will escalate your dispute to the second stage of the IDRPFPS; or
- The adjudicator has decided part or all of the original decision is incorrect and has amended the decision. Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, will now have to deal with your case in accordance with the adjudicator's decision; If you are still not happy with the decision you will need to decide if you will escalate your dispute to the second stage of the IDRPFPS;

### **SECOND STAGE INTERNAL DISPUTE RESOLUTION PROCEDURE**

You can ask Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, to take a fresh look at your dispute in any of the following circumstances:

- you are not satisfied with the adjudicator's first-stage decision,
- you have not received a decision or an interim letter from the adjudicator, and it is 3 months since your lodged your dispute,
- it is one month after the date by which the adjudicator told you (in an interim response) that they would give you a decision, and you have still not received that decision.

This will be done by **xxx one or more elected members acting on behalf of Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire xxx.**

**To do this you need to put the details of your dispute in writing within the time limits set out in the attached table.**

Use the application form, IDRPFPS2, to ensure you provide all of the required basic information. You should then attach:

- a copy of the relevant decision notice;
- details of why you are disputing the original decision (a copy of the information you provided for the first stage will be sufficient unless you wish to provide further information);
- details of why you are disputing the first stage decision; and
- any supporting information.

As in the first stage please be specific on what you are actually disputing and why you believe it is incorrect.

Once completed your application should be sent to:

**The Chief Fire Officer, Northamptonshire County Council, Fire and Rescue Service,  
Wootton Hall Park, Mereway, Northampton, NN4 8BW**

We recommend that your application is sent by recorded delivery so that you are certain it has been received.

Once the The Chief Fire Officer has received your dispute, appropriate details will be gathered and forwarded to the relevant elected member(s) of Northamptonshire County Council, who will consider it carefully. In particular they will:

- reconsider the decision, taking full account of the facts of the case and of any evidence submitted, or relied on, by either party in the determination at Stage 1;
- check that the Scheme Rules or Regulations were applied correctly;
- check that sound, impartial procedures were used to reach the decision. This is particularly important where the dispute concerns the exercise of a discretion by Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire;
- satisfy themselves that the first stage decision was reasonable and consistent with other decisions, and that it would stand up to external scrutiny.

As for the first stage you will be given the decision in writing.

### **What happens next**

The decision letter will inform you that either:

- The elected member(s) has/have upheld the original decision and that decision will apply. You have to decide if you will escalate your dispute to the Pensions Ombudsman; or
- The elected member(s) has/have decided part or all of the original decision is incorrect and has/have amended the decision. Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, will now have to deal with your case in accordance with the new decision; if you are still not happy with the decision you will need to decide if you will escalate your dispute to the Pensions Ombudsman.

### **PENSIONS OMBUDSMAN**

If you are still unhappy following the second stage decision, you can take your case to the Pensions Ombudsman provided you do so within 3 years from the date of the original decision (or lack of a decision) which you are disputing or within 3 years of when you first became aware of the problem.

The Ombudsman investigates complaints and settles disputes about pension schemes. However, before contacting the Ombudsman, the Pensions Ombudsman's Office would normally expect you to have:

- been given first-stage and second-stage internal dispute resolution procedure decisions by Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire; and
- sought the help of The Pensions Advisory Service.

The Pensions Ombudsman is completely independent and acts as an impartial adjudicator. The role and powers have been decided by Parliament. There is no charge for using the Pensions Ombudsman's services.

The Ombudsman cannot investigate matters where legal proceedings have already started but he can settle disputes about matters of fact or law as they affect occupational pension schemes.

The Pensions Ombudsman can also investigate and decide upon any complaint or dispute about the maladministration of a pension scheme. "Maladministration" is about the way that a decision is taken, rather than about the merits of the decision. Examples of maladministration would be unreasonable delay, neglect, giving wrong information and discrimination.

The Ombudsman's decision is final and binding for all parties, subject to any appeal made to the High Court on a point of law.

The Ombudsman is at the same address as The Pensions Advisory Service:

The Pensions Ombudsman, 11 Belgrave Road, London, SW1V 1RB

Tel: 020 7630 2200

Email: [enquiries@pensions-ombudsman.org.uk](mailto:enquiries@pensions-ombudsman.org.uk)

Website: <http://www.pensions-ombudsman.org.uk>

### **CONTACTING THE LGSS PENSIONS SERVICE**

Please contact the Pensions Service if you:

- are not sure which benefits you are entitled to;
- have a problem with your benefits;
- need an explanation of a decision;
- need more information about the disputes process.

LGSS Pensions Service, One Angel Square, Angel Street, Northampton, NN1 1ED

Telephone: (01604) 366537

Email: [FirePensions@northamptonshire.gov.uk](mailto:FirePensions@northamptonshire.gov.uk)

Website: <http://pensions.northamptonshire.gov.uk>

## Time limits under the Internal Dispute Resolution Procedure

<b>Your situation</b>	<b>To contact</b>	<b>Time Limit</b>
You have received a decision on your benefits under the pension scheme, and there seem to be good grounds for a dispute.	The Chief Fire Officer as the Stage 1 adjudicator.	28 days from the date when you were notified of the decision
You have received a first stage decision on your dispute from the adjudicator, but you are not satisfied.	The Chief Fire Officer to escalate to a second stage dispute.	6 months from the date of the Stage 1 adjudicator's decision
You made your dispute in writing to the adjudicator, with all the information they needed but, 2 months after it was received, you have not received their decision on your dispute or any interim reply.	The Chief Fire Officer to escalate to a second stage dispute.	3 months from the date when you submitted your dispute.
You received an interim reply to your dispute to the adjudicator, within 2 months of applying to them. Their reply promised you a decision by a specified date but the expected decision date has passed and you still have not received their decision.	The Chief Fire Officer to escalate to a second stage dispute.	3 months from the date by which you were promised you would receive a decision
Your dispute is that Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire has failed to make any decision about your benefits under the pension scheme	The Chief Fire Officer as the Stage 1 adjudicator.	28 days from the date when Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire should have made the decision.
Your dispute went to Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire under the second stage of the procedure. You received their decision but you are still not satisfied.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked The Pensions Advisory Service for help first.	3 years from the date of the original decision about which you are complaining.
You have taken your dispute to Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire under the second stage of the procedure but, 2 months after your dispute was received by them, you have not received their decision on your dispute or any interim reply.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked The Pensions Advisory Service for help first.	3 years from the date of the original decision about which you are complaining.
You received an interim reply to your second stage dispute to Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire, within 2 months of applying to them. Their reply promised you a decision by a specified date but the expected decision date has passed and you still have not received their decision.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked The Pensions Advisory Service for help first.	3 years from the date of the original decision about which you are complaining.



# **Firefighters' Pension Schemes**

## **IDRPFPS1 - STAGE 1 APPLICATION UNDER THE INTERNAL DISPUTE RESOLUTION PROCEDURE**

You should use this form to apply to the adjudicator at **stage 1** of the internal dispute resolution procedure if you want them to investigate a dispute concerning your pension.

**Please write clearly in ink, and use capital letters in sections 1, 2 and 3.**

### **Section 1 Member's Details**

If you are the member (the person who is or was in the Scheme), or a prospective member (a person who is eligible to be a member of the Scheme), please give your details in this Section. You can then go straight to Section 4.

If you are the member's dependant (for example, their husband, wife or child), please give the member's details in this Section, and then go to Section 2.

If you are representing the person with the complaint, please give the member's details in this Section, and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Employer: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

### **Section 2 Dependant's Details**

If you are the member's dependant and the complaint is about a benefit for you, please give **your** details in this Section and then go to Section 4.

If the complaint is about a benefit for a dependant and you are the dependant's representative, please give the dependant's details in this Section and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Relationship to member: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

### **Section 3 Representative's Details**

If you are the member's or dependant's representative, please give your details in this Section and then go to Section 4.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_

## Section 4 Your Complaint

Please summarise your complaint in this Section and then, on an attached sheet, give details of exactly why you are unhappy.

## Section 5 Your Signature

I would like my complaint relating to the 1992 / 2006 / 2015\* Firefighters' Pension Scheme to be considered and a decision to be made about it.

\* Delete words as appropriate

I am a:

Scheme member / former member / prospective member \*\*

Dependant of a former member \*\*

Member's representative / dependant's representative \*\*

\*\* Tick one box and delete words as appropriate

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**Please enclose a copy of any notification of the decision you are complaining about which has been issued by or on behalf of Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire.**

Also enclose any other letter or notification that you think might be helpful.

The information which is collected on this form will be held and processed in line with the Data Protection Act. The information will be shared between Cambridgeshire and Northamptonshire County Councils for the purposes of pensions administration.

# **Firefighters' Pension Schemes**

## **IDRPFPS2 - STAGE 2 APPLICATION UNDER THE INTERNAL DISPUTE RESOLUTION PROCEDURE**

You should use this form to apply to the adjudicator at **stage 2** of the internal dispute resolution procedure if you want them to investigate a dispute concerning your pension, having been through stage 1 of the process.

**Please write clearly in ink, and use capital letters in sections 1, 2 and 3.**

### **Section 1 Member's Details**

If you are the member (the person who is or was in the Scheme), or a prospective member (a person who is eligible to be a member of the Scheme), please give your details in this Section. You can then go straight to Section 4.

If you are the member's dependant (for example, their husband, wife or child), please give the member's details in this Section, and then go to Section 2.

If you are representing the person with the complaint, please give the member's details in this Section, and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Employer: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

### **Section 2 Dependant's Details**

If you are the member's dependant and the complaint is about a benefit for you, please give **your** details in this Section and then go to Section 4.

If the complaint is about a benefit for a dependant and you are the dependant's representative, please give the dependant's details in this Section and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Relationship to member: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

### **Section 3 Representative's Details**

If you are the member's or dependant's representative, please give your details in this Section and then go to Section 4.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_

## Section 4 Your Complaint

Please summarise your complaint in this Section and then, on an attached sheet, give details of exactly why you are unhappy.

## Section 5 Your Signature

I would like my complaint relating to the 1992 / 2006 / 2015\* Firefighters' Pension Scheme to be considered and a decision to be made about it.

\* Delete words as appropriate

I am a:

Scheme member / former member / prospective member \*\*

Dependant of a former member \*\*

Member's representative / dependant's representative \*\*

\*\* Tick one box and delete words as appropriate

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**Please enclose a copy of any notification of the decision you are complaining about which has been issued by or on behalf of Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire.**

Also enclose any other letter or notification that you think might be helpful.

The information which is collected on this form will be held and processed in line with the Data Protection Act. The information will be shared between Cambridgeshire and Northamptonshire County Councils for the purposes of pensions administratio



# A GUIDE TO RESOLVING DISPUTES ABOUT A COMPENSATION SCHEME DECISION MADE BY NORTHAMPTONSHIRE COUNTY COUNCIL IN ITS ROLE AS FIRE & RESCUE AUTHORITY FOR NORTHAMPTONSHIRE



## **About this guide**

This guide gives you help on how to resolve disputes in relation to the Firefighters' Compensation Scheme relating to disagreements that do not involve an issue of a medical nature. It explains the responsibility of Northamptonshire County Council, in its role as Fire & Rescue Authority for Northamptonshire, and what you need to do.

In the event of any unintentional differences between this guide and the Rules of the Firefighters' Compensation Scheme (England) Order 2006, the Scheme's Rules will prevail. This guide does not confer any contractual or statutory rights.

## **Who does this apply to?**

The process applies to you if your rights or liabilities under the Firefighters' Compensation Scheme are affected by a decision made, act or omission by Northamptonshire County Council, in its role as Fire & Rescue Authority for Northamptonshire, which did not involve an issue of a medical nature. This includes, for example:

- a current or former firefighter who is or believes they are entitled to an award under the terms of the Firefighters' Compensation Scheme;
  - a dependant of a former firefighter who is or believes they are entitled to an award under the terms of the Firefighters' Compensation Scheme on the death of the firefighter.

## **Decisions – your right to notification**

Northamptonshire County Council in its role as Fire & Rescue Authority for Northamptonshire is responsible for making a range of decisions in connection with the Firefighters' Compensation Scheme. When these decisions are made you should be told about them, along with details as to how and why that decision was made. At the same time you should be told how to find out further information about the decision and how to dispute it.

When you (this includes dependants) are notified of a decision you should check, as far as you can, that it is based on the correct details and that you agree with the decision. If you do not agree this guide is for you.

## **What do I do if I disagree with the decision?**

If you are not satisfied a correct decision has been made about your Compensation Scheme rights, that does not involve an issue of a medical nature, you have a right to have the decision looked at again and corrected if necessary. You also have a right to use the procedure if you think a decision should have been made by Northamptonshire County Council in its role as Fire & Rescue Authority for Northamptonshire but it has not been.

You can ask someone to take your dispute forward on your behalf. This could be, for instance, a trade union official, welfare officer, your husband, wife or partner, or a friend.

The disputes process is a four stage process:

- An **informal stage** – here decisions can be explained or errors corrected that have been caused by misunderstandings, wrong information or human error;
- The **first stage of the formal internal dispute resolution procedure (IDRP)** - this is carried out by the Chief Fire Officer.
- The **second stage of the formal internal dispute resolution procedure** - this is carried out by **xxx elected members of the fire and rescue authority; the authority may provide for decisions to be taken by or on their behalf by one or more of their number xxx.**
- Finally, if you are still not satisfied a correct decision has been made you can refer your case to the **Pensions Ombudsman**. He will not take cases until they have been through both formal stages of the IDRP process.

These stages are looked at in more depth later.

No charge is made at any stage for investigating a dispute. You will have to meet your own (and/or your representative's) expenses for time, stationery, postage, telephone calls and any independent advice.

**Please note: The IDRP process is for disputing decisions that do not involve an issue of a medical nature. If your dispute relates to an employment decision – for example the fact that you have been dismissed - you need to make use of authority's employment appeals process, and if it relates to an issue of a medical nature a separate process is available for challenging that.**

## **Getting help to resolve your dispute**

At any time, if you are having difficulties in sorting out your dispute, you may wish to contact The Pensions Advisory Service (TPAS) for help. TPAS can provide free advice and information to explain your rights and responsibilities.

A TPAS adviser cannot force a Fire & Rescue Authority to take a particular step but, if they think your dispute is justified, they will try to resolve the problem through conciliation and mediation.

There are a number of ways of contacting TPAS to get information or guidance:

Their Helpline phone number is 0300 123 1047

Lines are open Monday to Friday 9am to 5pm.

Their website <http://www.pensionsadvisoryservice.org.uk/contacting-us>

also offers:

- a live webchat service from Monday to Friday 9am to 6.20pm, and also on Tuesdays from 7pm to 9pm, and
- an online enquiry form.

You can also write to them at:

### **RAISING AN INFORMAL ENQUIRY**

Many issues are caused by misunderstandings, wrong information or human error. These can be quickly corrected or explained by informal contact with the person who has made the decision you are disputing.

You are not required to do this but it is recommended. An informal enquiry of this kind may save you a lot of time and trouble. If an error has been made it should be dealt with as quickly and efficiently as possible. Most problems that firefighters have are, in fact, resolved in this way.

Any query of this sort should first be directed to the person who has informed you of the decision – you would expect to find their contact details in the written notification you have been sent informing you of the decision. If you require a further technical explanation of a decision please feel free to contact the LGSS Pensions Service.

### **FIRST STAGE OF THE INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)**

If you are not satisfied by the response to your informal enquiry you need to start the formal IDRP process.

**To do this you need to put the details of your dispute in writing within 6 months of the day when you were told of the decision you want to dispute.**

Use the application form, IDRPFCS1, in this guide to ensure you provide all of the required basic information. To the IDRPFCS1 you should then attach:

- a copy of the relevant decision notice;
- details of why you are disputing the decision; and
- any supporting information.

In preparing information please be specific on what you are actually disputing and why you believe it is incorrect. You should focus on the Firefighters' Compensation Scheme decision that has been made.

Once completed your application should be sent to the Chief Fire Officer, who is the adjudicator for Stage 1 disputes. We recommend that your application is sent by recorded delivery so that you are certain it has been received.

Once the adjudicator has received your dispute they should consider it carefully. The adjudicator may ask you, your managers or others involved in your case for further information.

You should receive a full written response within two months or an interim response telling you when to expect a full response.

### **Notification of a First Stage Decision**

Once the Chief Fire Officer has reached a decision they will tell you their decision in writing. This decision notification should:

- Be clear about the issue they have considered;
- Inform you of the decision itself;
- Detail the evidence received and considered;

- Detail any Scheme Rules considered, and the reasons for the decision;
- If the decision is based on a discretionary power contained in a policy made by Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, a copy of the policy or the relevant part of it, and a reference to the Scheme Rule that allows the policy;
- Provide details of the second stage of the IDR process.

### **What happens next?**

The decision letter will inform you of what should happen next. There are two likely options:

- The adjudicator has upheld the original decision and that decision will continue to apply. You have to decide if you will escalate your dispute to the second stage of the IDR; or
- The adjudicator has decided part or all of the original decision is incorrect and has amended the decision. Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, will now have to deal with your case in accordance with the adjudicator's decision; If you are still not happy with the decision you will need to decide if you will escalate your dispute to the second stage of the IDR;

### **SECOND STAGE INTERNAL DISPUTE RESOLUTION PROCEDURE**

You can ask Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, to take a fresh look at your dispute in any of the following circumstances:

- you are not satisfied with the adjudicator's first-stage decision,
- you have not received a decision or an interim letter from the adjudicator, and it is 3 months since you lodged your dispute,
- it is one month after the date by which the adjudicator told you (in an interim response) that they would give you a decision, and you have still not received that decision.

This will be done by **xxx one or more elected members acting on behalf of Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire xxx**.

**To do this you need to put the details of your dispute in writing within the time limits set out in the attached table.**

Use the application form, **IDRPFCS2**, to ensure you provide all of the required basic information. You should then attach:

- a copy of the relevant decision notice;
- details of why you are disputing the original decision (a copy of the information you provided for the first stage will be sufficient unless you wish to provide further information);
- details of why you are disputing the first stage decision; and
- any supporting information.

As in the first stage please be specific on what you are actually disputing and why you believe it is incorrect.

Once completed your application should be sent to:

**The Chief Fire Officer, Northamptonshire County Council, Fire and Rescue Service,  
Wootton Hall Park, Mereway, Northampton, NN4 8BW**

We recommend that your application is sent by recorded delivery so that you are certain it has been received.

Once the The Chief Fire Officer has received your dispute, appropriate details will be gathered and forwarded to the relevant elected member(s) of Northamptonshire County Council, who will consider it carefully. In particular they will:

- reconsider the decision, taking full account of the facts of the case and of any evidence submitted, or relied on, by either party in the determination at Stage 1;
- check that the Scheme Rules were applied correctly;
- check that sound, impartial procedures were used to reach the decision. This is particularly important where the dispute concerns the exercise of a discretion by Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire;
- satisfy themselves that the first stage decision was reasonable and consistent with other decisions, and that it would stand up to external scrutiny.

As for the first stage you will be given the decision in writing.

### **What happens next**

The decision letter will inform you that either:

- The elected member(s) has/have upheld the original decision and that decision will apply. You have to decide if you will escalate your dispute to the Pensions Ombudsman; or
- The elected member(s) has/ have decided part or all of the original decision is incorrect and have amended the decision. Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire, will now have to deal with your case in accordance with the new decision; if you are still not happy with the decision you will need to decide if you will escalate your dispute to the Pensions Ombudsman.

### **PENSIONS OMBUDSMAN**

If you are still unhappy following the second stage decision, you can take your case to the Pensions Ombudsman provided you do so within 3 years from the date of the original decision (or lack of a decision) which you are disputing or within 3 years of when you first became aware of the problem.

The Ombudsman investigates complaints and settles disputes about pension schemes. However, before contacting the Ombudsman, the Pensions Ombudsman's Office would normally expect you to have:

- been given first-stage and second-stage internal dispute resolution procedure decisions by Northamptonshire County Council, as the Fire & Rescue Authority for Northamptonshire; and
- sought the help of The Pensions Advisory Service.

The Pensions Ombudsman is completely independent and acts as an impartial adjudicator. The role and powers have been decided by Parliament. There is no charge for using the Pensions Ombudsman's services.

The Ombudsman cannot investigate matters where legal proceedings have already started but he can settle disputes about matters of fact or law as they affect occupational pension schemes.

The Pensions Ombudsman can also investigate and decide upon any complaint or dispute about the maladministration of a pension scheme. "Maladministration" is about the way that a decision is taken, rather than about the merits of the decision. Examples of maladministration would be unreasonable delay, neglect, giving wrong information and discrimination.

The Ombudsman's decision is final and binding for all parties, subject to any appeal made to the High Court on a point of law.

The Ombudsman is at the same address as TPAS:

The Pensions Ombudsman, 11 Belgrave Road, London, SW1V 1RB

Tel: 020 7630 2200

Email: [enquiries@pensions-ombudsman.org.uk](mailto:enquiries@pensions-ombudsman.org.uk)

Website: <http://www.pensions-ombudsman.org.uk>

### **CONTACTING THE LGSS PENSIONS SERVICE**

Please contact the Pensions Service if you:

- are not sure which benefits you are entitled to;
- have a problem with your benefits;
- need an explanation of a decision;
- need more information about the disputes process.

LGSS Pensions Service, One Angel Square, Angel Street, Northampton, NN1 1ED

Telephone: (01604) 366537

Email: [FirePensions@northamptonshire.gov.uk](mailto:FirePensions@northamptonshire.gov.uk)

Website: <http://pensions.northamptonshire.gov.uk>

## Time limits under the Internal Dispute Resolution Procedure

<b>Your situation</b>	<b>To contact</b>	<b>Time Limit</b>
You have received a decision on your benefits under the Compensation Scheme, and there seem to be good grounds for a dispute.	The Chief Fire Officer as the Stage 1 adjudicator.	6 months from the date when you were notified of the decision
You have received a first stage decision on your dispute from the adjudicator, but you are not satisfied.	The Chief Fire Officer to escalate to a second stage dispute.	6 months from the date of the Stage 1 adjudicator's decision
You made your dispute in writing to the adjudicator, with all the information they needed but, 2 months after it was received, you have not received their decision on your dispute or any interim reply.	The Chief Fire Officer to escalate to a second stage dispute.	3 months from the date when you submitted your dispute.
You received an interim reply to your dispute to the adjudicator, within 2 months of applying to them. Their reply promised you a decision by a specified date but the expected decision date has passed and you still have not received their decision.	The Chief Fire Officer to escalate to a second stage dispute.	3 months from the date by which you were promised you would receive a decision
Your dispute is that Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire has failed to make any decision about your benefits under the pension scheme	The Chief Fire Officer as the Stage 1 adjudicator.	6 months from the date when Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire should have made the decision.
Your dispute went to Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire under the second stage of the procedure. You received their decision but you are still not satisfied.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked The Pensions Advisory Service for help first.	3 years from the date of the original decision about which you are complaining.
You have taken your dispute to Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire under the second stage of the procedure but, 2 months after your dispute was received by them, you have not received their decision on your dispute or any interim reply.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked The Pensions Advisory Service for help first.	3 years from the date of the original decision about which you are complaining.
You received an interim reply to your second stage dispute to Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire, within 2 months of applying to them. Their reply promised you a decision by a specified date but the expected decision date has passed and you still have not received their decision.	The Pensions Ombudsman. Note that the Ombudsman will normally expect you to have asked The Pensions Advisory Service for help first.	3 years from the date of the original decision about which you are complaining.



# **Firefighters' Compensation Scheme**

## **IDRPFCS1 - STAGE 1 APPLICATION UNDER THE INTERNAL DISPUTE**

### **RESOLUTION PROCEDURE**

You should use this form to apply to the adjudicator at **stage 1** of the internal dispute resolution procedure if you want them to investigate a dispute concerning a Compensation Scheme decision that does not involve an issue of a medical nature.

**Please write clearly in ink, and use capital letters in sections 1, 2 and 3.**

#### **Section 1 Firefighter's Details**

If you are the firefighter who is or was subject to the Compensation Scheme, please give your details in this Section. You can then go straight to Section 4.

If you are the firefighter's dependant (for example, their husband, wife or child), please give the firefighter's details in this Section, and then go to Section 2.

If you are representing the person with the complaint, please give the firefighter's details in this Section, and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Employer: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

#### **Section 2 Dependant's Details**

If you are the firefighter's dependant and the complaint is about a benefit for you, please give **your** details in this Section and then go to Section 4.

If the complaint is about a benefit for a dependant and you are the dependant's representative, please give the dependant's details in this Section and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Relationship to firefighter: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

#### **Section 3 Representative's Details**

If you are the firefighter's or dependant's representative, please give your details in this Section and then go to Section 4.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_

Post Code: \_\_\_\_\_

## Section 4 Your Complaint

Please summarise your complaint in this Section and then, on an attached sheet, give details of exactly why you are unhappy.

## Section 5 Your Signature

I would like my complaint relating to the Firefighters' Compensation Scheme to be considered and a decision to be made about it.

I am a:

- firefighter / former firefighter \*
- Dependant of a former firefighter \*
- Firefighter's representative / dependant's representative \*

\* Tick one box and delete words as appropriate

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**Please enclose a copy of any notification of the decision you are complaining about which has been issued by or on behalf of Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire.**

Also enclose any other letter or notification that you think might be helpful.

The information which is collected on this form will be held and processed in line with the Data Protection Act. The information will be shared between Cambridgeshire and Northamptonshire County Councils for the purposes of pensions administration.

# **Firefighters' Compensation Scheme**

## **IDRPFCS2 - STAGE 2 APPLICATION UNDER THE INTERNAL DISPUTE**

### **RESOLUTION PROCEDURE**

You should use this form to apply to the adjudicator at **stage 2** of the internal dispute resolution procedure if you want them to investigate a dispute concerning a Compensation Scheme decision that does not involve an issue of a medical nature, having been through stage 1 of the process.

**Please write clearly in ink, and use capital letters in sections 1, 2 and 3.**

#### **Section 1 Firefighter's Details**

If you are the firefighter who is or was subject to the Compensation Scheme, please give your details in this Section. You can then go straight to Section 4.

If you are the firefighter's dependant (for example, their husband, wife or child), please give the firefighter's details in this Section, and then go to Section 2.

If you are representing the person with the complaint, please give the firefighter's details in this Section, and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Employer: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

#### **Section 2 Dependant's Details**

If you are the firefighter's dependant and the complaint is about a benefit for you, please give **your** details in this Section and then go to Section 4.

If the complaint is about a benefit for a dependant and you are the dependant's representative, please give the dependant's details in this Section and then go to Section 3.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Post Code: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Relationship to firefighter: \_\_\_\_\_ National Insurance No: \_\_\_\_\_

#### **Section 3 Representative's Details**

If you are the firefighter's or dependant's representative, please give your details in this Section and then go to Section 4.

Surname: \_\_\_\_\_ Title: \_\_\_\_\_

Forenames: \_\_\_\_\_ Previous Surname(s): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Post Code: \_\_\_\_\_



## Section 4 Your Complaint

Please summarise your complaint in this Section and then, on an attached sheet, give details of exactly why you are unhappy.

## Section 5 Your Signature

I would like my complaint relating to the Firefighters' Compensation Scheme to be considered and a decision to be made about it.

I am a:

- Firefighter / former firefighter \*
- Dependant of a former firefighter \*
- Firefighter's representative / dependant's representative \*

\* Tick one box and delete words as appropriate

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**Please enclose a copy of any notification of the decision you are complaining about which has been issued by or on behalf of Northamptonshire County Council as the Fire & Rescue Authority for Northamptonshire.**

Also enclose any other letter or notification that you think might be helpful.

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