

Local Government Pension Scheme (Scotland) Regulations 2018

Lothian Pension Fund - Internal Dispute Resolution Procedure

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

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

Complaints covered by this procedure

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

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

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

What sort of complaints are covered by this procedure

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

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

What is the procedure?

The procedure is a two stage process:

Stage 1

1. You must complete the attached form for Stage 1 of the procedure and return it to Lothian Pension Fund within six months of the day when you were told of the decision you want to complain about. Lothian Pension Fund will pass it on to the stage 1 appointed person on your behalf. The stage 1 appointed person for the Fund is Mrs Linda Welsh, Pension Scheme Manager, Strathclyde Pension Fund Office, City of Glasgow Council, Capella Building, PO Box 27001, Glasgow, G2 9EW.
2. Your complaint will be acknowledged within 10 working days.

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

Stage 2

1. If you are dissatisfied with the decision at Stage 1, you should write within six months of the decision to Mrs Kimberly Linge, Policy Manager, Scottish Public Pensions Agency, 7 Tweedside Park, Tweedbank, Galashiels, TD1 3TE enclosing:
 - a copy of the original complaint
 - a copy of the Stage 1 decision
 - a statement that you wish the decision to be reconsidered with an explanation as to why you disagree with the decision
 - This application should be signed by, or on behalf of you.
2. Your complaint will then be considered by the Scottish Ministers who may need to request further information to establish the facts of your case. A written decision will normally be issued within two months of the complaint. If your complaint cannot be addressed within these timescales you will be notified and provided with an explanation of the reason for the delay and an expected date for issuing a decision.

If you are dissatisfied with the decision of the Scottish Ministers, you can refer your complaint to The Pensions Ombudsman, whose address is 11 Belgrave Road, London, SW1V 1RB. Their telephone number is 0800 917 4487. Website www.pensions-ombudsman.org.uk

If you need information and guidance concerning your pension arrangements contact The Pensions Advisory Service. Their telephone number is 0300 123 1047.
Website: www.pensionsadvisoryservice.org.uk

Stage 1 application to the Appointed Person

1. Details of scheme member

Name	
Address	
Date of Birth	
Employer	
National Insurance Number	

2. Details of person making the complaint

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

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

Name	
Address	
Telephone	
Email address	
Whose address should letters go to?	

4. Details of the complaint

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

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

Signed: (by or on behalf of the complainant)	Date:
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Please return the completed form to: Senior Pensions Administration Manager, Lothian Pension Fund, Atria One, 144 Morrison Street, Edinburgh, EH3 8EX.