

The Local Government Pension Scheme



Employing Authority Dispute Procedure

EMPLOYING AUTHORITY DISPUTE PROCEDURE

ENQUIRIES

If an employing authority in the London Borough of Tower Hamlets Pension Fund (“the Fund”) has any queries or issues with any matter relating to their participation in the Fund, they should contact the Pensions Section of the administering authority at:

Head of Pensions & Treasury
London Borough of Tower Hamlets
Resources Directorate
Pensions and Treasury
Town Hall
Mulberry Place
5 Clove Crescent
London
E14 2BG

Tel. 020 7364 4251

Email: pensions@towerhamlets.gov.uk

Many problems that employing authorities have are resolved in this way. They may be caused by misunderstandings or incorrect information, which can be explained or corrected easily.

COMMUNICATION

The London Borough of Tower Hamlets, as Administering Authority to the Fund, is regularly required to make decisions which impact on the employing authorities participating in the Fund.

The Fund has developed a Communications Strategy Statement available on request which includes a policy on communicating with employing authorities. This policy sets out our objectives regarding such communication, which include improving relationships, assisting with costs/funding issues, working together to maintain accurate data, ensuring smooth transfers of staff, ensuring the benefits of being an employing authority in the LGPS are understood, and assisting with the discretions an employing authority has under the LGPS regulations.

The policy also outlines the methods of communication that the administering authority will use to meet its objectives.

One of the main purposes of the communications policy is to ensure that employing authorities understand how the scheme works and the roles and responsibilities that they hold within it.

COMPLAINTS

If an employing authority is not satisfied with the service it has been provided, or with any decision made (or not made) by the administering authority in relation to its participation in the Fund, it may ask for it to be looked at again under this procedure. The Administering Authority will then consider the complaint, and try to resolve all issues via open communication with the Employing Authority. This process should therefore be the first stage for all Employing Authority complaints. If the complaint cannot be resolved satisfactorily in this simple way, then one of two things will happen; if the complaint is because the Employing Authority is dissatisfied with the service provided by the Administering Authority, then it will be investigated further under this process. However, if the Employing Authority is unhappy with a decision made (or not made) by the Administering Authority, then they will be directed towards asking for this to be looked at under the formal two stage Internal Dispute Resolution Procedure will be provided on request.

The Fund's Communications Strategy Statement, as mentioned above, is also supplemented by the Fund's Pension Administration Strategy and the Fund's Funding Strategy Statement available on request.

The Pension Administration Strategy sets out the policies and performance standards to be achieved in providing a cost-effective, inclusive and high-quality pension administration. The aim of the strategy is to ensure both the fund and the employing authority are fully aware of their responsibilities under the LGPS and to outline the performance standards they are expected to meet to ensure the service delivery. The strategy also outlines the expected timescales for delivering a service and also for when an employing authority will carry out their responsibilities where applicable.

The Funding Strategy Statement focuses on how employer liabilities are measured, the pace at which these liabilities are funded, and how employers or pools of employers pay for their own liabilities. As such, it is a summary of the Fund's approach to funding its liabilities and it applies to all employers participating in the Fund.

It is therefore important that Employing Authorities adhere to the principles and objectives of the Communications Strategy Statement, the Pension Administration Strategy and the Funding Strategy Statement, and consider whether they have done so effectively when considering whether to make a complaint against the fund. Furthermore, Employing Authorities may wish to take their own legal advice on any issue they wish to complain about before submitting the complaint.

The Fund recognises there may be certain situations where the employing authority would like an urgent response (or action) from the Administering Authority. The Administering Authority will do its best to comply with any such requests, but ultimately is driven by the need to meet certain legal deadlines and the performance standards set out in the Pensions Administration Strategy across all scheme members and scheme employers. Where an employing authority is unhappy that the Administering Authority did not respond as urgently as had been hoped, but where all legal deadlines have been met in relation to the situation, this will not ordinarily be considered grounds for upholding a complaint.

No charge is made for investigating a dispute. However, expenses that an employing authority will have to meet are its own (and/or its representative's) time, stationery and postage.

Please remember that, before making a formal complaint, the Pensions Section will welcome the opportunity to try to resolve informally any matter with which an employing authority is dissatisfied.

PROCESS

If an Employing Authority has considered the situation carefully and decided that they want to make a complaint under this policy (rather than a formal IDRPs complaint as mentioned above), they should make it in writing to the Head of Pensions & Treasury:

- Setting out full details of the complaint. The Employing Authority should explain the situation (in as much detail as possible), and clearly set out what service / decision / lack of decision they are complaining about.
- If applicable, please enclose a copy of any communication (that is the basis of the complaint) which has been issued by the administering authority. Please also enclose any other letter or notification that you think might be helpful.
- Please submit the complaint within 1 month of the day when you were told of the decision / aware of the issue that you want to complain about, where applicable, or as soon as reasonably practical otherwise.

The complaint will be considered carefully by the Administering Authority (by a different person to the person who took the decision or was involved with the service / lack of service against which the complaint has been made, where applicable). That person will provide the Employing Authority with their decision in writing.