

FIREFIGHTERS' PENSION COMMITTEE

INTERNAL DISPUTE RESOLUTION ARRANGEMENTS

Issue

1. Whether the Firemen's Pension Scheme's internal resolution of disputes procedures (IDRP), agreed in 1997 (FSC 2/1997), remain valid; and to agree terms of new arrangements, if necessary.

1997 arrangements

2. As enacted in 1995, the Pensions Act required IDRP arrangements to be established and that they must (a) provide for a person to give a decision on the disagreement; and (b) for the trustees or managers of a scheme, to reconsider the matter and confirm or give a new decision in its place, on the application of the complainant. The procedures for handling the dispute, including time limits, etc were detailed in the Occupational Pensions Schemes (IDRP) Regulations 1996 (SI 1996 No. 1270).
3. The dispute resolution arrangements set out in FSC 2/1997 provide that the decision should be made initially by the Chief Fire Officer. There is a further appeal in stage 2 of the procedure to an appeal committee of the fire and rescue authority, i.e. by elected members of the fire and rescue authority.

Legislation

4. Changes have been made to the legislation.
5. Section 50 of the Pensions Act 1995, as amended by section 273 of the Pensions Act 2004 and section 16 of the Pensions Act 2007, requires the trustees or managers of an occupational pension scheme to secure that dispute resolution arrangements complying with section 50 are made and implemented (section 50, as amended, is set out at Annex A). Existing pension schemes are required to comply from the date of the commencement of the amendments; that is from 6 April 2008.
6. The amended section 50 provides that the dispute resolution arrangements should make provision for the trustees or managers of a scheme to take a decision on the matters in dispute (4). However, (4A) allows for a two-stage process to be agreed so that a person specified (by the trustees or managers) decides any matters in dispute in the first instance and then, if the complainant remains in dispute, for that person's decision to be confirmed or replaced by the decision taken by

the trustees or managers on the application after considering the matters.

Exempted disputes

7. Regulation 4 of the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2006 (SI 2008 No. 649) exempts disputes in respect of which a notice of appeal has been issued under Rule H2 of the Firefighters' Pension Scheme 1992, Part 6, rule 2 of the Firefighters' Compensation Scheme 2006 and Part 8, rule 4 of the New Firefighters' Pension Scheme 2006.

Other requirements of the IDRP arrangements

8. Regulation 2 of the 2008 Regulations requires applicants to be informed that the Pensions Advisory Service (TPAS) is available to assist members and beneficiaries of the schemes, and give the applicant the contact details for TPAS; and when the applicant is notified of the decision, the notification should include a statement that the Pensions Ombudsman may investigate and determine any complaint or dispute of fact or law, and provide contact details.
9. The law does not prescribe time limits for any stage of the process but requires the procedure adopted to include provisions as to reasonable periods for receipt of applications and for the making of decisions.
10. The Pensions Regulator has issued guidance on this (Code of Practice No. 11: Dispute resolution – reasonable periods).
11. The reasonable period within which an application must be made is six months beginning immediately after the date on which the person ceased to be, or claims he ceased to be, a person with an interest in the schemes.
12. An application may be accepted outside this period where the person could not have reasonably known about the matter in dispute within the six months.
13. A decision should be made on a dispute within four months of receiving the application; and applicants should be notified of the decision usually no later than 15 working days after the decision has been made.
14. The Pensions Regulator recognises that the circumstances of a particular dispute may mean that it is not possible to complete the procedure within the timeframes but would expect those responsible to be able to demonstrate the propriety of the time taken.

15. However, the Pensions Regulator also recognises that schemes may chose to adopt procedures with shorter decision and notification times if they wish, and gives as an example, the continued operation of a two-stage procedure in accordance with the time limits prescribed by the 1996 Regulations. These were two months for a determination at each stage.

Recommendation

16. The new arrangements allow for the trustees or managers of a scheme to adopt a simpler single-stage process for their scheme, if that is more appropriate.
17. This means that either we can retain the two-stage process agreed in 1997, or replace it with a single stage. There is no evidence to suggest that there is any demand for a change to the arrangements and CLG must assume that they work satisfactorily. Accordingly, CLG would propose that the two stage arrangements agreed in 1997 should continue to operate, with the same time periods.
18. Revised guidance to replace FSC 2/1997 is attached at Annex B.

The Committee is invited to agree to the issue of the new guidance.

***Communities and Local Government
November 2008***

Legislation and Guidance

Section 273 of the Pensions Act 2004, as amended by section 16 of the Pensions Act 2007

Pension disputes

273 Resolution of disputes

For section 50 of the Pensions Act 1995 (resolution of disputes) substitute—

“50 Requirement for dispute resolution arrangements

- (1) The trustees or managers of an occupational pension scheme must secure that dispute resolution arrangements complying with the requirements of this section are made and implemented.
- (2) Dispute resolution arrangements are arrangements for the resolution of pension disputes.
- (3) For this purpose a pension dispute is a dispute which—
 - (a) is between—
 - (i) the trustees or managers of a scheme, and
 - (ii) one or more persons with an interest in the scheme (see section 50A),
 - (b) is about matters relating to the scheme, and
 - (c) is not an exempted dispute (see subsection (9)).
- (4) The dispute resolution arrangements must provide a procedure—
 - (a) for any of the parties to the dispute mentioned in subsection (3)(a)(ii) to make an application for a decision to be taken on the matters in dispute (“an application for the resolution of a pension dispute”), and
 - (b) for the trustees or managers to take that decision.
- (4A) The dispute resolution arrangements may make provision for securing that an application for the resolution of a pension dispute may not be made to the trustees or managers unless—
 - (a) the matters in dispute have been previously referred to a person of a description specified in the arrangements (“the specified person”) in order for him to consider those matters, and
 - (b) the specified person has given his decision on those matters,and for enabling the specified person’s decision to be confirmed or replaced by the decision taken by the trustees or managers on the application, after reconsidering those matters.
- (5) Where an application for the resolution of a pension dispute is made in accordance with the dispute resolution arrangements, the trustees or managers must—
 - (a) take the decision required on the matters in dispute within a reasonable period of the receipt of the application by them, and
 - (b) notify the applicant of the decision within a reasonable period of it having been taken.
- (5A) In a case where a reference is made to the specified person in accordance with provision made under subsection (4A), subsection (5) applies in relation to the specified person as it applies in relation to the trustees or managers in a case where an application for the resolution of a pension dispute is made to them.
- (6) The procedure provided for by the dispute resolution arrangements in pursuance of subsection (4) must include the provision required by section 50B.

(7) Dispute resolution arrangements under subsection (1) must, in the case of existing schemes, have effect on and after the date of commencement of this section in relation to applications made on or after that date.

(8) This section does not apply in relation to an occupational pension scheme if—

- (a) every member of the scheme is a trustee of the scheme,
- (b) the scheme has no more than one member, or
- (c) the scheme is of a prescribed description.

(9) For the purposes of this section a dispute is an exempted dispute if—

- (a) proceedings in respect of it have been commenced in any court or tribunal,
- (b) the Pensions Ombudsman has commenced an investigation in respect of it as a result of a complaint made or a dispute referred to him, or
- (c) it is of a prescribed description.

(10) If, in the case of an occupational pension scheme, the dispute resolution arrangements required by this section to be made—

- (a) have not been made, or
- (b) are not being implemented,

section 10 applies to any of the trustees or managers who have failed to take all reasonable steps to secure that such arrangements are made or implemented.

50A Meaning of “person with an interest in the scheme”

(1) For the purposes of section 50 a person is a person with an interest in an occupational pension scheme if—

- (a) he is a member of the scheme,
- (b) he is a widow, widower or surviving dependant of a deceased member of the scheme,
- (c) he is a surviving non-dependant beneficiary of a deceased member of the scheme,
- (d) he is a prospective member of the scheme,
- (e) he has ceased to be within any of the categories of persons referred to in paragraphs (a) to (d), or
- (f) he claims to be such a person as is mentioned in paragraphs (a) to (e) and the dispute relates to whether he is such a person.

(2) In subsection (1)(c) a “non-dependant beneficiary”, in relation to a deceased member of an occupational pension scheme, means a person who, on the death of the member, is entitled to the payment of benefits under the scheme.

(3) In subsection (1)(d) a “prospective member” means any person who, under the terms of his contract of service or the rules of the scheme—

- (a) is able, at his own option, to become a member of the scheme,
- (b) will become so able if he continues in the same employment for a sufficiently long period,
- (c) will be admitted to the scheme automatically unless he makes an election not to become a member, or
- (d) may be admitted to it subject to the consent of his employer.

50B The dispute resolution procedure

(1) The procedure provided for by the dispute resolution arrangements in pursuance of section 50(4) must (in accordance with section 50(6)) include the following provision.

(2) The procedure must provide that an application for the resolution of a pension dispute under section 50(4) may be made or continued on behalf of a person who is a party to the dispute mentioned in section 50(3)(a)(ii)—

- (a) where the person dies, by his personal representative,
 - (b) where the person is a minor or is otherwise incapable of acting for himself, by a member of his family or some other person suitable to represent him, and
 - (c) in any other case, by a representative nominated by him.
- (3) The procedure—
- (a) must include provision requiring an application to which subsection (3A) applies to be made by the end of such reasonable period as is specified;
 - (b) may include provision about the time limits for making such other applications for the resolution of pension disputes as are specified.
- (3A) This subsection applies to—
- (a) any application by a person with an interest in a scheme as mentioned in section 50A(1)(e), and
 - (b) any application by a person with an interest in a scheme as mentioned in section 50A(1)(f) who is claiming to be such a person as is mentioned in section 50A(1)(e).”
- (4) The procedure must include provision about—
- (a) the manner in which an application for the resolution of a pension dispute is to be made,
 - (b) the particulars which must be included in such an application, and
 - (c) the manner in which any decisions required in relation to such an application are to be reached and given.
- (4A) The provision made under subsection (4)(c) may include provision for decisions of the trustees or managers to be taken on their behalf by one or more of their number.
- (5) The procedure must provide that if, after an application for the resolution of a pension dispute has been made, the dispute becomes an exempted dispute within the meaning of section 50(9)(a) or (b), the resolution of the dispute under the procedure ceases.

The Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) regulations 2008-10-29

http://www.opsi.gov.uk/si/si2008/pdf/uksi_20080649_en.pdf

The Pensions regulator: Code of Practice No. 11 Dispute resolution – reasonable periods

<http://www.thepensionsregulator.gov.uk/pdf/CoP11DisputeResolution.pdf>

Draft circular

Background

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 2006 (SI 2008 No. 649).
2. The advice set out in this circular has been agreed with the Firefighters' Pension Committee.
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 2006 Regulations.
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.

Who is entitled to make a complaint under IDRPs?

5. The IDRPs 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.
6. 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 6th April 2006 with protected rights.

Representation

7. 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.

How are IDRPs to be applied to the FPS and NFPS?

8. The IDRPs provide recourse for a person mentioned in paragraph 5 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.
9. 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.

Stage One

10. The application for consideration of the dispute should be made in writing, giving details of the complaint. A suggested format is attached.
11. 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.
12. Applications must be made by any person referred to in paragraph 5(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 have discretion to accept an application made outside this period.

13. 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.

Stage Two

14. 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.

15. When an application is received, it should be acknowledged.

16. 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.

17. 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.

Pro-formas

18. To assist fire and rescue authorities, draft application forms and letters for each stage have been prepared and are annexed.

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 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
- 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)

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(2)(a) 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)

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 IDRP, 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 theFire and Rescue Authority

1. I am applying for reconsideration of the decision ofmade 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 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
- 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 FIREGHTERS' 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.

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.