

# Updated Internal Dispute Resolution Procedure

## Report of the Chief Fire Officer

For further information about this report please contact Rod Hammerton, Chief Fire Officer, on 01743 260205 or Germaine Worker, Head of Human Resources and Administration on 01743 260210.

### 1 Purpose of Report

The purpose of this paper is to update the post and committee references within Shropshire and Wrekin Fire and Rescue Authority's Internal Dispute Resolution Procedures (IDRP). The procedure remains in line with the requirements of the Pension Act 1995, and subsequent amendments, and in accordance with the recommendations contained within Fire Service Pensions Scheme Circular 1/2009.

### 2 Recommendations

That the Committee note the updated post and committee references at Stage 2, Internal Dispute Resolution.

### 3 Background

The IDRP in this context relates to pension matters. Shropshire and Wrekin Fire and Rescue Authority last reviewed its IDRP in September 2011. Firefighters' Pension Scheme Circular (FPSC) 1/2009 notified us of the revised arrangements for IDRP to ensure that they meet the requirements of The Pensions Act 1995, as amended.

The IDRP provides recourse for all matters, other than medical matters, raised under the Firefighters' Pension Schemes and Firefighters' Compensation Scheme (FCS) which are exempted under the 2008 regulations. Other exempted matters are those in respect of which proceedings have commenced in any court or tribunal, or where the Pension Ombudsman has commenced an investigation in respect of a dispute or complaint referred to him.

The circular FPSC 1/2009 and the terms of each scheme, details who is entitled to make a claim, under which circumstances and in what way.

It should be noted that separate defined arrangements apply to members of the Local Government Pension Scheme (LGPS)

## **4 Detail**

The Authority operates a two-stage IDR process:

1. **At stage one** matters are considered by the Chief Fire Officer or his nominated senior manager, who will give a decision; and,
2. **At stage two** the decision should be confirmed or replaced by the decision of elected Members of the fire and rescue authority. This being the Human Resources Committee (as at 2011).

As the Standards Committee and the Human Resources Committee were consolidated in 2014, the stage two guidance needs to be updated to reflect this.

The current procedure for Stage 1 and Stage 2 (with amended wording) are set out at Appendix 1 and 2 respectively.

## **5 Financial Implications**

There are no financial implications arising from this report.

## **6 Legal Comment**

The IDR is the formal complaints procedure and provides recourse for a person who has a complaint relating to their pension, other than matters covered by the medical appeal arrangements and other exemptions as identified in this report.

IDR arrangements have been reviewed and changes introduced with the agreement of the Firefighters' Pension Committee to ensure continuing compliance with the requirements of The Pensions Act 1995.

The updated procedure complies with both the legislation and associated guidance.

## **7 Equality Impact Assessment**

This report reflects the change in legislation and subsequent Department of Communities and Local Government (DCLG) guidance on the design of Internal Disputes Resolution Procedure. As the procedure recommended complies with both the legislation and the guidance an Equality Impact Assessment is not required.

## **8 Appendices**

Appendix 1 – Process map for IDRP Stage 1

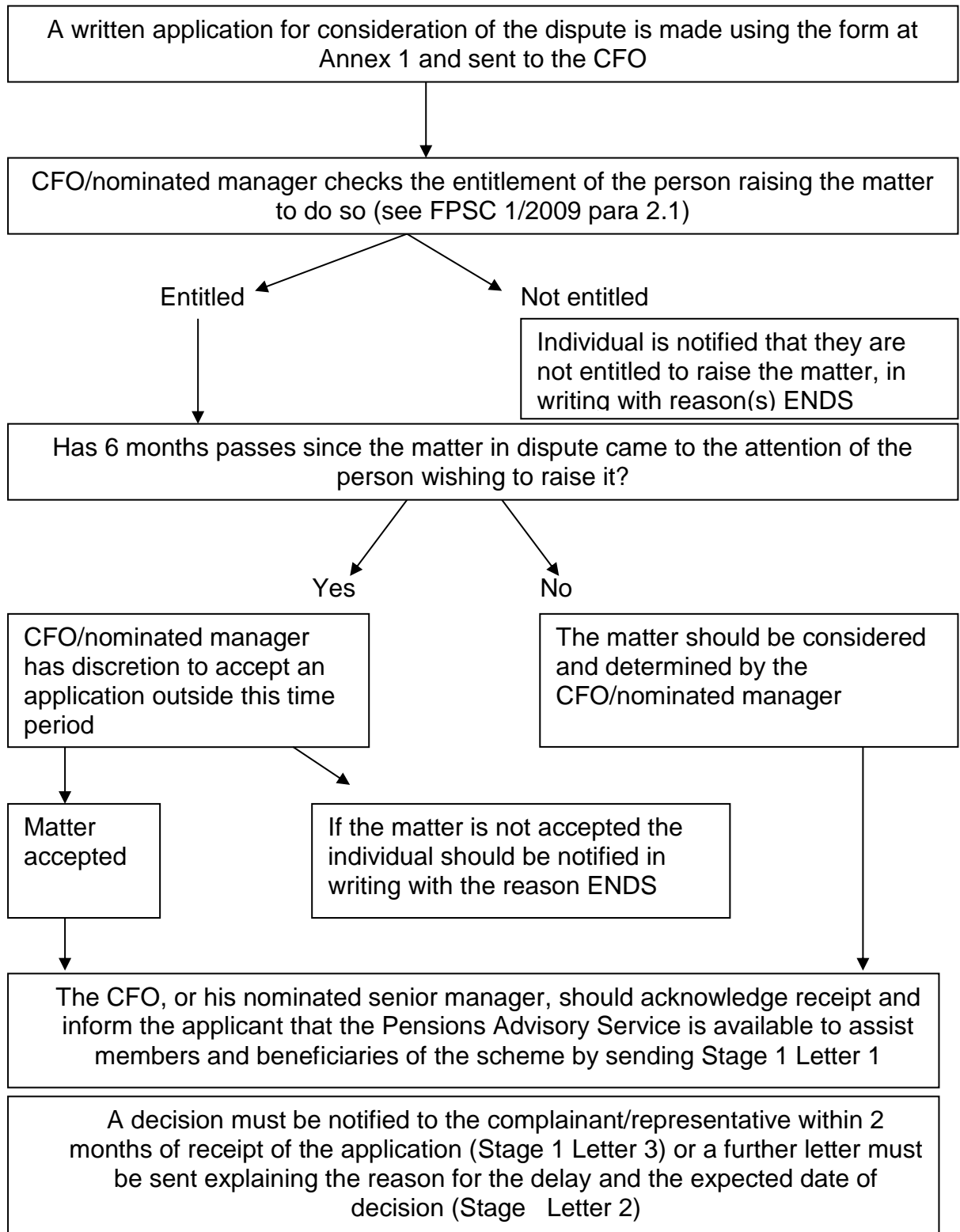
Appendix 2 – Process map for updated IDRP Stage 2

## **9 Background Papers**

There are no background papers associated with this report.

## IDRP - Stage One

The procedure below sets out the procedure as recommended in FSPC 01/2009. Annexes referred to are attached to the Circular for Officers reference but are not appended to this report.



## Proposed IDRP - Stage Two

The diagram below sets out the procedure as recommended in FSPC01/2009, amended to reflect Shropshire and Wrekin Fire Authority proposed means of dealing with such matters ie through the Standards and Human Resources Committee.

**Annexes referred to are attached to the Circular for Officers reference but not appended to this report.**

(If the complainant is dissatisfied with the decision at Stage 1, he/she can apply in writing, no later than 6 months after the date on which notified of the Stage 1 decision, using Annex 2).

