

# IF YOU HAVE A COMPLAINT ABOUT YOUR PENSION

## A guide to the Internal Dispute Resolution (IDR) procedure

If you have a problem with your benefit entitlement, the best way to resolve this is to contact JSS at the address given on the bottom of this guide. But on the rare occasions when matters cannot be resolved in that way, the scheme has a formal but easy-to-use and effective complaints procedure in place known as Internal Dispute Resolution (IDR) procedure.

All occupational pension schemes must have an IDR procedure for resolving disagreements about pension benefits between scheme members and administrators.

JSS is the pension scheme administrator and is the organisation responsible for the day-to-day administration of the scheme. The Research Councils' Pension Scheme Management Board oversees JSS and act as managers of the scheme.

The IDR procedures cover any disagreement under the RCPS pension arrangements including the:

- Injury Benefit Scheme
- Compensation Scheme
- Additional Voluntary Contribution Scheme
- In limited circumstances, the partnership pension account

### *To make a complaint you must be:*

- An active, deferred, pensioner or pension credit member;
- A widow, widower, surviving partner or a dependent of a member who has died;
- Anyone who has been a member in the last six months;
- Anyone claiming to be in any one of these categories

## The Complaints Procedure

### First Stage

You have the right to receive, from JSS, a written explanation of a decision that we have made which you disagree with.

### Second Stage

You have the right to appeal to the RCPS Management Board against JSS' decision. They will issue a written decision of your complaint.

### How does the complaint procedure work?

If you are in dispute with JSS, you can ask us for a written explanation of the decision that we have made. This written explanation is a **first-stage decision**. You have a right to appeal against the decision. JSS will give you the form you need to fill in if you want to appeal. The RCPS Management Board make a **second-stage decision**.

### What types of complaint can be dealt with?

Any matters concerning benefit entitlement and treatment under scheme rules can be dealt with under the IDR procedures. But the procedures cannot deal with employment issues. For example, it cannot be used to complain about the terms of a contract of employment leading to exclusion from the scheme. It is very unlikely that the RCPS Management Board would uphold a complaint just about what the scheme rules contain (rather than how they are applied).

### Who you can ask for help

You can ask someone to take your complaint forward on your behalf. This can be, for example, a trade union official, welfare officer, your husband or wife, a partner, or a friend. You may contact **The Pension Advisory Service (TPAS)** for help at any time during the IDR procedure. Their address is at the end of this guide.

### Is there a time limit?

Yes, if you want to ask for a second-stage decision, you must do so within six months from the date of the first-stage decision.

### Who makes the second stage decision?

The RCPS Management Board will review all the papers in your file concerning your complaint, and any evidence you have provided to support your appeal. They will then decide whether they can support your appeal.

### When should you expect a reply

The RCPS Management Body has to issue a written notice of their decision within four months of receiving your appeal or, if later, when they receive the information needed to make a decision. When it is clear that the Management Body cannot meet the four-month deadline JSS will write to you explaining why there is a delay and giving a new target date for when the RCPS Management Board's investigation will be completed.

### Can you appeal against the decision?

Yes. The RCPS Management Board's written decision will tell you that you can take your complaint to **The Pensions Ombudsman**. They are available to investigate any complaint alleging injustice as a result of maladministration by JSS or the RCPS Management Board. Before contacting the Pension Ombudsman they will expect you to have received first and second stage decisions through the RCPS IDR procedure.

### Is there a time limit?

Yes, the Ombudsman will normally only investigate a complaint within three years of the relevant act or omission or within three years of the date you knew or reasonably ought to have known of it happening.

### Can I appeal against the Ombudsman's decision?

The Ombudsman's determination is final for all concerned. An appeal to the High Court (or in Scotland the Court of Session) can only be made on a point of law.

### Who to complain to about your partnership pension provider

You cannot complain to JSS about your partnership pension provider. You should complain to The Financial Ombudsman Service, Exchange Tower, London, E14 9SR. Phone: 0800 0234567 or 0300 1239123.

### The Pensions Advisory Service

Website <https://www.pensionsadvisoryservice.org.uk/>  
Telephone 0800 011 3797  
Address 11 Belgrave Road, London, SW1V 1RB

### The Pensions Ombudsman

Website <https://www.pensions-ombudsman.org.uk/>  
Telephone 0800 917 4487  
Address 10 South Colonnade, Canary Wharf, London, E14 4PU

**Note:** This guide provides a straightforward guide to how the IDR procedures operate. It does not cover every aspect; the full details of how the IDR must operate are contained in the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. You should note that nothing in this guide can override the regulations. In the event of any unintentional differences, the regulations will prevail.

For more information and advice about specific benefits please visit our website or write to us at:

JSS Pensions Administration  
Polaris House  
North Star Avenue  
Swindon  
SN2 1UY

Email: [memberships@jss.ukri.org](mailto:memberships@jss.ukri.org)