

NORTHERN IRELAND POLICING BOARD

INTERNAL DISPUTE RESOLUTION POLICY

INTERNAL DISPUTE RESOLUTION PROCEDURE

Policy Owner:	T/Director of Police Administration
Approval:	Resources Committee 24 March 2022
Screening:	Section 75 screened: screened out
Date of Next Review:	March 2024
Date of Implementation:	May 2022

Version Number	Version Date	Summary of Changes	Changes processed by:	Changes approved by:	Document Location
1	June 2019	[document drafted and prepared by Police Administration]			HPE: 384569
2	March 2022	Policy updated to reference one stage process	T/DP	T/G7	HPE: 475068

SECTION 1 | DOCUMENT PURPOSE & BACKGROUND

- 1.1 The Northern Ireland Policing Board (the **Board**) is the Scheme Manager for the three police pension schemes the police pension schemes, currently in operation in Northern Ireland (the **Schemes**), being the 1988, 2006 and 2015 Schemes.
- 1.2 The Board, as Scheme Manager, has a statutory responsibility to manage each of the Schemes.
- 1.3 The Board administers both the Injury On Duty Award Scheme and Ill health Retirement applications however, payments in respect of any/all awards arising out of same is delegated to PSNI Pensions Branch who are the Scheme Administrator.
- 1.4 The *Pensions (Northern Ireland) Order 2005* confers responsibility on the Scheme Manager, to make and implement internal dispute resolution procedures in order to fairly manage disagreements which have arisen between members of the Schemes and the Scheme Manager.
- 1.5 The procedures set out in this procedure formalise and refine existing arrangements in line with the requirements of the *Pensions (Northern Ireland) Order 2005*.
- 1.6 These arrangements give a member or a member's beneficiary the right to receive a written explanation further to a dispute raised in respect of the Scheme Manager's handling of any matter under the aforementioned Schemes. This process is called the Internal Dispute Resolution Procedure (**IDRP**).

SECTION 2 | WHO CAN RAISE A MATTER USING IDRP?

- 2.1 The following category of individuals may raise a dispute under this procedure.
 - 2.1.1 Serving Police Officer.
 - 2.1.2 Retired Police Officer.
 - 2.1.3 A widow, widower, civil partner or adult partner of a retired officer.
 - 2.1.4 A child or dependent of a former police officer.
 - 2.1.5 A representative on behalf of any of those individuals listed above.
- 2.2 If you wish for an Appointed Representative to manage a complaint on your behalf the Board requires that an Appointed Representative Form (attached at **Annex A**) must be completed and returned to the Board. This completed form must be received by the Board before any information held about you may be released to another person. Examples of Appointed Representatives include a staff association member or a solicitor.

- 2.3 These arrangements will be made available to active members of the Scheme; those with deferred pensions; retired members; dependants of deceased members; those eligible for membership of the Scheme; and anyone claiming to fall into one of these categories.
- 2.4 An application may be made or continued on behalf of an individual by a Appointed Representative nominated by the person concerned (e.g. a staff association or a solicitor). An application may also be made or continued on an individual's behalf when a person dies, or is a minor, or is incapable of acting for him or herself. In this circumstance, the Appointed Representative Form (attached at **Annex A**) is to be completed and returned to the Board before the Board may release any information to an Appointed Representative.

SECTION 3	DISPUTE PROCEDURE
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- 3.1 In order to raise a dispute under this procedure you must raise your dispute formally, in writing and address it to the Director of Police Administration. Disputes raised by email are also acceptable.
- 3.2 Your written dispute should contain as much detail as possible including the details of the disagreement on which a decision is being sought. You should also include your Full Name, Address, Date of Birth and Force Number and clearly mark your application as a request under the Scheme Manager's IDRP.
- 3.3 In addition to the information set out above, where an Appointed Representative is acting on behalf of a complainant a completed Appointed Representative Form located at Annex A of this document must be submitted.
- 3.4 On receipt of your written dispute the Scheme Manager shall acknowledge it within 3 working days, and this acknowledgment letter shall include details of the Pensions Advisory Service.
- 3.5 The Director of Police Administration will make a decision on the dispute raised within 40 working days of the date of receipt. The decision will be communicated within 15 working days thereafter. Where it is clear that this will not be possible, an interim reply will be sent, explaining why there is a delay and when a full reply can be expected.
- 3.6 The Director of Police Administrations' determination will set out the basis for the decision and where the dispute is upheld, will make directors for actions to be taken.
- 3.7 Where a conflict of interest arises in the Director of Police Administration considering a dispute under this procedure another representative of the Scheme Manager will be appointed to consider the dispute. The same timescales as set out at paragraph 3.5 will apply for a decision to be taken and issued.

SECTION 4	TIME LIMITS FOR DISPUTES
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4.1 All disputes under this procedure should be made within six months of the date on which the subject matter of the dispute occurred.

SECTION 5	WHAT DISPUTES ARE EXCLUDED FROM IDR?
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- 5.1 Appeals under the following provisions are **excluded** from IDR;
- **5.1.1** Regulation H2 of the *Royal Ulster Constabulary Pensions Regulations 1988*;
 - **5.1.2** Regulation 30 of the *PSNI and PSNI Reserve (Injury Benefit) Regulations 2006*;
 - **5.1.3** Regulation 68 of the *Police Pension (Northern Ireland) Regulations 2009*; and
 - **5.1.4** Schedule 1, Paragraph 2 of the *Police Pensions Regulations (Northern Ireland) 2015*.
- 5.2 Also exempt are any matters in which proceedings have been commenced in any court or tribunal, or where the Pensions Ombudsman has already commenced an investigation into a dispute referred to him or her.
- 5.3 If, after an application for the resolution of a pension dispute has been made, the dispute becomes an exempted dispute, the resolution of the dispute under the IDR procedure ceases.

SECTION 6	THE PENSIONS OMBUDSMAN
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- 6.1 If you remain dissatisfied with the outcome of the dispute you may wish to contact the Pensions Ombudsman. The Pensions Ombudsman retains legal powers to settle complaints and disputes.
- 6.2 Before appealing through the IDR you may wish to consider discussing a potential complaint with a member of the Pensions Ombudsman's Early Resolution Team. They can also support you through the IDR process and you can reach them by way of the following:

Address	The Pensions Ombudsman 10 South Colonnade Canary Wharf London E14 4PU
Telephone	0800 917 4487 (selecting the relevant option)
Email	helpline@pensions-ombudsman.org.uk
Website	https://www.pensions-ombudsman.org.uk/

ANNEX A

APPOINTED REPRESENTATIVE FORM

- I authorise _____ to act as my Appointed Representative (**AR**) in my complaint being raised under the Northern Ireland Policing Board's Internal Dispute Resolution Procedure.
- I hereby acknowledge that any future correspondence regarding my application will be forwarded to my AR.
- I further acknowledge that any correspondence forwarded to my AR will be deemed to have been sent to me.
- I authorise my AR to act as the sole point of contact with the Board and acknowledge that the Board will communicate with me directly through my AR.

AR Full Name	
AR Organisation (if any)	
AR Address	
AR Relationship with the complaint	
AR Telephone Number	
AR E-mail address¹	

Complainant Signature	Date

Appointed Representative Signature	Date

¹ Please be advised that due to data protection measures the Board will not substantively communicate with you and/or your appointed representative by way of email. Email correspondence will be limited to preliminary updates, with no sensitive and/or personal information being shared via this medium.

 028 9040 8500

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DOCUMENT TITLE

Dispute Resolution Policy

DISCLAIMER

While every effort has been made to ensure the accuracy of the information contained in this document, the Northern Ireland Policing Board will not be held liable for any inaccuracies that may be contained within.

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AR Relationship with the complaint	
AR Telephone Number	
AR E-mail address¹	

Complainant Signature	Date

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DOCUMENT TITLE

Northern Ireland Policing Board
Internal Dispute Resolution Policy

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