

**Agenda Item No. 4 (c)**

**DERBYSHIRE COUNTY COUNCIL  
PENSIONS AND INVESTMENTS COMMITTEE**

**22 January 2020**

**Report of the Director of Finance and ICT**

**DERBYSHIRE PENSION FUND COMPLAINTS POLICY**

**1 Purpose of the Report**

To request the Committee's approval for the draft Derbyshire Pension Fund Complaints Policy attached as Appendix 1.

**2 Background**

Derbyshire Pension Fund (the Pension Fund/Fund) and each of the Fund's employing authorities, operate the Applications for the Adjudication of Disagreements Procedure (AADP) in line with the Local Government Pension Scheme Regulations 2013.

However, the Pension Fund endeavours to resolve complaints received in relation to its administration of the LGPS before they reach the stage of an appeal under the AADP. The Derbyshire Pension Fund Complaints Policy (the Policy) has been developed to prove assurance to members of the Pension Fund that all complaints will be considered properly and in a consistent manner. The Policy will also ensure that complaints are recorded consistently and that the Fund's effectiveness in dealing with complaints is monitored, with member feedback supporting the continued improvement of services.

The Policy, which will be underpinned by guidance for officers, sets out:

- the aims of the Policy
- what constitutes a complaint
- how to make a complaint
- how the Fund will deal with a complaint
- a step by step guide for members

The Altair pension administration system, implemented in early 2019, provides the functionality to record, escalate and monitor the progress of complaints

within Fund members' individual records. This functionality will enable the Pension Fund to implement the procedures set out in the Policy.

The implementation of the Policy is expected to:

- Result in fewer AADP cases – the AADP process can be long, time-consuming and potentially stressful for Fund members. It would be beneficial to all parties if more complaints could be resolved at an earlier stage.
- Learning and improvement – analysing and reporting on trends in the numbers and types of complaints will assist the Fund in continually improving the quality of service to Fund members.
- Improved governance – the monitoring and reporting of complaints represents best practice and will provide assurance to the Committee and to the Pension Board, as well as to external interested parties such as the Pensions Regulator, that members' concerns are properly considered.

A summary of the complaints received by the Fund will be reported to the Pensions and Investments Committee within the quarterly Pensions Administration Performance Reports.

### **3. Other Considerations**

In preparing this report the relevance of the following factors has been considered: financial, legal and human rights, equality and diversity, health, environmental, transport, property and prevention of crime and disorder considerations.

### **4. Officer's Recommendation**

That the Committee approves the attached draft Derbyshire Pension Fund Complaints Policy.

**Peter Handford**

**Director of Finance and ICT**

# Derbyshire Pension Fund Complaints Policy

## Introduction

There may be a time when a member of Derbyshire Pension Fund (the Pension Fund/Fund) is unhappy with the service provided by the Fund, or disagrees with a decision made about their membership or benefits. The Pension Fund will seek to clarify, or put right, any misunderstandings or inaccuracies as quickly and efficiently as possible.

The Derbyshire Pension Fund Complaints Policy has been developed to provide assurance that, if a member of the Fund does wish to make a complaint, it will be dealt with promptly, respectfully and in a consistent manner.

The management of complaints is important to the Pension Fund. In addition to providing Fund members with assurance that their complaints will be properly considered, it ensures that feedback from members supports the continued improvement of services.

In general, complaints will usually relate to one of the following:

- Problems with services provided
- Failure to provide responses or information within agreed timescales
- Behaviour or attitude of a member of staff
- Disagreement with a decision
- Disagreement with how a policy/regulations have been applied
- Standard or quality of the service provided
- Incorrect use or storage of data

## Aims of the Complaints Policy

The application of the Complaints Policy aims to:

- Support members with a straightforward, appropriate and effective process for the prompt resolution of complaints
- Take complaints seriously and deal with them in a manner that is appropriate to the nature of the issue
- Guarantee that complaints are dealt with on the basis of evidence and proper investigation

- Ensure that every issue raised in a complaint receives an appropriate explanation
- Operate in a respectful and sensitive way, having due respect for confidentiality
- Ensure that the consideration and monitoring of complaints supports the improvement of services received by members
- Ensure that all complaints are handled fairly and consistently

## **What is a complaint?**

Many queries and minor disagreements can be resolved quickly and without being escalated to the level of a complaint. Members should, in the first instance, contact the Pension Fund, either via the Pension Fund Help Line (01629 538900), the feedback form on the Fund's website [*link to be inserted*] or via letter to: Derbyshire Pension Fund, County Hall, Matlock, Derbyshire DE4 3AH. Pension Fund staff receiving a query from a dissatisfied Fund member will, wherever possible, attempt to resolve the issue within 5 working days.

A complaint arises if the Fund member still feels that the processing of their pension benefits/calculation/query has been dealt with in an unsatisfactorily manner and should be investigated.

## **Making a complaint**

If a member of the Pension Fund wishes to make a complaint, it should be submitted in writing via the on-line complaint form on the Pension Fund's website [*link to be added*] or by letter (clearly marked complaint) to ensure that all the details of the complaint are correctly recorded.

When making a complaint, a Fund member should provide all the information requested on the complaint form, specifying all of the issues requiring a response and providing specific details, such as relevant dates. Members contacting the Fund by letter should ensure that they include the following information: full name, address and contact details; date of birth and national insurance number. Any information provided will always be treated in accordance with the Fund's privacy notice.

Complaints made via a third party, such as a Union Member or Councillor, will only be investigated if consent to share information has been received from the relevant Fund member. Once the Pension Fund has received consent to share information, a complaint will be subject to the normal process and timescales. A summary response will be provided to the Union Member or

Councillor in accordance with the privacy notice and any consent to share information.

## **Dealing with Complaints**

Complainants will be listened to and reassured that their issue is being taken seriously. Complaints will be considered by a suitable member of staff and will be escalated to a more senior member of staff where appropriate.

Complaints submitted via the Fund's website, or by letter, will be resolved as promptly as possible; when a complaint is not resolved within 5 working days of receipt, the complaint will be acknowledged and an anticipated response timescale provided. In circumstances where it is not possible to provide a response within 5 working days, Derbyshire Pension Fund will aim to provide a response within 10 working days.

Depending on the nature of the complaint, the Pension Fund may need to request information from a 3<sup>rd</sup> party, usually a member's employer or payroll provider. Complaints will be dealt with confidentially and information regarding the complaint will not be shared with the 3<sup>rd</sup> party unless it is absolutely necessary to do so.

To ensure that all of the relevant facts are available, and to enable a full investigation to be carried out, the target date for responding to a complaint may need to be extended. The complainant will be informed of any extension and provided with a new target date for the full response.

Anonymised summaries of complaints may be made available to the Pensions and Investments Committee and to Derbyshire Pension Board for monitoring purposes.

## **Applications for the Adjudication of Disagreements Procedure (AADP)**

If a member of the Pension Fund is still dissatisfied after the procedure set out in the Complaints Policy has been completed, they have the right to appeal under the **Applications for the Adjudication of Disagreements Procedure (AADP)**. For further information please visit <https://www.derbyshirepensionfund.org.uk/about-the-fund/feedback-complaints-and-appeals/feedback-complaints-and-appeals.aspx>

## Concerns and Complaints: a step by step guide for Pension Fund members

