

Administering pensions and injury benefit claims is complex, and mistakes can be made. This leaflet describes what HSC Pension Service will do if something goes wrong.

Introduction

HSC Pension Service staff will try to be helpful and ensure that your pension or your injury benefit claim is correctly administered. But these issues are complex, there may be times when you think we have made a mistake, or you simply do not agree with a decision, or you feel we have not dealt with your case very well. Our procedures for dealing with complaints and disputes comply with legislation which applies to all pension and similar schemes. Our aim is to give you a quick, but thorough, response which answers your concerns properly.

Who can complain?

Anyone who has dealings with the HSC Pension Scheme or Injury Benefit Scheme, for example:

- anyone who receives or is expecting to receive benefits from either Scheme;
- any HSC employee who wishes to join the Scheme; and
- anyone nominated by the above to represent them.

How to complain

Please complete and return form DRP1, which will initiate the IDR procedure. If you do not have a copy you can download one from the HSC Pension Service website: -

www.hscpensions.hscni.net

You must provide:

- your full name, address, date of birth and National Insurance number

If you are a relation of the Scheme member or IB claimant you will need to provide details about yourself.

If you are acting as a representative, give your full name, relationship to the Scheme member or Injury benefit claimant and the address where the reply should be sent to.

State the reason for your complaint or disagreement; and then sign the form for yourself, or sign on behalf of the person complaining.

What Happens Next?

A disputes Officer will review the papers and carefully consider each point made in your application of complaint. We will tell you the outcome in writing. This is a Stage 1 appeal. We aim to:

- explain the decision, and whether there has been any change to the previous decision;
- refer to any regulations or law affecting the decision; refer to any other papers which were important in reaching the review decision and indicate where any discretion under our rules has been given; and
- give the name and address of the person reviewing the case and to whom any further letter should be sent.

We are required by law to reply within two months or to tell you if we are unable to do so. We will keep you informed of progress.

You are entitled to have your case looked at a second time if you are dissatisfied with the review decision. This is a Stage 2 IDR. If you wish to do this, your Stage 2 IDR Application must be received by HSC Pension Service within six months of the date of the Stage 1 appeal decision letter issued to you. The second review will be carried out by a member of the Senior Management Team who will aim to reply within two months or tell you if they are unable to do so. Again we will keep you informed of progress. This is a Stage 2 IDR.

Ill Health Benefit Appeals

The appeal process for ill health pensions is also dealt with under the Internal disputes (IDR) procedures. An applicant can appeal against a decision to reject an application or on a decision to award a Tier 1 pension.

Provision of additional medical evidence is not compulsory, however, members will be advised that a decision not to award an ill health pension, or award of a Tier 1 pension, is unlikely to be overturned unless they provide additional medical evidence. In addition, any medical evidence must relate to the same condition in respect of which the initial application was made and must support incapacity at date of application.

In cases where a member's health has deteriorated since the initial application, it may be appropriate for a new application to be made.

What other avenues are there?

You can ask The Pensions Advisory Service (TPAS) to help at any stage of your complaint / dispute. Their address is:
[TPAS](#)
[11 Belgrave Road](#)
[London](#)
[SW1V 1RD](#)
[Tel: 0800 011 3797](#)

You can also contact TPAS through your local Citizens Advice Bureau, whose address and telephone number is in Yellow Pages or visit their website at:

www.pensionsadvisoryservice.org.uk

You may also ask the Pensions Ombudsman to investigate and give a decision on any complaint or dispute of fact or law. However, the Pensions Ombudsman will normally require you to have completed both stages of the IDR procedure first. Their address is:
[10 South Colonnade](#)
[Canary Wharf](#)
[E14 4PU](#)
[Tel: 0800 917 4487](#)

www.pensions-ombudsman.org.uk

The Pensions Regulator is responsible for granting time limit extensions for payment of cash equivalents – for transfer – and for complaints about nondisclosure of information.

Their address is:
[The Pensions Regulator \(TPR\)](#)
[Napier House](#)
[Trafalgar Place](#)
[Brighton,](#)
[BN1 4DW](#)
[Tel: 0870 606 3636](#)

www.thepensionsregulator.gov.uk

Our commitment to dealing with complaints

All replies about complaints will be as open and helpful as possible. Our staff will ensure that:

- decisions are not outside the powers of the Scheme's regulations;
- there has been no abuse of discretionary powers;
- the facts of the case and the reasoning behind the matter at issue are clearly explained;
- there has been no breach of the two fundamental rules of natural justice – which are, the right of appeal before a decision is taken affecting one's interest and the absence of bias on the part of the decision maker.

We have a duty to act fairly and reasonably at each stage of the decision making process, or subsequently under the review procedures.

In practice our decisions will largely follow well established and defined procedures, but the views, concerns or complaints of members will be given due and proper consideration. Our staff will:

Be informed – making sure they have all the facts required and that these facts required are correct, giving the member the opportunity to present any new facts or evidence in support of their case.

be fair – by not letting bias or prejudice affect their decision. Taking account only of relevant facts and making sure they have addressed the correct question.

be open minded – being prepared to give full consideration to any new facts or evidence and not assuming that the member's representations will have no effect. In exercising discretion, taking great care not to restrict their powers.

be reasonable – making reasonable assumptions and not assuming that because something happens only rarely it could not have happened in the case under consideration.

Our address is:

HSC Pension Service
Waterside House,
75 Duke Street
Londonderry
BT47 6FP

Please quote your National insurance number when phoning
028 71 319111

You can also visit our website at:
www.hscpensions.hscni.net