

# THE FIREFIGHTERS' PENSION SCHEME

## INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)

This document details the procedure of Cambridgeshire Fire and Rescue Service (the Service / CFRS). It replaces all previous guidance documents, Service Management, and Administration Orders and forms relating to this subject and its content is based on legislation, guidance from the Local Government Association (LGA), and good practice.

If you have any questions about this procedure, please contact Steve Beaton or the Payroll Team.

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V1	2017	<a href="#">IDRP - Original DMS Document.pdf</a> (DMS)
V2	13/05/2025	Updated document to include 2006 and 2015 Pension Schemes (as per legislation), update the 'specified person' and amend contact details to current pension provider.  Changes ratified at Fire Authority meeting 26/06/25

## **INTERNAL DISPUTE RESOLUTION PROCEDURE**

### **1. Introduction**

- 1.1 Section 50 of the Pensions Act 1995 required all occupational pension schemes (other than very small schemes) to introduce formal internal dispute resolution procedures (IDRP) for dealing with complaints from scheme members.
- 1.2 The detailed procedures to be followed are now set out in Section 508 of the Pensions Act 1995, which was inserted by section 273 of the Pensions Act 2004 and amended by Section 16 of the Pensions Act 2007, and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. Together, these Regulations are referred to in this document as 'the IDRP Regulations'.
- 1.3 A copy of the IDRP Regulations is available for inspection at the Headquarters of Cambridgeshire Fire and Rescue Service. The documents are also available on Legislation.gov.uk, the website managed by The National Archives on behalf of HM Government at:  
  
<http://www.legislation.gov.uk/Jukpga/2004/35/section/273>  
<http://www.legislation.gov.uk/ukpga/2007/22/section/16>  
<http://www.legislation.gov.uk/uksi/2008/649/made>
- 1.4 The IDRP has direct application to Firefighters' pensions. Fire and Rescue Authorities are required to follow the procedures the IDRP Regulations lay down in all disputes other than appeals under Rule H2 of Schedule 2 to the Firefighters' Pension Scheme Order 1992, (appeal to board of medical referees) rule 4 of Part 8 of the New Firefighters Pension Scheme 2006 (appeal against decision based on medical advice) or rule 2 of Part 6 of Schedule 1 to the Firefighters Compensation Scheme (England) Order 2006 (appeal to medical referee) Part 12 Chapter 2 Regulation 154 (appeals against determinations based on medical evidence) Firefighters Pension Scheme (England) Regulations 2014.
- 1.5 Appeals under Rule H2 of Schedule 2 to the Firefighters' Pension Scheme Order 1992 (appeal to board of medical referees) rule 4 of Part 8 of the New Firefighters Pension Scheme 2006 (appeal against decision based on medical advice) or rule 2 of Part 6 of Schedule 1 to the Firefighters Compensation Scheme (England) Order 2006 (appeal to medical referee) ) Part 12 Chapter 2 Regulation 154 (appeals against determinations based on medical evidence) Firefighters Pension Scheme (England) Regulations 2014. are specifically excluded from the IDRP by Regulation 4 of the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.

### **2. What are the IDRP?**

- 2.1 If you have a complaint about the Firefighters' Pension Scheme, other than a

complaint about a decision on medical retirement taken under Rule H1 of Schedule 2 to the Firemen's Pension Scheme Order 1992, rule 4 of Part 8 of the New Firefighters Pension Scheme 2006 (appeal against decision based on medical advice) or rule 2 of Part 6 of Schedule 1 to the Firefighters Compensation Scheme (England) Order 2006 (appeal to medical referee) Part 12 Chapter 2 Regulation 154 (appeals against determinations based on medical evidence) Firefighters Pension Scheme (England) Regulations 2014 and are a person who comes within the categories of people listed in Section 3 below, the IDRPs Regulations give you the right to have the complaint considered and decided, and to receive a written explanation of the decision. There will be two levels for dealing with complaints:

**Stage One:** is an application to a "specified person" for a decision. The person specified by the Cambridgeshire and Peterborough Fire Authority is the **Deputy Chief Fire Officer**; and

**Stage Two:** is the right of appeal to the **Chief Fire Officer** (in consultation with the Fire Authority Chair) against the Stage One decision.

- 2.2 These forms [IDRP Stage 1 Application Form.docx](#) and [IDRP Stage 2 Application Form.docx](#) are provided for your use to simplify the task of adhering to the procedures.
- 2.3 There is also a requirement under the 2008 Regulations for trustees or managers, as soon as reasonably practicable after receipt of an application, to make applicants aware that the Money and Pensions Service (MaPS) called MoneyHelper is available to assist them and that the Pensions Ombudsman is available to investigate and determine any complaint or dispute providing the relevant details.

### **3. Who can apply under the new arrangements?**

- 3.1 The IDRPs are available to you if you are:
- a member (active, deferred or pensioner) of the FPS or NFPS or FPS 2015a widow, widower or surviving dependent of a deceased member of the Firefighters' Pension Scheme or NFPS or FPS 2015;
  - a prospective member of the scheme;
  - a person who ceased to be within any of the categories above;
  - a person claiming to come within one of the categories above where the dispute relates to whether they are such a person; or
  - someone entitled to benefits under the FCS.

### **4. Can someone else apply for me?**

- 4.1 An application may be made or continued on your behalf by a representative nominated by you (e.g. staff association, solicitor). An application may also be made or continued on your behalf if you die, are a minor, or are

otherwise incapable of acting for yourself:

- in the case of death, by your personal representatives; and
- in any other case, by a member of your family or some other person or body suitable to represent you.

## **5. What can the application be about?**

- 5.1 You may make an application under the IDRP about any claimed action or omission by the Fire and Rescue Authority within the scope of the Firefighters' Pension Scheme **except for** a determination of a Fire and Rescue Authority on a question referred to an independent qualified medical practitioner under Rule H1, where a notice of appeal has been issued under Rule H2 of Schedule 2 to the Firemen's Pensions Scheme Order 1992, rule 4 of Part 8 of the New Firefighters Pension Scheme 2006 (appeal against decision based on medical advice) or rule 2 of Part 6 of Schedule 1 to the Firefighters Compensation Scheme (England) Order 2006 (appeal to medical referee) Part 12 Chapter 2 Regulation 154 (appeals against determinations based on medical evidence) Firefighters Pension Scheme (England) Regulations 2014.
- 5.2. You cannot make an application under the IDRP about a matter which is outside the scope of the Firefighters' Pensions Scheme. Thus, for example, an application cannot be made about a decision not to pay a pension to a common-law spouse if the fact that he or she is not married to you is not disputed.

## **6. How do I apply for a decision? - Stage One**

- 6.1 Under the IDRP you must make an application for a Stage One decision in writing; you must set out the facts of the matter in dispute and the reason you are aggrieved; and your application must contain enough details to enable the Fire and Rescue Authority to identify the complainant. The application must be made to the **Deputy Chief Fire Officer and emailed to: [pensions@cambsfire.gov.uk](mailto:pensions@cambsfire.gov.uk)**
- 6.2 In addition to the above you should bear the following in mind:
- if you are Firefighter or former Firefighter making a complaint, you should provide your full name, address, and date of birth;
  - if you are being represented by a relative, he or she must, in addition to the details about you, provide his or her full name, address and relationship to you;
  - if you are being represented by someone else, your representative must give his or her full name, address and profession or other authority to represent you;

- the application should make clear the address the Fire and Rescue Authority should use to send their reply; and
- the application should be signed by or on behalf of the complainant.

6.3 Please use this form [IDRP Stage 1 Application Form.docx](#) to help you make a Stage One application.

## 7. Is there a time limit on when I can make a complaint?

7.1 Rule H3 of the Firefighters' Pension Scheme Order 1992 ,Part 8, Rule 2 of the 4 New Firefighters' Pension Scheme 2006 and Part 12, Rule 151 of the Firefighters' Pension Scheme 2015 provides that you have 28 days from the date of receipt of the decision you want to complain about, in order to make a written application under the IDR procedures.

## 8. Stage One Decision

8.1 The reply from the **Deputy Chief Fire Officer** is called the "notice of decision". It should provide an explanation of the decision taken in response to your complaint and should be issued within two months of the date of receipt of your application. In the absence of a full reply in that time you should receive an interim reply explaining why there is a delay and when you can expect a full reply. The notice of decision must include the following:

- a statement of the decision;
- a reference to any legislation relied upon;
- a reference to those parts of the relevant legislation relied upon, including a reference to any legislation conferring discretion on the Fire and Rescue Authority where that has been exercised;
- a reference to any documentation on which the decision is based;
- an explanation of your right to have the disagreement referred for consideration by the **Chief Fire Officer** (with Fire Authority Member oversight) within 28 days of the date of receipt of the decision.

## 9. What if I disagree with the Stage One decision?

9.1 Under the IDRP you have the right to ask for your case to be referred to the **Chief Fire Officer** (in consultation with the Fire Authority Chair)) if you are not satisfied with the Stage One decision. You or your representative must submit the written Stage Two application within 28 days of the date of receipt of the Stage One decision.

## 10. What If I do not receive a Stage One decision?

10.1 You can also make a Stage Two application if the **Deputy Chief Fire Officer** has failed to send you a written notice of decision or an interim reply

within three months from the date on which particulars of the disagreement were received, or where he or she has sent you an interim reply but has failed to send you a written notice of decision within one month from the date he or she said you could expect the decision.

## **11. How do I make a Stage Two application?**

- 11.1 You should give the details set out at paragraphs 6.1 and 6.2 above, together with a statement that you wish the **Chief Fire Officer** (in consultation with the Fire Authority Chair) to reconsider the matter put to the **Deputy Chief Fire Officer** and why you are dissatisfied with the Stage One decision. Please use this form [IDRP Stage 2 Application Form.docx](#).
- 11.2 You should submit your Stage Two application to: **Chief Fire Officer** at [pensions@cambsfire.gov.uk](mailto:pensions@cambsfire.gov.uk).

### **Stage Two decision**

- 11.3 The **Chief Fire Officer** (in consultation with the Fire Authority Chair) should issue a notice of their decision within two months of the date of receipt of your Stage Two application and, where this is not possible; an interim reply should be sent explaining why there is a delay and when a full reply can be expected. The full reply should include:
- a statement of the decision and an explanation whether, and if so to what extent, the original decision by the **Deputy Chief Fire Officer** has been replaced;
  - a reference to any legislation relied upon;
  - a reference to those parts of the legislation relied upon, including a reference to any legislation conferring discretion on the Fire and Rescue Authority where that has been exercised;
  - a reference to any documentation on which the decision is based;
  - a statement that MaPS (Money and Pensions Service) is available to assist you in connection with difficulties you have failed to resolve with the Fire and Rescue Authority, and the address at which MaPS may be contacted; and
  - a statement that the Pensions Ombudsman appointed under section 145(2) of the Pension Schemes Act 1993 may investigate and determine any complaint or dispute of fact or law in relation to the Scheme made or referred in accordance with that Act, and the address at which you may contact him.

## **12. Can I get help to resolve my dispute?**

12.1 At any time, if you are having difficulties in sorting out your dispute, you may wish to contact The Money and Pensions Service (MaPS) for help. MaPS can provide free advice and information to explain your rights and responsibilities.

12.2 To get information or guidance, their helpline phone number is 0800 011 3797. Lines are open Monday to Friday 9am to 5pm.

12.3 In addition, through their website <http://maps.org.uk/en/>

Alternatively, you can write to them at:  
Money and Pensions Service  
Borough Hall  
Cauldwell Street  
Bedford  
MK42 9AB

12.4 A MaPs adviser cannot force a pension scheme to take a particular step but, if they think your dispute is justified, they will try to resolve the problem through conciliation and mediation.

## **13. Where can I obtain further information about the IDRP?**

13.1 You can ask for further information and obtain further forms from [pensions@cambsfire.gov.uk](mailto:pensions@cambsfire.gov.uk).