



Complaints Procedure

Public Employees Pension Fund

Complaints Procedure

This is the recognised complaints procedure which clarifies what action you should take if you are unhappy with the treatment or service you have received from the Public Employees Pension Team (**PEPT** or the **Pensions Team**) in connection with the Public Employees Pension Fund (the **Scheme**).

From the day you become a member of the Scheme, to the day when your benefits or dependant's benefits are paid, the employer and the Pensions Team have to make decisions under the Scheme Regulations that affect you (or your dependants). When you (or your dependants) are notified of a decision you should check, as far as you can, that it is based on the correct details and that you agree with the decision.

In the event that you are not satisfied with a decision affecting you in relation to your benefits then you have the right to have the decision reviewed under the formal complaint procedure.

If your complaint relates to a discretionary decision of the Committee of Management, then your complaint will go straight to Stage 4.

Who can complain?

A complaint can be made by any member who is not satisfied with any decision of the Pensions Team which would affect them, or is likely to affect them, in relation to their benefits. A complaint can also be made by a parent on behalf of children or a legal guardian acting on behalf of a member in accordance with their wishes.

What is the time limit for making a complaint?

If you wish to make a complaint you should normally make it within 3 months of the day you were informed of the decision or incident leading to the complaint, or within 3 months of the day on which you became aware of something to complain about.

The Pensions Team have the discretion to waive the time limit if there is a valid reason as to why you did not raise the complaint earlier.

Making a complaint

Stage 1 – PEPT review

If you have a complaint about a decision made by the Pensions Team you will need to contact the Pensions Team and advise them of the decision that you are not satisfied with. The complaint will be carefully considered by the Pensions Team and where they find in your favour, they will ensure that things are put right.

The Pensions Team will aim to respond to all complaints within 5 working days from the date on which they receive the complaint. If the Pensions Team find that they need further assistance on the complaint and more time is required in which to respond, you will be informed.

If it is identified that the decision your complaint relates to originates from information provided by your employer, your complaint may be passed to your employer for them to reconsider the decision. Where this is the case, you will be informed and it will be for your employer to respond to your complaint.

You can contact the Pensions Team by email at pept@gov.je or in writing as follows:

Public Employees Pensions Team, Treasury and Exchequer, Union Street, St. Helier, Jersey, JE2 3DN.

Stage 2 – Treasury and Exchequer Senior Management review

If you remain unhappy with the response provided by the Pensions Team or your employer, you can make a formal complaint in writing using the address below. Your complaint will be reviewed by a Senior Manager within the Treasury and Exchequer Department of Government who will acknowledge receipt of your request within 5 working days and who will aim to respond to the complaint within 10 working days from the date on which the complaint was received. If the Pensions Team find that they need further assistance on the complaint and more time is required in which to respond, you will be informed.

We will seek to ensure, to the extent possible, that the Senior Manager has not had any previous involvement in dealing with your complaint so that the review of the complaint is as independent as possible.

If the Senior Manager finds that they need further assistance on the complaint and more time is required in which to respond, you will be informed.

The address to use to make a formal complaint in writing is as follows:

PEPF Stage 2 Complaint/Senior Manager, c/o the PEPF, Treasury and Exchequer, Union Street, St. Helier, Jersey, JE2 3DN.

Stage 3 – Working Group review (with assistance from Scheme Secretary)

If you are unsatisfied with the handling of your complaint or you remain unhappy with the response following the formal complaint, you can take the complaint further by writing to the Secretary of the Committee of Management. The Committee of Management is the governing body of the Scheme (made up of twelve individual members and a Chairman) and is independent of the Government and the PEPT.

The address to write to is as follows:

The Secretary, Committee of Management of the PEPF, c/o the Public Employees Pensions Team, Treasury and Exchequer, Union Street, St. Helier, Jersey, JE2 3DN.

The Secretary will work with the Committee of Management to convene a Working Group comprised of members (usually between 2 and 3 members) of the Committee. The Working Group will review your complaint and the decisions that have been made. The complaint will be reviewed afresh, with support from the Scheme actuary, lawyers or investment adviser, as appropriate.

The Secretary will acknowledge receipt of your request within 5 working days and will aim to communicate the outcome of the Working Group's review within 30 working days from the date on which the complaint was received. If it is not possible to respond fully to the complaint within this timeframe, the Secretary will notify you.

Stage 4 – Committee of Management review and final decision

If the decision made at Stage 3 still does not resolve your complaint, then it will be considered by the full Committee of Management.

The Committee of Management may (depending on the nature of the complaint) provide details of the complaint to the Scheme Actuary, investment adviser or lawyers, an independent third-party actuary or other appropriate professional(s) to undertake a review of the complaint (the **Professional**).

The Professional will be provided with access to information (redacted as necessary) in order to undertake an impartial assessment of the complaint.

Where a Professional is instructed, the Committee of Management will receive the outcome of the Professional's review, which will form part of the Committee's decision-making.

The Committee will keep you updated on the likely timeframe in which it will be able to respond to you.

The Committee of Management will reach a final view.

How we will deal with complaints

Both the PEPT and the Committee of Management are bound to comply with the legislation which governs the Scheme, which will take precedence over any scheme literature.

The Committee of Management undertakes its role in the interests of all members of the Scheme. This does not mean that the Committee of Management will always reach a decision which is in the complainant's favour, however the Committee will seek to:

- **be informed** (by ensuring it has all of the facts and evidence needed to make a decision, as well as any professional support required)
- **be fair** (by taking account of relevant facts, addressing the question asked and not letting irrelevant factors cloud its judgement)
- **be open minded** (by being prepared to give full consideration to any new facts or evidence)
- **be reasonable** (by making reasonable assumptions and taking into account the complainant's situation).