



# The Pensions Ombudsman – an overview

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**Anthony Arter, Pensions Ombudsman**  
**Transparency Task Force Symposium - 8 March 2021**



# Our purpose

We can investigate:

- ❖ all occupational and personal pension schemes
- ❖ some decisions of the Pension Protection Fund (PPF) and complaints of maladministration
- ❖ some decisions made by the PPF as manager of the Financial Assistance Scheme.

We are:

- ❖ impartial
- ❖ customer-focused
- ❖ free alternative to the courts.

# A little bit of history

- ❖ **The Pensions Ombudsman (TPO)** deals with matters that predominately concern administration and/or management of occupational and personal pension schemes

Unlimited  
redress

Funded from  
general levy

Legally  
binding

Unique  
powers

- ❖ **The Pensions Advisory Service (TPAS)** – advisory service, part of the Money and Pensions Service
- ❖ **The Financial Ombudsman Service (FOS)** advice in respect of sales or marketing of individual pension arrangements

# Simplifying the customer journey

- ❖ The Pensions Ombudsman welcomed the dispute resolution team from The Pensions Advisory Service, plus 240 volunteers – March 2018
- ❖ The Money and Pensions Service provides information and guidance on pensions
- ❖ The Pensions Ombudsman deals with pension-related disputes
- ❖ Early Resolution customers are not expected to have first used a scheme's internal dispute resolution procedure. The Department for Work and Pensions and The Pensions Regulator – September 2018
- ❖ DWP launch a public consultation seeking views on new provisions for dispute resolution by The Pensions Ombudsman – December 2018

# Distress and inconvenience – non-financial injustice

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- ❖ **‘Distress’** is things like concern, anxiety, anger, disappointment that an applicant experiences.
- ❖ **‘Inconvenience’** is the time and effort spent by the applicant in relation to the maladministration and in having to pursue their complaint.

# Oral hearings

Three held over four years. Held if:

- ❖ case can't be decided by reading papers (e.g. pension liberation)
- ❖ discretion exercised is perverse
- ❖ reviewed again and still not exercised properly
- ❖ Trustees may be personally liable.

NB. Pension 'liberation' cases may not involve dishonesty by the party complained about (e.g. due diligence flaws by transferring provider). If redress is ordered, directions will ensure no double recovery from any successful pursuit of the recipient 'scheme')

# Scam and Dishonesty cases

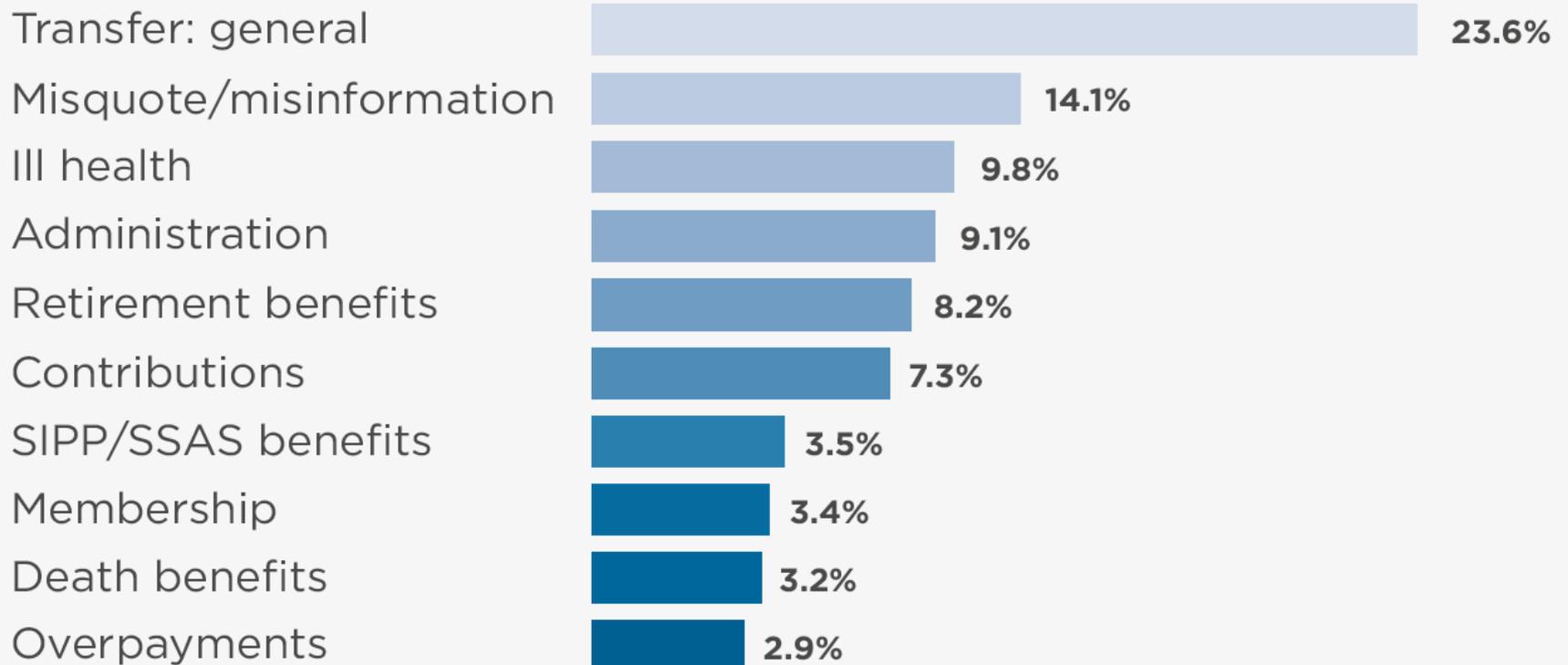
Mr N and Northumbria Police Authority (PO-12763)

Trustees personally liable:

- ❖ **Mr L and Henry Davison Ltd (PO-7292)**
- ❖ **31 Applicants, Dalriada Trustees Limited and Stuart Garner (Norton MC), LD Administration Ltd (CAS-30918-M4P3)**

Number of other cases in pipeline

# Top 10 complaint topics completed investigations 2019/20





**Any questions?**