

Issue 1 – March 2017

Welcome to The Pensions Ombudsman News

This is our first Stakeholder Newsletter. In the past year, we have made a lot of changes and improvements. We want to tell you what we have been doing and start to communicate more effectively with the people on the front line of handling pension complaints. Going forward, we plan to publish The Pensions Ombudsman News on a quarterly basis.

Introductory message from Pensions Ombudsman, Anthony Arter

Here at The Pensions Ombudsman, we want to strengthen signposting thereby improving the customer journey, providing clarity and increasing customer satisfaction. In the past 18 months, we have changed our approach to casework so more cases are resolved informally, and at the earliest opportunity. This will gradually reduce the time taken to resolve an issue which is obviously of benefit to the public and to pension providers alike.

It is also in the interests of schemes and providers to improve their complaint handling process thus avoiding the need for our involvement. Complaints cost time, money and reputational risk. We will share good practice, knowledge, and information to ensure that the public benefit from an improved service and retain trust in pension savings.

We are seeing an ongoing increase in the number of complaints we receive. People are complaining more readily, and are demanding a better service from their providers. They want to be listened to when things go wrong, and will voice their unhappiness on the internet and social media platforms, potentially causing reputational damage. Communication is vital, not only in providing and administering a pension arrangement but also resolving issues as quickly as possible when they arise.

Good complaint handling and learning from past mistakes is essential. By improving our stakeholder engagement and working more closely with you, we aim to achieve positive outcomes for pension providers and schemes; but above all the public - your members and customers.

What's been happening?

Name change

We have changed our name from the Pensions Ombudsman Service to The Pensions Ombudsman (TPO). This makes us consistent with our main partner organisations; The Pensions Regulator (TPR) and The Pensions Advisory Service (TPAS).

New videos

Two short films have been added to our website; "How we can help" and "What you need to do" providing clear information for the public on making a pension complaint.

Accessibility

We aim to offer an accessible service and have added the "browseloud" tool to our website which provides speech, reading and translation and is especially useful for people with visual impairments, reading difficulties, and for those where English is their second language.

Online application form

We have introduced an online application form to make it easier for the public to make a complaint.

Stakeholder Management

We want to improve how we work with you. We have built strong and effective contacts with some of you in the large public sector schemes with our Relationship Managers' program, and for those of you in the private sector we have a Providers' Forum. We want to combine and evolve the work of both groups.

We have recruited new Stakeholder Managers from our adjudicators to enable us to work more closely with more of you. We plan to share what we know about the number, type and outcomes of complaints we are receiving from your businesses. We want to identify and share emerging issues more quickly, and work with you to reduce and avoid complaints. It's important that we can talk to the right people with the right level of authority, to resolve more complaints informally and at the earliest opportunity. Our new team of Stakeholder Managers will be getting in touch with you soon.

Staffing

We have secured new funding from the Department for Work and Pensions for fixed term staff to deal with a number of legacy cases, and successfully recruited to meet our full staff compliment. Our new team members are fitting in well and are already making an impact.

Redress for non-financial injustice

We have published a factsheet about redress for non-financial injustice, such as distress and inconvenience. It provides guidance on our approach and the level of awards we are likely to make to compensate applicants who have suffered significantly as a result of maladministration. In most cases awards will range from £500 to £1,000. But sometimes, higher awards are necessary. If the non-financial injustice is not significant, no award is likely to be made.

Casework update

Our caseload

We will publish our caseload and performance data in the new financial year. So far, we have seen a rising number of enquiries and complaints. In the last year, fewer cases were determined formally by way of a decision by the Ombudsman, and many investigations were completed in a shorter time frame than before.

How we investigate complaints

We recently produced a process map to help you understand how we will deal with a complaint. It explains our processes and when you are likely to be contacted by us. We have re-structured our teams of adjudicators: we now have Area 1 (enquiries, jurisdiction, triage and casework

on easily resolvable cases), Area 2 (casework that requires more in depth investigation) and Area 3 (team dedicated to our legacy cases). All new investigations are triaged within their first week and allocated to an adjudicator. What does that mean for you? More contact from our adjudicators who want to discuss the case and wherever possible resolve complaints at the earliest opportunity.

Changes to Opinions

We have a new template for Opinions; they are now shorter and more consistent. We will be publishing more Opinions not determined by the Ombudsman, but that are important or of particular interest.

Useful documents and links

- [The Pensions Ombudsman's website](#)

- Casework Process Map



Process map -
external.pdf

- Our structure



org chart internal
march 2017.pdf

- Staff Directory



Telephone list -
March 2017.pdf

Legal update

Legal Team

Our Legal Team has evolved. Their work falls into three key areas: Casework, Policy and Legislation and Litigation (i.e. Judicial Reviews and Appeals). They also run an internal legal helpline for our adjudicators.

Hot legal topics

There have been recent decisions by the High Court on two significant cases:

Police and Crime Commissioner for Greater Manchester v Butterworth and Webber v Department for Education, which have influenced our decision making and may also affect you.

In Police and Crime Commissioner for Greater Manchester v Catherine Butterworth, the Ombudsman decided to participate to assist the Court. We were disappointed that the court was unable to remedy the underlying injustice for Mrs Butterworth, but we cannot fault the legal reasoning in what was a complex matter. Although the appeal was upheld the Ombudsman will continue to assist in other cases where he believes it is right to do so.

In Webber v Department for Education [2016] EWHC 2519 (Ch) (Webber), the case was an appeal (to the High Court) of a Determination by the Pensions Ombudsman (dated 2 February 2016) about an overpayment complaint. For further details and guidance refer to the attached bulletin below.

Introduction to our new Legal Forum

We want to establish a Legal Forum to improve communication with your legal teams and legal service providers, discuss on how changes in legislation and significant rulings impact upon all our work. We want to improve horizon scanning and share more information and data.

We plan limited consultation with a small number of our legal contacts in the next couple of months to inform how the Legal Forum may evolve.

Useful links

- Legal Team Bulletin: Overpayment complaint Webber v Department for Education



Bulletin
Overpayment issue 1

- Legal Team Fact sheet: Redress for non-financial injustice



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