

Issue 5 – November 2018

The Pensions Ombudsman News

Welcome to the fifth edition of The Pensions Ombudsman (TPO) News. In this issue, we are delighted to welcome contributions from our First Contact and Early Resolution Teams and TPO's Legal Forum. If you are interested in contributing in future newsletters, please contact mairi.spiby@pensions-ombudsman.org.uk

Introductory message from Pensions Ombudsman, Anthony Arter

Now that summer is well and truly over, it's a good time to reflect on what we've achieved over the past few months.

September was incredibly busy. As you may know, the joint statement from the Department for Work and Pensions and The Pensions Regulator clarified the signposting provisions to our service. This is excellent news and a very sensible interim measure.

In the same month, I published revised guidance on 'Redress for non-financial injustice'. Following two High Court appeals in Bagniet and Smith, I reviewed our policy and introduced five different levels:

Nominal; Significant; Serious; Severe and **Exceptional** with redress ranging from 'no award' to 'more than £2,000'. Full details are in the [Redress for non-financial injustice](#) factsheet on our website.

I also had the honour of delivering the annual prestige lecture for the Association of Pension Lawyers, I believe some of you may have been there. Taking advantage of opportunities to share what we do and our approach to dispute resolution is an excellent way of improving stakeholder

engagement which can only be good for our customers.

With this in mind, we have been looking at ways to establish a consumer panel and would really value your input at our exploratory consumer panel meeting in March

2019. I also hope you will be able to join us on 21 February at our next Stakeholder event and, of course, there's our Legal Forum on 5 December. Further details of all events are on page four.

And finally, I have long been involved in corporate volunteering activities and for the last three years, we have organised a 'Give and Gain' day where staff are released from their usual work duties to volunteer at a local charity for the day. You can read about this year's experiences on page five – just don't mention the wasps!

Anthony Arter
Pensions Ombudsman



If you would like to contribute to future newsletters or discuss any news items, please contact Mairi Spiby, Stakeholder Manager: mairi.spiby@pensions-ombudsman.org.uk

Out and about with our Stakeholder Manager



I have had a busy few months travelling around the country, hopefully dispelling the preconception that we are all London-centric! Here are a few highlights.

Back in July, I spoke about our work and the changes we have made at the Pension Wise Summer School at Birmingham University. I was very pleased to meet staff and volunteers and learnt that some of their volunteers also volunteer for us!

We've been building our relationship with Pension Wise and the Money Advice Service ahead of their planned amalgamation, along with colleagues from The Pensions Advisory Service to the Single Finance Guidance Body.

In August, along with colleagues from our Casework Directorate, I met with representatives from: SMART Pensions, NEST and NOW Pensions. Here, we explained our new casework structure and introduced our new First Contact and Early Resolution teams. I was also invited to The Pensions Regulator's stakeholder event at City Hall where it was interesting to meet colleagues in the industry and hear about changes in their approach as they prepare to welcome a new Chief Executive.

In September/October we held three events for our volunteers, in London and Manchester. It was a real pleasure to meet with them and discuss how we can share the valuable experience, expertise and contacts which they have brought to TPO.

I met senior managers from the master trust, Willis Towers Watson at their office in Redhill. The feedback they provided was invaluable, and has led to discussions by our Executive Board about how we can best

use the feedback, information and intelligence we get from our stakeholder work with you to drive improvement in our business.

In October I spoke at the Local Government Association for Teachers Pensions event in York. The Ombudsman followed up with an event held in London. We were well received at both events and it was great to receive candid and helpful feedback from delegates. I also attended a meeting with the Avon & Somerset Police Pension Board represented by trustees, administrators, HR managers and Police Federation Representatives from seven police forces. Discussion was around our approach to ill health cases and our focus upon early resolution of disputes and complaints.

I presented at a PMI sponsored event in Manchester attended by senior lawyers, trustees and administrators where questions from the floor were probative and searching! This was followed by a LGA event run by the Local Pension Partnership in Lancashire sharing the platform with a colleague from TPR.

In early November I was invited to a 'Lunch & Learn' event for the actuarial consultancy, Conduent, who many of you will know as Buck Consultants. A great idea bringing staff in the London office in for a bite-sized training session, with staff from Ipswich, Manchester and Edinburgh dialling in.

Meeting with people working within the pensions industry is invaluable. Not only can we share the improvements we're making at TPO, but more importantly, we get the chance to talk to people working at the 'coal face' of pension disputes. This means we get to listen to what you want, so we can work together to improve the customer journey and resolve disputes and complaints at the earliest opportunity.

Mairi Spiby
Stakeholder Manager

“Part of the fixtures and fittings”



Our transfer from The Pensions Advisory Service (TPAS) was only six months ago, but we already feel part of the fixtures and fittings at The Pensions Ombudsman (TPO). The service we

provide remains unchanged. Our aim is to resolve cases fairly and informally, without the need for formal adjudication.

Our team is made up of staff and volunteers. All our volunteers are pension professionals with many years of pensions' experience.

Complainants typically contact us before they've made their complaint 'formal'. We carefully consider what they send and are often able to explain what's happened without having to contact their pension provider. But, if necessary, we may have to contact you for more information about what's happened, and if appropriate, discuss how things can be put right. Sometimes, making a complaint 'formal' is the right thing to do. If we think that's the case, we'll guide the complainant on how to do this, making sure a correct outline of the issues is presented, so you're able to give it proper consideration.

Our service works thanks to your cooperation and engagement, for which we are very grateful. Many of you are already volunteers. But if you're not and you would like to find out more, we'd love to hear from you.

Tony Attubato
Early Resolution Team Manager

“Engage, educate and resolve”

The First Contact Team was created in April 2018 to deal with all new enquiries – post, phone, email and online applications. The First Contact Team follows the principles of “engage, educate, and resolve”.

All new enquiries go through the First Contact Team. The First Contact Team then decide whether Adjudication or Early Resolution is the most suitable route. Depending on which we decide, based on what is best for the customer, the team will then explain to the customer how they can access it.

The First Contact Team does not refer all its enquiries to the Early Resolution Service but decides whether the formal route is more suitable. Then the First Contact Team will educate the customer about the processes and the journey ahead. We believe that by educating people, we are empowering them. Once the customer is happy with what we have suggested, the enquiry is resolved.

Rashad Qureshi
*First Contact Team
Manager*



If you're a pension professional who wants to make a real difference by helping people with their pension problems, why not become a TPO volunteer adviser! You only need to devote a few hours per month and can work from home. For more information, contact Paul Day, Casework Manager: paul.day@pensions-ombudsman.org.uk

TPO news

Consumer Forum, March 2019

To better understand our customers and how we can improve our service to them, we are planning a small, informal gathering of people working within the pension industry, complaints arena and those delivering consumer advice and support services. To get involved, contact Mairi: mairi.spiby@pensions-ombudsman.org.uk

Hold the date: Stakeholder Event 21 February 2019 11am-2pm, London

We want to hear your suggestions about the theme/agenda for the day. Contact Mairi: mairi.spiby@pensions-ombudsman.org.uk

Signposting for pension dispute resolution just got clearer

In September, the Department for Work and Pensions and The Pensions Regulator issued a statement that clarifies the signposting provisions for referring to TPO and TPAS. Download the [statement and the template wording](#) from our website.

Redress for non-financial injustice

In September we published revised guidance about redress for non-financial injustice caused by maladministration. You can download the [updated factsheet](#) from our website.

Recent events for TPO

October

11/16 – Annual teachers’ pensions conference 2018, York/London

18 – South West Police Region Pension Board

November

5 – Conduent Consultants

7 – PMI conference, Manchester
Local Pensions Partnership, Cumbria

13 – Local Pensions Partnership,
Lancashire

15 – DC Insight conference, London

20/21 – National LGPS Conference,
Torquay

Upcoming events for TPO

November

29 – ABI event, London

December

5 – TPO Legal Forum, London

February

21 – Stakeholder event, London

TPO Legal Forum 5 December 2018

Following the success of previous Legal Forums, TPO will be holding a further specialist event for lawyers on 5 December.

The Legal Forum is a transparent forum to discuss matters such as: changes in legislation; changes in our organisation; and how those matters influence our work and our decision-making ability and those of our stakeholders.

We will discuss the following topics and then hold an open forum, for members to raise matters of interest or concern:

- Signposting provisions following the transfer of the dispute resolution function from TPAS to TPO: TPR’s and DWP’s joint statement.
- Maladministration.
- Recent appeals against Ombudsman determinations.
- Overpayment cases: Our position following the case of Burgess v BIC UK Ltd [2018] EWHC 785 (Ch).
- Update re:
 - pensions liberation
 - death benefitsand law firms’ perspectives on recent case law in both areas.

Please contact Liz as soon as possible if you are a lawyer and want to join our Legal Forum and/or attend the event: elizabeth.mcallister@pensions-ombudsman.org.uk

Give and Gain – TPO’s corporate volunteering days

In early October, while the sun was still shining, two groups of TPO staff set off into the wilderness to flex their muscles and try to do some good at the same time, as part of the corporate volunteering days. The two local charities benefiting from our time and enthusiasm were [Mudchute Farm](#) in the Isle of Dogs and [Greenwich Peninsula Ecology Park](#).

Our initial challenge at Mudchute Farm was to replace some of the fencing which involved removing the old posts and digging holes for new ones to be installed. Unfortunately, the team didn’t get very far as they managed to hit a wasp’s nest! Despite most of the team getting stung (one person counted 18) and being liberally doused in vinegar by the farm staff, they courageously battled on, clearing brambles and undergrowth from a children’s play area while our Pensions Ombudsman mowed an entire meadow!

Meanwhile, over at the Ecology Park we donned our waders and gingerly picked up our sharpened scythes to clear reeds from one of the lakes, creating a bigger range of habitats for the winter. We were extremely fortunate that the sun shone all day and, without the distraction of a wasp attack, we were able to clear a large area as well as bundling the cut reeds to be used to create fences and shelters at a future date.

Both volunteering days were a great success with 100% of participants saying they felt they had “helped the charity with its work” and “would definitely do it again”. A typical feedback comment sums up what people enjoyed most about the day:

“Doing something different for a day; getting to know colleagues better in a non-office environment; contributing to a worthwhile project.”

We are now looking into how we can extend our charity work to involve more staff throughout the year.



Some of the Mudchute Team



The reeds before



One man went to mow



And after... with the team