

## Complaining to the party/parties at fault

Before The Pensions Ombudsman will investigate a complaint, you must have first tried to resolve matters with the party or parties you think are at fault.

Your complaint may involve more than one party and may be against the employer, trustees, managers or administrators of the pension scheme. If your complaint involves both the employer **and** either the trustees, managers or administrators, you will need to contact each party separately.

When you make a complaint to us, you will have to provide evidence that you have raised your complaint with the party/parties you believe to be at fault and given them an opportunity to respond.

### How do I complain to the party/parties at fault?

Many pension schemes or providers have their own complaints process, which is often the best way to make sure your complaint is seen by the relevant people as quickly as possible.

### Complaints about an occupational pension scheme

An occupational pension scheme – a scheme which is set up by an employer for its employees – must have a complaints process known as an internal dispute resolution procedure (**IDRP**).

If your complaint is with the trustees, managers or administrators of a current or former occupational pension scheme, you should set your complaint out in writing and ask for it to be dealt with under the IDRP.

Below is a template that you may find useful.

Dear

I refer to my previous letter(s) to you about my pension. I would like my complaint to be considered under the Scheme's internal dispute resolution procedure as required under Section 50(2) of the Pensions Act 1995.

Please treat this letter as my formal request under that legislation. Please respond to me at the above address. My personal details are:

Full name:

Date of birth:

National insurance number:

I am complaining about:

[provide full details of your complaint, stating what happened, why you are dissatisfied and the effect of issue(s) on you]

Each pension scheme has its own time frame within which to respond to complaints under its IDRPs. If you do not receive a response within the time limits set out in the scheme's IDRPs, please contact us straight away, as we have our own time limits for bringing a complaint (see below).

### Other complaints

If your complaint is not about an occupational pension scheme, or is with an employer, there is no requirement for an IDRPs. You should follow any complaints process the party/parties have in place, or write to them, setting out what you think they have done wrong, and ask for a response. Below is a template you may find useful:

Dear

I refer to my previous letter(s) to you about my pension. Please treat this letter as a formal request to consider my complaint. Please respond to me at the above address. My personal details are:

Full name:

Date of birth:

National insurance number:

I am complaining about:

[provide full details of your complaint, stating what happened, why you are dissatisfied and the effect of issue(s) on you]

If you are not happy with the response, or if you do not receive a response within eight weeks, please contact us straight away, as we have our own time limits for bringing a complaint (see below).

### Time limits

It's important that you complain to the party/parties you believe to be at fault as soon as possible, as there are time limits for bringing a complaint to us.

Usually, you need to contact us within three years of the event you are complaining about happening, or within three years of when you first knew about it (or should have known about it). We may be able to extend these time limits where reasonable, for example due to serious ill health, the Covid-19 situation, or because you have been attempting to resolve the complaint.

Please let us know if you feel that your complaint is urgent, for example because of your state of health, or if you believe the organisation you wish to complain about may cease to trade or exist.

## What happens after I complain to the parties at fault?

You can make a complaint to The Pensions Ombudsman if:

- ❖ you are dissatisfied with the party's/parties' response, or
- ❖ you have not received a response within the time limits set out within the party's/parties' complaints procedure (or within eight weeks if there are no time limits).

When you complete our application, you will need to attach details of your complaint to the party/parties and their response (if any). We will then be able to consider how best we can help.

We operate an Early Resolution Service as well as a formal adjudication service. This means, wherever possible, we resolve complaints informally at an early stage. Where appropriate, this can be before IDRPs has been completed.