

Issue 6 – June 2019

The Pensions Ombudsman News

Welcome to the sixth edition of The Pensions Ombudsman (TPO) News. In this issue, we are delighted to welcome contributions from our Legal Team, Volunteer Manager and our Stakeholder Manager. If you are interested in contributing in future newsletters, please contact mairi.dearden@pensions-ombudsman.org.uk

Introductory message from Pensions Ombudsman, Anthony Arter

Earlier this week, I had the honour of delivering the keynote speech on the first day of the Pensions and Benefits UK conference – maybe you were there.

The title of my presentation was ‘Working together to improve dispute resolution’ where I talked about the way in which we have brought together the different approaches to resolve a pensions dispute. Resolving disputes at the earliest point with no loss of quality.

Our Early Resolution Team (formerly TPAS’ dispute resolution team) has fitted perfectly with this approach. It has resulted in more than 80% of all complaints received now being resolved informally.

This considerable shortening of the time taken to settle disputes is not only in the interests of complainants but also respondents; saving costs and perhaps reputation. But it is not just about speed, it is also vital that the right outcome is achieved. To help us improve our customer’s experience, we have introduced a customer journey quality framework to maintain quality and consistency.

I also spoke about oral hearings. We don’t hold very many of these, there have only been three in the past four years. But one instance where I will hold one is where the Trustees may be personally liable; as was

the case in Mr L and Henry Davison Ltd (PO-7292).

Our stakeholders are always interested in the type of complaints we get and what we think may be the next big issue. In last year’s Annual Report, the top subject matter for both new and completed investigations was transfers, including suspected pension scams.



Over the last year, the number of transfer complaints we have received has almost halved. But whatever is on the horizon, our ability to spot trends and forecast spikes in demand has greatly improved and we will be able to allocate resources accordingly.

We are currently working on this year’s Annual Report and I look forward to sharing our achievements with you in what has proved to be another busy but successful year for TPO.

Anthony Arter
Pensions Ombudsman

Out and about with our Stakeholder Manager

Working together to improve the customer journey

Back in February we hosted our second Stakeholder Event, held at an amazing location overlooking Canary Wharf.



Approximately 50 delegates from across the pensions industry joined us. The day was a huge success, bringing together people to network, enjoy excellent refreshments, listen to what we've been up to, and tell us what they want from us.

Anthony Arter, delivered the welcome and introduction to the event.

Alan Mayers, Deputy Head, Veterans-UK Armed Forces Pensions, Compensation and War Pensions Ministry of Defence, discussed how they have adopted a one-step internal dispute resolution procedure.

Andrew Burnett, our Deputy Casework Director, talked about our evolving approach to casework.

Richard Purdue, one of our Volunteer Advisers, spoke about "*A day in the life of a TPO volunteer adviser*"

James Collins, our Legal Manager, gave a legal update.

We then broke into smaller groups and asked delegates four key questions:

- How can we work better together to improve the customer journey?

- What do you think are the barriers to consumer engagement and how can we make sure we get meaningful input from consumers?
- How do you want to input ideas to influence our plans?
- What can we do to better facilitate networking across the industry?

Several key themes emerged:

- Technical advice: Help desk for stakeholders.
- Working together: More events, consultation, workshops with schemes, providers, Trustees, employers, consumer groups and unions.
- Stakeholder Relationship Managers: Regular and increased contact.
- Education: More fact sheets and guidance from the Legal Team.
- Engagement: Pick up the phone and talk through cases with applicant and provider.
- Updates: Regular and meaningful updates to **all** parties to a complaint.

Consumer Panel

In April we held our first Consumer Panel, bringing together a small group of individuals with a consumer focus to explore the same key questions as the Stakeholder Event.

A key focus of the day was: "*How might we improve customer service*", people told us they want us to:

- Provide website prompts, have you done XYZ?, before people submit a complaint.
- Outline what information TPO commonly needs.
- Provide 'frequently asked questions' on our website for customers and stakeholders.

Mairi Dearden
Stakeholder Manager

Can you make a difference?



Whether it's answering questions; clearing up misunderstandings; or helping a member get appropriate redress if something has gone

wrong; hundreds of your fellow pension professionals are regularly helping The Pensions Ombudsman (TPO) respond to thousands of customers who contact us each year. Could you help too?

As well as the satisfaction of knowing you are making a difference, volunteering for TPO gives access to technical material, training and support. You will get the opportunity to experience pension issues from a scheme member's perspective which can only be a good thing for your customer service and communication.

We are looking for pension professionals with a broad and in-depth knowledge of pensions, but more importantly, the commitment and time to help others. We normally expect volunteers to have at least 10 years' pension experience, or, if less, then a relevant pension qualification.

When asked what they enjoyed most about volunteering, one of our volunteers said:

"Giving something back to a profession which gave me an excellent career for 40 years and assisting those who have issues but do not know how to properly express or back up their complaints."

If we have not quite sold volunteering to you yet, but you would like to know more, please contact me at paul.day@pensions-ombudsman.org.uk or 0203 959 1612.

Paul Day
Casework and Volunteer Manager

Legal update

DWP consultation

The Legal Team has had an interesting year so far supporting the organisation as it navigates an important phase in the delivery of its statutory functions. From December 2018 through to January 2019, the Department for Work and Pensions sought views from the public on the consultation "The Pensions Ombudsman: dispute resolution and jurisdiction". The consultation set out proposals to introduce new provisions for dispute resolution by the Ombudsman, including a function for the early resolution of disputes before a Determination. The consultation has closed, but our work on this matter continues.

'Competent court'

In April, we published a factsheet on "[Recoupment in overpayment cases](#)". Further to the decision of Mr Justice Arnold in *Burgess v BIC UK Ltd* [2018] EWHC 785, this factsheet sets out our position that TPO is a competent court.

Legal Forum

At the time of writing, preparations were being made for the next TPO Legal Forum, scheduled to take place on 26 June at our offices in Canary Wharf.

The Legal Forum is a specialist event for lawyers which TPO holds twice a year. It is a transparent forum to discuss issues and developments relevant to the work we and our stakeholders carry out. Please contact Liz if you are a lawyer and would like to attend future events:

elizabeth.mcallister@pensions-ombudsman.org.uk

TPO news

Visit to Northern Ireland

In April our Stakeholder Manager, Mairi Dearden, travelled to Belfast to present at the Northern Ireland Public Pensions Scheme Annual Conference, held at the fantastic new Titanic Event Arena.

Mairi spoke about the changes we are implementing at TPO, outlining the new powers we are seeking under the recent public consultation and recent cases impacting on decision-making for public sector pension schemes.

There were presentations from:

Grace Nesbit from the Department of Finance on the cost cap; explaining why cost cap evaluations had been paused, an update on the state of play and the implications for the public sector.

Gary Swann from the Government's Actuary's Department shared the outcomes of the 2016 evaluation and change in the SCAPE landscape and shared his views on the cost cap mechanism.

Nick Gannon from The Pensions Regulator (TPR) updated the conferences on changes at TPR, shared the results of the Public Services Governance and Administration survey and outlined the areas of focus for TPR in 2019.

Marina Hennessey from the Department of Public Expenditure and Reform spoke about how the Irish Government were implementing a single administration platform for its public service pension schemes.

Chris Creighton LLP TLP Solicitors highlighted recent legal cases which have an impact on public sector pension schemes.

Stephen Wray of Deloitte highlighted the risk of cyber-crime, explaining what it is and what we need to do about it.

Canary Wharf Curling championship

Congratulations to The Pensions Ombudsman curling team who won the Canary Wharf curling championship back in February.



The team, consisting of Adam Pokun, Dan Shippen, Marta Bernacka and Emma Christian-Woodruff beat many of the world's top banks and consultancies, to claim top spot in this prestigious tournament.

Recent events for TPO

April

- 3 – PMI
- 4 – TPO's first Consumer Panel
- 18 – South West Police Region Pension Board, Mairi Dearden

May

- 9 – Chief Fire Officers Federation, Staffordshire, Mairi Dearden
- 22 – APL, North West, Claire Ryan (TPO's Legal Director)

June

- 6 – PMI's Trustee workbench, Anthony Arter
- 19 – Pensions and Lifetime Savings Association's Seminar, Claire Ryan
- 25 – Keynote speech at the Pensions and Benefits UK conference, Anthony Arter
- 26 – TPO's Legal Forum