

PRESS RELEASE

12 October 2023

Sackers predicts significant rise in Pensions Ombudsman complaints

At a webinar held this week, Sacker & Partners LLP (Sackers), the UK's leading specialist law firm for pensions and retirement savings, predicted a significant increase in complaints to the Pensions Ombudsman as members get to grips with their pensions and set out practical steps that trustees can take to minimise the impact to their own schemes.

Arshad Khan, senior counsel at Sackers, commented: "2023 has been quite a year for the Pensions Ombudsman. Their investigations processes are returning to normal now, following the cyber security incident, but timescales for dealing with complaints have definitely been affected. Based on information publicly available, determinations for the first nine months of the year to September appear to show that a large majority of complaints have not been upheld (53.9%) or only partially upheld (14.8%) which is good news for trustees."

Khan continued: "Transfers, misquotes and death benefit cases are perennial knotty areas when it comes to complaints. We would therefore encourage trustees to pay close attention to these areas in particular. For transfers, trustees should check carefully when the transfer occurred, whether the member was warned of the risks involved and sent a Scorpion leaflet and whether the transfer was statutory or non-statutory – these factors can all have a big impact on the validity of a complaint. For misquotes, trustees are encouraged to refer in the first instance to the helpful factsheet for members issued by the Pensions Ombudsman in July 2023 which sets out the key principles. And for death benefit cases, remember that the Ombudsman is not there to decide who should get a benefit but rather to ensure that trustees have followed the right processes."

Khan concluded: "Tricky situations will inevitably arise but if trustees have a good understanding of the underlying principles which the Pensions Ombudsman will use when assessing any complaint, they will be much better placed to minimise the impact on their scheme."

- ENDS -

Notes to Editors:

Sacker & Partners LLP (Sackers) is a top tier commercial law firm specialising in advising pension scheme trustees, employers, providers and corporate investors on all aspects of their pension arrangements.

Widely viewed as leaders in the field, Sackers advises more of the UK's top 200 pension funds than any other law firm. Sackers is consistently ranked in the top tier for pensions by both leading UK legal directories (Chambers UK and the Legal 500) and has been for over twenty years.

Based in London, Sackers provides support to trustee boards, sponsoring employers, providers and Government bodies across a range of areas, including day to day scheme management, funding and investment, projects, risk and litigation.

Sackers is an active member of the Pensions and Lifetime Savings Association, The Association of Pensions Lawyers and the Society of Pension Professionals and is technical legal expert partner to the Pensions Management Institute.

In 2023 Sackers won all three of the industry's top awards in pensions:

- UK Pensions Awards - Pensions Lawyers of the Year
- Pensions Age Awards – Pensions Law Firm of the Year
- Corporate Adviser Awards – Best Pensions Law Firm

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