

## **The complaint**

Mrs S has complained that not all of the contributions being paid into her Aviva Life & Pensions UK Limited pension by her employer are showing on her pension plan statements. She is therefore concerned that her employer contributions have not been invested properly into her pension.

## **What happened**

Mrs S has a pension plan with Aviva. Pension contributions made by her, together with contributions from her employer, have been paid into the pension plan every month since it was set up. Mrs S has said that there has been a problem with her employer's pension contributions not showing correctly on her pension statements. She says that this has been a problem for a number of years and that she has raised this issue with Aviva, but the error hasn't been corrected.

In July 2021 Aviva sent a statement to Mrs S which listed out all her personal contributions and contributions paid by Mrs S's employer into her pension plan from September 2000 to December 2013 inclusive.

Mrs S made a complaint by email to Aviva in August 2021. She complained that the statements that she received from Aviva were not showing all of the contributions being paid into her pension by her employer.

Aviva replied to Mrs S's complaint email in August 2021. Aviva said that they had forwarded details of the complaint to their technical team, so that they could investigate what had happened.

In early October 2021 Aviva contacted Mrs S to tell her that her complaint was being reviewed, but they weren't able to give her a decision yet.

A few days later, in October 2021, Aviva contacted Mrs S again. Aviva said that a "ticket" had been logged with their IT department to get the problem with the pension statements resolved. Aviva explained that unfortunately the problem had not yet been fixed, but they'd been in contact with their IT department to try and get an expected timescale. Aviva also said that they'd contact Mrs S again when the problem had been fixed. In order to say sorry for the inconvenience caused, Aviva offered Mrs S a payment of £100.

Mrs S then subsequently took her complaint to the Financial Ombudsman Service in early 2022.

In May 2022 Aviva sent Mrs S a statement of all contributions paid into her pension from January 2014 to May 2022 inclusive.

In July 2022 an investigator within the Financial Ombudsman Service contacted Aviva to ask for proof that all of the pension contributions paid by Mrs S's employer had been correctly applied to her pension.

As no reply was received from Aviva the investigator wrote again to Aviva in August 2022 to ask for the information that had been requested. Specifically, the investigator asked Aviva to confirm:

- that the IT issue that was causing Mrs S's employer contributions to be shown incorrectly had been resolved;
- that the lack of employer contributions on Mrs S's online statements was just an IT error and that all of her employer contributions have been applied correctly to her pension plan;
- and that if Mrs S's past employer contributions had been applied correctly, then to provide the transaction dates showing this and the subsequent investment dates into her chosen funds.

As no reply was received from Aviva the investigator issued their view, which upheld Mrs S's complaint. As no subsequent reply was received from Aviva, Mrs S's complaint was passed to an ombudsman.

In early February 2023 Aviva replied to the investigator. Aviva explained that they were still investigating the reasons why the employer contributions were not showing correctly on Mrs S's statements. They had not been able to identify the cause of this issue, nor did they have an end date on when they would be able to identify the cause. They did however say that they now think that this is due to an issue with the way that the statement is set out, rather than a technical issue.

With their reply Aviva enclosed a spreadsheet which set out the investment transactions for both personal and employer contributions paid into Mrs S's pension from September 2021 to January 2023.

Aviva also increased their offer to Mrs S from £100 to £200 in compensation for the ongoing issues caused.

In early February 2023 Aviva were asked by the investigator to provide a further spreadsheet which sets out the investment transactions for both personal and employer contributions paid into Mrs S's pension prior to September 2021. No reply has been received from Aviva.

### **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

When Aviva wrote to Mrs S in October 2021 they acknowledged that there was a problem with Mrs S's pension statements. They further explained that this problem had been logged with their IT department, and that they'd confirm to Mrs S when the issue had been resolved. It's now evident the issue with her pension statements has not yet been resolved.

From the statements that Aviva sent to Mrs S in July 2021 and May 2022, which combined all contributions paid into Mrs S's pension from September 2000 to May 2022 inclusive, it appears that all of the contributions paid by Mrs S's employer were received by Aviva and have been credited to Mrs S's pension plan.

My conclusion from these statements is that Aviva did receive all of the pension contributions paid by Mrs S's employer over this period. Aviva were however asked in

August 2022 to provide evidence that these contributions were correctly invested into the investment funds held in Mrs S's pension.

In February 2023 Aviva did provide a spreadsheet to show when and how her personal and employer contributions since September 2021 had been invested into Mrs S's pension. Based on what I've seen I'm satisfied the contributions received between September 2021 and January 2023 inclusive were invested by Aviva when they were received, but Aviva have not provided a similar spreadsheet for pension contributions that Mrs S and her employer paid prior to September 2021.

The issue with Mrs S's statements has not yet been resolved. Aviva said in October 2021 that a ticket had been logged with their IT team to resolve the issue with Mrs S's pension statements. More recently said that this may be due to an issue with the way that the statements are laid out. Whatever the reason, this issue has still not been resolved by Aviva and they are unable to give a timescale on when it will be resolved. This is disappointing and unacceptable.

Mrs S is due to retire in Spring 2023. She will then be taking retirement benefits from her Aviva pension plan. Mrs S said that she already had arranged a meeting with a financial adviser to discuss her retirement plans but decided to postpone this because of her concerns over the accuracy of the information provided by Aviva.

I think that Mrs S is entitled to receive correct and accurate pension plan statements from Aviva, and for Aviva to correct any issues and mistakes that were being made in these statements as quickly as possible.

Mrs S understandably wanted reassurance from Aviva in advance of her retirement that they'd investigated the issues that she had raised and could confirm that all employer and personal contributions paid into her plan had been invested correctly.

Whilst more recently some of this information has been forthcoming, I don't think that this confirmation has been fully received as only information on pension contributions received from September 2021 has been provided by Aviva. And the issue with her pension statements remains unresolved.

I am therefore upholding Mrs S's complaint.

### **Putting things right**

Aviva need to resolve the issue causing the errors in Mrs S's pension statements. Given this has been ongoing for at least 1.5 years, I would now expect this to be treated with utmost priority, given the proximity to Mrs S's planned retirement.

Given the time that Aviva has already had to resolve this issue, I think that it's reasonable that Aviva does now resolve this problem, and that they confirm to Mrs S that this work has been successfully completed, no later than 31 March 2023.

I also think that Aviva needs to provide Mrs S with a spreadsheet which confirms that pension contributions paid by Mrs S and her employer prior to 1 September 2021 have been correctly invested. This should include information at least from 2016 onwards. This spreadsheet can be in the same format that Aviva used when they provided information in early February in respect of pension contributions paid between September 2021 and January 2023.

As Aviva have already been asked for this information, I think that it's reasonable that they provide this spreadsheet to Mrs S no later than 14 March 2023. If Aviva discovers that contributions weren't added at the correct time to her pension, they should calculate the difference to her pension if the contributions had been added correctly.

Finally, I think that it's fair and reasonable for Aviva to compensate Mrs S for the distress and inconvenience that she has suffered as a result of their errors. Aviva offered Mrs S a payment of £100 in October 2021, which was subsequently increased to £200 in February 2023.

However, not all of the issues in Mrs S's complaint have been resolved. Mrs S is soon to retire and has had to delay taking financial advice on her retirement plans. I think that a payment of £300 is a more reasonable amount to reflect the inconvenience that Mrs S has suffered. This should be paid to her within two weeks of Aviva receiving Mrs S's acceptance of this final decision.

If the timescales above are not adhered to, Aviva should pay Mrs S additional compensation of £150 compensating her for the frustration and distress of even further delays.

### **My final decision**

My final decision is that Aviva Life & Pensions UK Limited pays £300 to Mrs S and that they complete the actions detailed above within the timescales specified above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs S to accept or reject my decision before 28 March 2023.

Ian Barton  
**Ombudsman**