

The complaint

The complaint in this case relates to the customer service received by Mr L from Aviva Life & Pensions UK Limited (Aviva) who are the administrators of Mr L's group personal pension schemes. Mr L has stated queries were not responded to in a timely manner with there being extended wait times when trying to contact Aviva over the phone.

What happened

Both parties in this case are fully aware of the issues which have led to the current complaint and neither party disagreed with the chain of events as laid out by our investigator, as such I have only included a brief summary of what occurred below.

The issues that resulted in this current complaint commenced in September 2022 when Aviva sent Mr L documentation regarding his new Stakeholder Group Personal Pension Plan.

The issues that Mr L raised following this can be broken down into four key service areas.

Telephone calls not being answered in a timely manner

Mr L has noted that in trying to gain policy information from Aviva, amend personal information including his email address, and query the process for changing investment funds, calls to Aviva were not answered in a timely manner with extended wait times being suffered.

Issues around changing his details notably his registered email address

Mr L has two pension policies held with Aviva.

Aviva have more than one online portal which can be used to view such policies with the relevant portal being selected by the sponsoring employer when the policies are set up. Mr L's two policies are set up on two different online portals, one on MyAviva and one on MyWorkplace. This was confirmed to Mr L in October 2022 although Mr L remained unhappy that both policies could not be viewed in the same place.

Additionally, Mr L has two email addresses and had difficulty in amending which one was used. This issue stemmed from one email address being used as a "home" address and one being used for sending documentation. After several requests a system change was made which resolved the issue. Once this system change was enacted, a password reset was needed to complete the process.

Not being able to access fund switch information and instructions online

In November 2022 Mr L requested information from Aviva on how to amend his investment preferences for his pension. Aviva replied to this the same day and provided a fund switch form which could be used to make any amendments required. On 2 December 2022 Mr L requested a fund switch which was completed on 6 December 2022.

Aviva response times in relation to queries made

There were several points of contact of the months following your new pension commencing in September 2022. On some occasions replies to Mr L's queries were not made within reasonable timeframes.

Examples of this include a general policy information request made on 4 October 2022 which was not acknowledged until 18 October 2022 and when a request for an update from Aviva was made on 7 November 2022 this was not responded to until 23 November 2022.

Following the Mr L's initial complaint in October 2022, Aviva updated Mr L in November 2022 stating that their investigation had not yet been completed. As such Mr L was told he could refer his complaint to this service.

Mr L referred his complaint to us however Aviva completed their investigation before our investigator could issue any findings. In January 2023 Aviva accepted they had not provided a satisfactory level of service and offered £100 to cover the distress and inconvenience caused.

Aviva apologised for the levels of service provided and noted that not all staff had the ability to speak to customers over the phone. Additionally, Aviva explained that following the war in Ukraine and the cost-of-living crisis call volumes had increased.

Following this, in February 2023 Aviva offered Mr L a further £100 as the online access issues had not been remedied as they had promised. Mr L did not accept Aviva's total offer of £200 and requested we continue with an investigation.

Our investigator looked into things and detailed the issues Mr L had faced in each of the four areas above. The investigator concluded that the service received by Mr L was indeed below the levels which could reasonably be expected. However, given Aviva had already accepted this, and made an offer of £200 by way of compensation, our investigator did not believe any further action was required.

Regarding the fund switch issues, our investigator noted that whilst there had been delays in the provision of some information about this, the actual fund switch requested by Mr L was actioned in a timely manner and as such no further action was needed.

Aviva accepted the investigators findings however Mr L did not. He stated that Aviva had provided poor service over a number of years, had not improved their customer service levels, and believed an increased offer of £500 was required in order to settle the complaint.

As no agreement was reached, the case has been passed to me.

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.

In this case Aviva have accepted that their service did not meet the required standards and as such I do not need to consider this again here. My decision can focus solely on whether their offer of compensation is appropriate given the service issues faced by Mr L.

Additionally, neither party has disagreed with the chain of events as laid out by our investigator, which I have summarised above. As such I have not repeated that information here and have focussed this decision on whether the redress offered by Aviva is reasonable.

Within his communication with this service Mr L has stated that he has suffered with “years” of poor service from Aviva and that considering this, he does not consider their offer sufficient.

I would however like to be clear that this decision relates only to the issues detailed above and Aviva’s response to them. Previous issues that Mr L may or may not have faced cannot factor into my decision, my sole concern is whether the total offer of £200 from Aviva is reasonable given the events outlined above.

The Financial Ombudsman Service is an informal complaints resolution service and is not the financial services sector regulator. Any redress recommendations or instructions given by this service are not designed to in any way “punish” a business for their actions with the sole goal to remedy the effects of any error a business may make.

Each case I consider is unique and is assessed on its own individual merits. Whilst a business may make similar mistakes that impact numerous customers, the effects of such a mistake on each customer will be different based on their own individual circumstances at that time.

Whilst this is the case, this service also seeks to provide consistent outcomes for both businesses and their consumers.

Specifically with regard to the issues faced by Mr L in accessing information on his underlying investments and how to change them, I agree with the outcome reached by our investigator. When asked to make changes to Mr L’s investments Aviva acted in a timely manner. As such, I do not believe any actual financial loss was incurred by Mr L because of Aviva’s poor service.

In cases such as this where there is no actual financial loss, with the issue at hand relating solely to the level of compensation offered to cover a consumer’s distress and inconvenience, we do provide some generic guidance on our website. Our investigator has already provided this to Mr L however I have included it again here for reference - <https://www.financial-ombudsman.org.uk/consumers/expect/compensation-for-distress-or-inconvenience>.

Overall, when considering the issues faced by Mr L – detailed above – I have reached the same conclusion as our investigator, in that the offer made by Aviva is reasonable.

I have considered carefully Mr L’s stance that his issues with Aviva are longstanding, that he does not believe their service levels have improved over time, and as such he believes an offer of £500 is more appropriate. However as detailed by our investigator, and as covered above, this decision can only focus on the current complaint points and not historic issues. Similarly, it is not my role to make an award intended to punish a business.

As such, whilst I am upholding this complaint, I consider the compensation already offered by Aviva to be fair.

Putting things right

If it has not already done so Aviva Life & Pensions UK Limited should make the £200 payment to Mr L. If payment has already been made, then no further action is required.

My final decision

As per the rationale detailed above, I am upholding this complaint but consider the offer

already made by Aviva to be fair.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 19 July 2023.

John Rogowski
Ombudsman