

## **The complaint**

Mr T's complaint concerns online access to his pension plan with Scottish Equitable plc trading as Aegon (Scottish Equitable).

## **What happened**

Mr T has a pension plan – a Group Pension Plan (GPP) – with Scottish Equitable. Mr T regularly accesses his GPP online. He noticed that for a period of about six weeks the system was very slow regardless of which device he was using. Scottish Equitable posted a message on its website saying it was experiencing difficulties with its secure online services which meant some options were unavailable and others were taking longer than they should've.

When Mr T viewed his plan online on 1 September 2024 he could see two plan numbers – a second plan number had suddenly appeared. Mr T was concerned as he'd only had one plan number before and he didn't know if another plan had been fraudulently opened in his name or if it was a plan he'd just forgotten about.

When he clicked on the plan number a message came up saying that something had gone wrong and the information couldn't be retrieved. The message said to close his browser window and try again. Which he did multiple times over several days, using different browsers and devices. As he was unable to access the details he had no option but to telephone Scottish Equitable which he did on 5 September 2024.

He says after a long wait he was put through to a call handler who, after putting him on hold to check with a colleague, told him the additional number related to an old plan which had been transferred to his existing policy in 2012 on Mr T's instruction.

But Mr T has never made changes to this work based pension scheme. He's been with his current employer since 2006. If there'd been any change in 2012 it would've been initiated by his employer. And, in the past 12 years since the transfer was completed, the old plan number has never appeared when he logged in. So he couldn't have known that it related to an old plan. If Scottish Equitable had put a message on its website, as it had done with the slow system problems, he'd have been fully informed and his mind would've been put at rest. At the very least Scottish Equitable should've known the likely impact on customers and sent an email or displayed a message to explain the position.

Mr T was also concerned that, when he was on the telephone to Scottish Equitable, he was able to hear other call handlers' discussions with other customers about their plans and he heard another customer's title and last name. He told his call handler that he could hear what other agents were saying which was unprofessional, a potential data breach and distracting. He said he wouldn't want other customers overhearing his personal details or plan information.

On 11 September 2024 a complaints officer from Scottish Equitable telephoned but Mr T wasn't at his computer and so he wouldn't have been able to provide any further information or his notes. The complaints officer agreed to send an email instead. Mr T assumed it would

be a request for further information. But it was a final decision letter. If he'd been told no further information was needed and the call was simply to run through his complaint and to give the decision, Mr T said he'd have been available to speak.

In its final response, Scottish Equitable confirmed the additional plan number was an old policy which had been transferred to the current policy in 2012. Scottish Equitable apologised for the error and for any inconvenience caused and explained this was an issue with its online system and its IT department was working to resolve it. And if the old number was displayed again alongside the number for the current plan, Mr T should just ignore it.

Mr T remained dissatisfied and referred his complaint to this service. On his complaint form he said the issues had caused unnecessary confusion, worry and inconvenience and he wanted a payment of compensation for distress and inconvenience.

One of our investigators looked into what had happened. He issued his view on 16 October 2024. He didn't think Scottish Equitable needed to take any further action. Scottish Equitable had explained that, following a recently planned upgrade to its technology platform for some pension and bond contracts, some customers were having intermittent difficulties accessing their online services. And it was taking longer than expected to correct the problem. One of the issues that had arisen was that some customers were seeing old policies appearing on their online account. Scottish Equitable's IT department was dealing with this issue which didn't affect Mr T's current plan. Scottish Equitable said that sometimes things didn't run as smoothly as it would like. It appreciated that Mr T had been caused some inconvenience which may be still ongoing. But Scottish Equitable had reassured him there was nothing to worry about and it was working to resolve the issue as soon as it can.

The investigator went on to say that Scottish Equitable had also advised that Mr T's current plan isn't an online platform-based proposition and was never intended to be fully managed online. Online access was an additional service and provided on a discretionary, not contractual, basis. Scottish Equitable doesn't provide any guarantees of its availability or functionality. The investigator thought the apology Scottish Equitable had given was sufficient and so he didn't ask Scottish Equitable to pay any compensation.

Mr T didn't agree. He said he preferred to manage his pension over the telephone and by post. But he felt Scottish Equitable had 'forced' him to use the online service. He'd received paper statements up to 2016. But in 2017 Scottish Equitable wrote to him saying they were giving access to his pension statements online. In 2018 there was a further letter which Mr T describes as encouraging him to use the online platform. Mr T described it as 'shocking' that Scottish Equitable was now trying to infer that his pension isn't designed to be managed online. And when, in 2019, they wrote to him for a final time, saying that, to keep track of his retirement savings in the future, he'd need to activate his online account. Mr T supplied copies of the letters Scottish Equitable sent in 2017, 2018 and 2019. He said a number of Scottish Equitable's customers had been affected by the same issue. Scottish Equitable could've taken steps to inform him of the issue but they chose not to take any action. He suggested £50 would be fair and reasonable compensation.

The investigator considered what Mr T had said before writing to him to clarify some issues. Including that Scottish Equitable had explained, because of the issues it was experiencing after its planned system upgrade, it had increased staff in its call centre. That had led to an increased level of background noise while it attempted to minimise disruptions to its customers. It had apologised and said no sensitive information had been compromised at any point.

As the investigator was unable to resolve the matter, the complaint has been referred to me to decide.

## **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.

Having done so, I don't disagree with the views the investigator reached. I know Mr T is going to be disappointed and I don't expect him to agree with what I've said. But I've explained below my thinking.

I don't think what's happened is in dispute. Scottish Equitable accepts that the planned upgrade caused unexpected problems with its online system, including, for some customers, the issue Mr T experienced – seeing an old plan number on his online account which he wasn't able to access.

I accept that, when Mr T saw the second plan number, he'd have been concerned and he'd have wanted to understand what was going on and that nothing untoward had happened. And, when he clicked on the additional plan number, he was unable to access any information. I take his point about Scottish Equitable, when it was aware its online system wasn't running properly, having put a message on its website so customers knew there was an issue. Whereas there was no message to alert him to the problem that had arisen – the sudden appearance of a second plan number. Had there been he might've been spared some worry and frustration.

But it won't always be possible for a business to deal with different issues in the same way. It might depend on exactly when the business became aware there might be a problem, how many customers could be affected and how quickly it might be possible to resolve things. Operational and commercial decisions are a matter for the business concerned and not something we can interfere in.

I can look at the impact of what went wrong on Mr T. I can see he did incur some inconvenience. He made multiple attempts to access the other policy number without success before concluding he'd have to contact Scottish Equitable about it, which he did. It then took him a while to get through and, when he did, he was put on hold for a time while the position was checked. He was then told the other number related to an old plan which had effectively become part of his current plan. I think, despite any issues about whether it was a result of something he or his employer had done, Mr T's central query about the appearance of a second plan number was largely resolved over the telephone.

However, Mr T remained unhappy as to what had happened and his concerns were recorded as a complaint. I note what he's said about why he'd have taken the opportunity to discuss the matter further and that he wasn't expecting a final response letter. He then called the complaints officer to discuss her letter which, as her telephone number hadn't been given, caused further delay and inconvenience.

I'd point out that complaints handling isn't a regulated activity. We're governed by the DISP (Dispute Resolution) rules set out in the Financial Conduct Authority (FCA) handbook, available on the FCA's website. So I can't really comment on how Scottish Equitable handled the complaint, such as if Scottish Equitable should've discussed things further with Mr T before issuing a final response letter.

I also note what Mr T has said about his call with Scottish Equitable – that he could hear conversations between other call handlers and customers. I don't think that's acceptable and Scottish Equitable doesn't disagree. Scottish Equitable has explained how it arose – it had to draft in more staff to deal with an influx of queries arising because of the system upgrade.

The situation was temporary and there's no suggestion that any of Mr T's data was compromised. So I don't think this aspect of this matter would've reasonably led to any real degree of inconvenience or worry.

In deciding if Scottish Equitable should pay compensation, I accept, as I've said, that Mr T did suffer some inconvenience. But I also bear in mind that sometimes things don't go completely smoothly and problems or queries can crop up. Which, if they don't resolve, may involve further time and effort, such as contacting a business direct. I think some degree of inconvenience or minor annoyance from time to time is probably to be expected as part of everyday life. And although online systems may be convenient and reliable, data errors can and do occur.

Here Scottish Equitable has explained what went wrong, apologised and told Mr T that he can ignore the second plan number. I'm not sure if it still appears. I note here what Mr T said about Scottish Equitable having said in its final response letter that the additional number was no longer shown on his account – when it was still showing on 25 October 2024 when Mr T checked when responding to the investigator's view. But I can't see that Scottish Equitable did say in its final response letter that the issue had been resolved. Scottish Equitable said its IT team were working to resolve the issue which it seems was intermittent. I can see Mr T might find a second number continuing to be shown as annoying or distracting but I think, given Scottish Equitable's assurances and explanations, he could safely ignore it.

I've also thought about what Mr T has said about his preference not being to access his account online. I've considered the letters he's referred to and if, as he says, they show that Scottish Equitable was pushing him towards its online system. The letter dated 24 October 2017 said Scottish Equitable was giving Mr T access to his pension statement online. I don't dispute what was given as the reason – increasing numbers of customers who wanted to view their annual statements online. The letter said, unless Mr T told Scottish Equitable otherwise, Scottish Equitable would proceed with placing his statements online and letting him know when new documents were available. But the letter added, if he wanted to go back to receiving paper statements, he could contact Scottish Equitable. The same message was given in the 2018 and 2019 letters. So that facility remained in place.

Mr T has pointed to what the 2019 letter said about being the last reminder about accessing his online pension statement. But I don't see it as 'forcing' Mr T to go online when it also said, if he wanted to back to receiving paper statements, he could contact Scottish Equitable's contact centre team, on the number given. Similarly, Mr T's 2024 statement set out how he could contact Scottish Equitable with online services being listed first. But other methods were given – a telephone number and postal address were also shown.

I can't see that Scottish Equitable was doing other than offering a further option in response to customer demand and to make things easier and more convenient for customers. While Scottish Equitable was proceeding to implement online access on the assumption that a customer would want that, if they didn't, it was simple and easy – a telephone call – to opt back into paper statements.

I note what Scottish Equitable has said about online access being provided as an additional service to customers on a discretionary basis. But, in my view, where Scottish Equitable chooses to make online access available, the information which is shown should be up to date and accurate. Here I don't think there's any dispute that wasn't the case. Scottish Equitable can't simply say that doesn't matter because it isn't contractually required to provide online access. But, as I've said, it is the case that unforeseen problems can arise. System upgrades, even if thoroughly and carefully tested in advance, can throw up unexpected errors and issues. And unfortunately that's what's happened here.

I know Mr T feels very strongly about what's happened and that Scottish Equitable should pay him compensation but, on balance, I'm unable to agree. I have to decide what's fair and reasonable in the circumstances of the particular complaint. Taking a proportionate and balanced approach, I think the explanation and assurance that Mr T was given when he first raised the issue, coupled with Scottish Equitable having apologised, is sufficient here.

### **My final decision**

I don't uphold the complaint and I'm not making any award.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 24 June 2025.

Lesley Stead  
**Ombudsman**