

The complaint

Mr B has complained about Aviva Life & Pensions UK Limited's handling of a claim made under a pension policy following the death of his father.

What happened

Mr B's father had a personal pension with Aviva. On 14 May 2024 Mr B rang Aviva to inform it about his father's death. He explained that the cause of death was not yet known. Aviva asked him to email a copy of the interim death certificate together with contact details for his siblings. Mr B emailed Aviva with these details on 15 May.

On 18 June Mr B complained to Aviva that he'd been told over the phone that he'd receive an update about the claim within three weeks, but he'd heard nothing further, and had not received an acknowledgement of his email. Aviva responded on 20 June stating that because the interim death certificate did not state a cause of death it needed to contact the coroner for further information. It said it would update Mr B once the coroner had replied.

On 19 July Aviva replied to Mr B's complaint. It accepted it should have updated Mr B at an earlier date and apologised for the upset it had caused him. Aviva paid Mr B £100 compensation to reflect its poor customer service. On the same day Aviva chased the coroner's office for an update on its request and was told that there was no answer to its questions at this time because the coroner was on leave.

Unhappy with Aviva's handling of the claim, on 23 July Mr B brought a complaint to this service. He asked for Aviva to accept that it had handled matters poorly, and said that he did not believe the reasons it had given about why the policy payment had been delayed. Mr B explained that he had become responsible for making arrangements following his father's death, and that he'd been dealing with both the coroner and police as the cause of death was investigated. He said that he'd previously suffered difficulties with his mental health, and dealing with matters relating to his father's death had placed significant further strain on him. Mr B asked that the payment from the Aviva policy be resolved as soon as possible.

On 6 August Aviva told Mr B that it was still awaiting a response from the coroner. Having been told by the coroner's office on 23 October that there was still no response to its questions about the cause of death, Aviva decided to pay the policy proceeds to Mr B and his siblings.

Our investigator considered that Aviva had failed to keep Mr B updated with progress on the claim within the timescales that it had promised. However she noted that Aviva had explained it might need to contact the coroner, and her view was that it was reasonable for it to do this. The investigator's view was that Aviva had caused Mr B unnecessary distress by failing to update him about the claim, but she considered the £100 compensation it had paid him fairly reflected this.

Mr B disagreed with the investigator's assessment. He described it as being absurd to say that Aviva had acted reasonably and asked that his complaint be referred to an ombudsman.

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.

Firstly I would like to extend my sympathies to Mr B for his loss, and I acknowledge what he has said about the strain he has felt in the course of settling matters following his father's death.

I have listened to a recording of the call between Mr B and Aviva that occurred on 14 May 2024. Mr B explained to Aviva that at that time, the cause of his father's death was not known. He confirmed that he had a copy of the interim death certificate that had been issued, and that he would send this on. Aviva said that once it had received this, it might have to contact the coroner with some questions, and it confirmed that it would tell Mr B if it needed to do so. Mr B acknowledged this, and agreed to send on his siblings' contact details. Aviva said that it would be approximately three weeks after it had received the information it had asked for from Mr B before it contacted him again.

This meant that Mr B could reasonably have expected to hear from Aviva around 5 June, having emailed the requested information on 15 May. Based on Aviva's records, it appears that it was considering the contents of the interim death certificate from 10 June, but it was not until 20 June that it emailed the coroner's office with questions regarding the cause of death. I appreciate that by this date, Mr B had already complained about Aviva's handling of the claim.

In its complaint response, Aviva accepted that it had not kept Mr B updated about its progress with the claim, and that this had caused upset and stress. In terms of its actions in contacting the coroner to obtain further details, my view is that it was reasonable for Aviva to do this in the course of taking appropriate steps to deal with the death claim. Ultimately, when Aviva had not received the details it had asked for from the coroner despite chasing for several months, it decided to make payment to Mr B and his siblings in October 2024. In my view this again represented Aviva acting in a reasonable way so that the payment from the policy was not delayed any further.

I appreciate that Mr B remains profoundly dissatisfied with the way in which the claim was handled, and the communication he received from Aviva. It is clear from his submissions that being responsible for having to deal with all the arrangements following his father's death has caused him significant difficulties. I have needed to consider to what extent Aviva has caused additional unnecessary distress to Mr B.

Having done so, I consider Aviva's communication with Mr B should have been better and within the initial timescales that it promised. I also consider Aviva could have contacted the coroner at an earlier date. But taking into account awards made by this service on cases with similar circumstances, my view is that the compensation offered by Aviva of £100 is fair.

I understand that Mr B is likely to be disappointed with my findings, and I am sorry to learn about the impact that dealing with all matters relating to his father's death has caused him. However, having considered the circumstances of this case, I do not consider that Aviva should be required to do anything further.

My final decision

Aviva Life & Pensions UK Limited has already paid Mr B £100 compensation for distress and inconvenience caused to him. Because I consider this offer to be fair in all the circumstances, I make no other award.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 27 May 2025.

John Swain
Ombudsman