

The complaint

Mr S complains that Aviva Life and Pensions UK Limited ('Aviva') have failed to recognise a policy that he's certain he holds with them. Mr S states that Aviva is withholding his pension monies and he'd like them to recognise the pension that he has.

What happened

On 6 August 2024, Mr S telephoned Aviva wishing to make a withdrawal from his pension. After providing the call handler with what Mr S thought was his plan number, he was informed that the number given showed no record of a policy on their systems. As Mr S felt certain of his plan details, he expressed his dissatisfaction to the call handler.

After reviewing Mr S's complaint, Aviva said, in summary, that they'd found that when he'd left his previous employer, they had changed the plan number. Aviva also said that they appreciated it may be frustrating to not have the policy that Mr S thought he did and they recognised the plan number altering had caused some confusion. However, Aviva concluded that they had been unable to find a policy with the number that Mr S provided and that they were satisfied he only had one plan with them.

Mr S was unhappy with Aviva's response, so he referred his complaint to this service. In summary, he said that he was certain that he had two plans with Aviva and that they were withholding his retirement monies from him.

The complaint was then considered by one of our Investigators. She concluded that Aviva hadn't treated Mr S unfairly because from what she'd seen, they'd provided a reasonable explanation for the two different plan numbers. Our Investigator did however think that Aviva's communication to Mr S about the change could have been better so she recommended Aviva pay him £50 to apologise for the confusion.

Mr S, however, disagreed with our Investigator's findings. In summary, he said that he felt Aviva were making excuses. He went on to say that he'd worked hard for his pension and the monies within the pot were for the benefit of his family. Mr S said that he'd lost trust in Aviva.

Our Investigator was not persuaded to change her view as she didn't believe Mr S had presented any new arguments she'd not already considered or responded to. Unhappy with that outcome, Mr S then asked the Investigator to pass the case to an Ombudsman for a decision.

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.

I have summarised this complaint in less detail than Mr S has done and I've done so using my own words. The purpose of my decision isn't to address every single point raised by all of the parties involved. If there's something I've not mentioned, it isn't because I've ignored it - I haven't. I'm satisfied that I don't need to comment on every individual argument to be able to reach what I think is the right outcome. No discourtesy is intended by this; our rules allow me to do this and it simply reflects the informal nature of our service as a free alternative to the courts.

My role is to consider the evidence presented by Mr S and Aviva in order to reach what I think is an independent, fair and reasonable decision based on the facts of the case. In deciding what's fair and reasonable, I must consider the relevant law, regulation and best industry practice. Where there's conflicting information about what happened and gaps in what we know, my role is to weigh up the evidence we do have, but it is for me to decide, based on the available information that I've been given, what's more likely than not to have happened. And, having done so, I'm upholding Mr S's complaint in part - I'll explain why below.

The crux of Mr S's complaint is he's of the view that he has a pension with Aviva that they say he doesn't. Aviva say that their records show Mr S only has one pension plan with them and that the reason why his pension statements over a number of years show different policy numbers is because when he left his last employer, they put a new policy number on his existing plan.

I've looked at the statements that have been submitted as part of the complaint. During the call to Aviva's helpline on 6 August 2024, Mr S explained that his New Generation Group Personal Pension Plan policy number was F5XXXX/XX73. And, that's evidenced on the statement dated 13 July 2021 (covering the period from 1 January 2021 to 5 June 2021) that's been provided to this service. That statement shows his employer's details, a plan value of £505.21 off the back of three employer contributions (totalling £488.80) with his monies split across two funds – Aviva Pension My Future Consolidation FP and Aviva Pension My Future Growth FP. The last employer contribution was made on 19 March 2021. From what I've seen, that policy only started in January 2021 to accept the employer contributions that stopped shortly thereafter, presumably when Mr S either left his employer or opted out of the scheme.

The next annual statement, dated 16 June 2022 covering the period 1 June 2021 to 31 May 2022, had a new plan number – F4XXXX/XX76, but this time, the plan was called a New Generation Personal Pension Plan. That statement showed a slightly increased balance of £517.05 with the monies invested in the same funds as before but with no further employer contributions. The subsequent annual statements in June 2023 and June 2024 again both show no further contributions into the plan with Mr S's monies invested in the same two Aviva investment funds.

I've looked at the address that Mr S provided to this service when he raised his complaint with us, along with the address that Aviva have sent the different numbered annual statements to (F5XXXX/XX73 and F4XXXX/XX76). According to the details that Mr S has submitted to this service, he resides at the same property that Aviva have addressed both sets of different numbered statements to. In addition, the spelling of Mr S's name along with his date of birth also matches across the statements (and information that Aviva holds about him) and his complaint form to us. I therefore well believe that if Mr S did have an additional plan with Aviva, it would be very simple for them to locate it because of the matching information.

Aviva have confirmed to this service that they've undertaken an exhaustive search of their records and can only find one policy in Mr S's name (F4XXXX/XX76) – they've also shared

the evidence of the checks that they've undertaken to demonstrate the robustness of their searches. They've also provided a reasonable explanation about why his June 2022 and onwards statements were issued with a different plan number on to his July 2021 statement. So, I think on balance, it's more likely than not that the two differently numbered plans are the same pot. I also say that because after the last employer contribution was made on 19 March 2021, there's no evidence of any future monies going into either numbered plan and the balance remained consistent throughout. And, having looked at Aviva's website, the 'My Future' fund range that Mr S is invested in appears to be an offering that is provided by employers to employees in group schemes which would explain why the plan F4XXXX/XX76 holds funds that are typical for a group pension despite it being a personal pension. Whilst Mr S may believe that the plan he holds contains much less than he anticipated, given the policy only received three employer contributions of £488.80 in total and no personal contributions, I can't conclude that Aviva have done something wrong when Mr S hasn't received the return he was hoping for – particularly when I've seen nothing to suggest that his monies have been mismanaged.

As I've seen no evidence to persuade me that Mr S has a second plan in addition to the one that Aviva have already highlighted, combined with the fact I've no reason to believe that Aviva's searches haven't been of a sufficient standard, I'm not going to instruct them to pay Mr S any of the monies in the additional plan (F5XXXX/XX73) that he believes he holds with them.

Putting things right

Trouble and upset

Using financial services won't always be hassle free and sometime mistakes occur. It seems in this instance that Aviva's differently numbered statements did cause some degree of confusion and loss of expectation for Mr S so I'm of the view that they should pay him £50 for the trouble caused; that's because I've seen no evidence that they informed him his policy number would be altering. From what I've seen, Aviva have already made that payment to Mr S (on 25 November 2024) following our Investigator's initial view, so I don't require them to take any further action.

My final decision

I'm upholding Mr S's complaint in part, about Aviva Life and Pensions UK Limited, for the reasons that I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 1 May 2025.

Simon Fox
Ombudsman