

## The complaint

Mrs C complains that Aviva Life & Pensions UK Limited (Aviva) has lost her former workplace pension. While she believes she retains a pension with Aviva, the tracing it has carried out hasn't revealed a pension with it.

Mrs C is represented in her complaint. But I'll only refer to her in my decision.

## What happened

Mrs C had a workplace pension which started in 1975. She believed that her pension was transferred to Aviva (then Norwich Union) in 1990.

Mrs C wanted to take the benefits of her pension. She contacted Aviva on 31 December 2024. As it couldn't immediately locate a pension in her name, it said it would get back to her within 40 working days.

Aviva then initiated a trace for the pension. On 18 February 2025, once that trace had been completed, it wrote to Mrs C to say that her pension had been transferred to a different provider. It didn't have any other information available. It said she should contact HMRC for further information about her pension. But when Mrs C contacted HMRC, it referred her back to Aviva.

Mrs C contacted Aviva again. Aviva still couldn't provide the information she needed. She raised a complaint.

Aviva issued its final response to the complaint on 4 September 2025. It said it'd carried out a trace for the pension. And that based on the policy number Mrs C had received from HMRC, the pension had been transferred to another pension provider, which I'll refer to as provider R. Aviva said that the type of pension Mrs C had was one where she had contracted out of the state pension. As such, she would need to contact HMRC again to get further details of her pension.

Aviva also provided Mrs C with information about other avenues she could follow to locate her pension.

Unhappy, Mrs C referred her complaint to this service. She wanted Aviva to provide her with the correct information about her pension so that she could take her benefits from it. She also said she'd been passed around between Aviva and HMRC. Mrs C wanted to know where her pension was and how much it was worth.

Our investigator asked Mrs C's representative if he had contacted provider R as Aviva had said that Mrs C's pension had been transferred to that provider.

Mrs C's representative said that he had spoken to provider R, who had said it had no information. But who directed him to another potential provider. Mrs C's representative had then spoken to that provider, who also couldn't provide any information about Mrs C's pension.

Our investigator didn't think that the complaint should be upheld. She said she expected Aviva to have carried out searches on its system. She noted it had done this. And that it had located the name of the original workplace scheme. She said this had been transferred to Norwich Union - Now Aviva - when the scheme was wound up. But she said that it appeared that Mrs C's pension was later transferred to provider R. Our investigator said she was satisfied with the searches Aviva had carried out.

Our investigator acknowledged that Mrs C's representative had contacted provider R, which had said it didn't have her pension. But felt it was likely that her pension had been transferred to another provider. She felt that as it was likely that Mrs C's pension had been contracted out of the state pension, it was worth going back to HMRC and contacting the team that specifically dealt with contracted-out pensions to see if it could locate the pension. She provided contact details for that team as well as suggesting another website that Mrs C could use to locate her missing pension.

While our investigator was satisfied that Aviva didn't have Mrs C's pension, she said that we could re-open the complaint and investigate it again if a conversation with the recommended HMRC team revealed that her pension was still with Aviva.

I understand that Mrs C's representative called HMRC after receiving our investigator's view. It made some statements about Mrs C's potential pension which a later call with a different HMRC department cast some doubt on. During the second call, HMRC said it had no information on its department's system and advised that Mrs C called the Pension Protection Fund.

Mrs C's representative then spoke with the Pension Protection Fund about Mrs C's pension. It said it had no information about Mrs C's pension or possible monies owed. He said he then contacted Pension Tracing, which also came back with no new information about the missing pension. After this, he spoke to HMRC again. But got no further useful information about the pension.

Mrs C didn't agree with our investigator. She felt that if she did still hold a pension somewhere, both HMRC and Aviva - and particularly HMRC - were culpable in not being able to offer any further help in locating the pension.

As agreement couldn't be reached, the complaint has come to me for a review.

### **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'm not going to uphold it. I've reached the same conclusion as the investigator, for similar reasons. I know this will disappoint Mrs C. I'll explain the reasons for my decision.

I first want to acknowledge the frustration that Mrs C – and her representative – must feel about the difficulties they've faced in getting a clear picture about which provider holds Mrs C's pension. While I acknowledge that Mrs C's representative now feels that HMRC is culpable for not being able to offer any further help, my decision here is simply about whether Aviva has done anything wrong. I can't make any findings on HMRC's actions.

Given Mrs C feels that her pension should still be with Aviva, there is a lack of definitive evidence as to what happened here. In the absence of such evidence, I need to decide the case on the balance of probability. In other words, what I think is more likely than not to have

been the case. Having done that, I'm persuaded that it's more likely than not that Mrs C transferred her pension away from Aviva.

I'm satisfied that Aviva has carried out the searches that it could reasonably be expected to. Unfortunately, that has not identified that it still holds a pension in Mrs C's name. Instead, Aviva's search identified that Mrs C's pension transferred in November 1991.

The search result isn't something that this service can independently check or verify. We don't hold pension records. That's the role of the DWP or the Pension Tracing Service. However, Aviva has confirmed that the buyout Scheme Contracted-Out Number it holds is the same as the reference that HMRC provided to Mrs C.

While Aviva hasn't been able to provide much detail about the 1991 transfer, it isn't required to retain records indefinitely for private pension arrangements if the individual has effectively ceased to be a customer many years ago. In this case, Aviva has identified that the pension transferred away over 30 years ago. So I couldn't reasonably expect it to retain any more detail than it holds about the transfer.

I also note that pension providers don't routinely delete pension policies. I say this because they have system safeguards in place to ensure that this doesn't happen. I'm therefore satisfied that the reason Aviva has no records of a pension for Mrs C is that it was transferred away to another provider in 1991.

I acknowledge that Mrs C has been sent back and forth between HMRC, Aviva, and other potential providers to which her pension may have been transferred. I understand how frustrating it must be to not receive a definite answer about where her pension is from any of the parties contacted.

But this service can't directly help Mrs C in trying to trace her missing pension policy. There are other organisations which can help with this, although I can see that Mrs C has already explored various other routes with no success.

I'm really sorry that Mrs C and her representative's hard work in tracing the pension hasn't found it yet. But that doesn't mean I can fairly hold Aviva responsible for the fact that it is missing. All this service can do is consider the complaint against Aviva. Having done that, I agree with our investigator that Aviva has carried out the searches I would've expected it to carry out to find Mrs C's pension. And that despite doing that, it hasn't been able to find a pension held with it.

While I appreciate the efforts Mrs C and her representative have taken to track down her pension, there's nothing more this service can do to help her locate it. All we can do is to consider the complaint she's raised against Aviva, which we've done.

I know Mrs C will be disappointed by my decision. But I hope she understands why it wouldn't be fair or reasonable for me to require Aviva to pay her the benefits from her pension in the circumstances I've outlined. I therefore don't uphold the complaint.

### **My final decision**

For the reasons explained above, I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs C to accept or reject my decision before 9 January 2026.

Jo Occleshaw  
**Ombudsman**