

## The complaint

Mr N's complaint against Aviva Life & Pensions UK Limited is about the delayed payment of the pension benefits from his late mother's pension plan. Mr N says the delays caused him a significant amount of distress.

## What happened

Mr N's complaint was considered by one of our investigators. She issued her assessment of it to Mr N and Aviva on 4 December 2025. The background and circumstances to the complaint were set out in her assessment and are known to both parties, so I won't repeat it all again here. But to summarise, the investigator said Mr N's late mother passed away in 2020. Aviva was notified of her death on 21 May 2021 and started the process of assessing who the benefits from the plan should be paid to. Mr N received his share of the pension on 14 June 2022. However, following this, Mr N experienced issues with progressing the payment of his brother's share of the pension (Mr N was acting on behalf of his brother who had signed an affidavit for his share of the pension to be paid to Mr N).

Mr N complained to Aviva in June 2023. Mr N subsequently agreed to accept an offer made by Aviva to settle the matter.

Further correspondence was exchanged between Mr N and Aviva in order to process Mr N's brother's part of the claim. Mr N's brother lived abroad, and because of his location Aviva had particular requirements to process the claim appropriately. Sadly, Mr N's brother also then passed away, and Mr N notified Aviva of his passing in May 2024. This meant that Aviva required additional information to review the claim in light of the changed circumstances.

There were further exchanges of correspondence between Mr N and Aviva about its requirements, and this went on for some time. Mr N made a further complaint to Aviva. Aviva explained that it couldn't accept the documents that Mr N had provided at that point, and offered Mr N £50 for the upset caused. Mr N referred his complaint to Our Service. Aviva subsequently paid Mr N the remaining share of the pension in January 2025.

Our investigator explained that she was only considering the complaint in relation to matters arising from September 2023 – as it had been understood that both parties had effectively agreed to a solution to resolve matters up to that point. She went on to set out the timeline of events from September 2023 to when Aviva paid the remaining pension to Mr N in January 2025.

The investigator said from the information that had been supplied she could see that it took from 29 July 2024, when Mr N supplied the UK certified death certificate for his brother, to 25 September 2024 to tell Mr N that Aviva need a certified copy of his mother's will and death certificate. Following the submission of his brother's UK certified death certificate, Aviva had e-mailed Mr N to ask if there was a certified will or any surviving family. However the investigator said this had already been confirmed to Aviva on 26 June 2024. So Aviva should already have been aware of this information, and she couldn't see anything new was requested until 25 September 2024.

The investigator said whilst she recognised that the case was complex, she couldn't account for why information was requested repeatedly or why it took so long to establish that further documents were needed. She said it also wasn't clear why Mr N's mother's will and death certificate needed to be certified when Aviva already had the information and used it to process the claim in 2022. The investigator said whilst she accepted there would have been additional requirements following the passing of Mr N's brother, she thought this could have been requested when Aviva asked for Mr N's brother's death certificate to be certified in the UK, or not long after it was submitted, rather than around two months later, when no new information or evidence had been provided.

The investigator said she thought the overall impact on Mr N had been significant. She said whilst she wasn't considering the circumstances of Mr N's previous complaint, the fact was that the same issues had been repeated, and the claims process again being delayed only caused further upset and distress to Mr N. She said this needed to be considered in light of Mr N having lost his mother and then his brother as well. So she thought any delays or unnecessary requests would have had a greater impact on Mr N and caused additional upset.

Taking all this into account, the investigator thought Aviva should pay Mr N £500 for the upset caused, on top of any compensation already paid. She also thought Aviva should pay Mr N the outstanding interest payment of £996.34 offered on the previous complaint.

Mr N said the investigator's assessment was fine with him.

Aviva didn't agree with the investigator's assessment. In summary, it said it didn't think it should have to pay the additional interest as recommended by the investigator (£996.34) as this has been mistakenly offered on Mr N's previous complaint (which it had understood at the time was about his share of his late mother's pension) and where it was now clear Mr N had already received his share in 2022. Aviva said Mr N's brother was still alive at this time, but it hadn't received the documentation it required from him. Aviva said the complaint being considered here was events from mid-2024 to December 2024 when it received the correct documents from Mr N. It didn't think the circumstances warranted a further £500 in addition to the £550 already paid, plus the £996.34 interest.

The investigator responded to say that she thought the £500 was appropriate given the lack of updates and the confusing information provided to Mr N and the significant impact on him in the particular circumstances.

She also explained that she thought it was appropriate for Aviva to pay the £996.34 given Aviva had offered it to Mr N on his previous complaint, Mr N had accepted it, and that complaint had been resolved on that basis in 2023.

### **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've come to the same conclusions as the investigator and for the same reasons, in so far as I think Aviva should pay Mr N £500 for the distress and inconvenience caused. Whilst I recognise that the events only cover from September 2023 when an agreement was reached on Mr N's first complaint, like the investigator, I think the impact on Mr N has to be considered in the appropriate context.

Whilst the settlement agreed took into account the impact of the delays during that period, the impact of the further delays need to be considered in light of the position as from

September 2023; that a considerable amount of time had already passed and then Mr N's brother had passed away. I recognise that given Mr N's brother's location, Aviva had to take appropriate steps to satisfy itself that its own requirements had been met before making any decision/payments. But I think it's reasonable to conclude that the further delays as set out by the investigator and lack of timely progress would exacerbate the distress already caused to Mr N. And I think the £500 recommended by the investigator falls within the band of awards we make for the degree of distress and inconvenience reasonably caused to Mr N from September 2023 onwards.

The investigator also recommended that Aviva pay Mr N the £996.34 interest it had offered on his previous complaint. I cannot make an award on this complaint for something offered on another complaint. I'm therefore not making an award for the £996.34 in this decision – I will write to Aviva separately about that matter.

### **My final decision**

My final decision is that Aviva should pay Mr N £500.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 3 March 2026.

David Ashley  
**Ombudsman**