

complaint

Ms S's complaint is that The Prudential Assurance Company Limited advised her not to join an occupational scheme when she was able to do so.

background

Ms S says that she had the opportunity to join the Barnsley Council occupational scheme around December 1989. She says that she was told by a Prudential adviser not to join the scheme and that the Prudential scheme was better. She believes this was unsuitable advice and she should have been advised to join the Barnsley Council scheme.

Our adjudicator looked into the complaint but did not believe it should be upheld. She did not believe there was sufficient evidence that Ms S had been advised not to join the scheme.

Ms S did not agree and asked that an ombudsman review her complaint.

my findings

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 do not uphold the complaint for the following reasons:

- The advice given by the Prudential adviser was given in mid 1988 (the application was completed in September 1988 and the Personal Financial Review in June 1988). Ms S says she was employed by Barnsley Council from December 1989. So the advice to take out the personal pension did not take place when Ms S could join that scheme or there was any anticipation of joining that employer.
- Ms S says that she was given advice or told by a Prudential adviser at some point after this and whilst she had the opportunity to join the occupational scheme, not to join but to remain with the Prudential arrangement. Ms S's comments are evidence I take into account but I hope she will appreciate that there is no other persuasive evidence to support that. There is no evidence of a review being carried out by an adviser during the period in question.
- I do not agree that the fact that Ms S didn't join the scheme is evidence in itself that the adviser told her not to join. There could be any number of reasons why she did not join. It is also very difficult to know what occurred or was discussed (if anything) with any certainty over 27 years from the date in question.

Given these issues I am not persuaded that there is enough evidence to indicate that it is more likely that Ms S was advised not to join the occupational scheme, or to indicate the Prudential did anything wrong.

my final decision

I do not uphold the complaint or make any award.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms S to accept or reject my decision before 15 June 2017.

David Bird
ombudsman