

The complaint

Mr Q complains about the length of time that it has taken for him to register for the Scottish Widows Limited (SWL) online pension portal.

Mr Q says that SWL have failed to resolve his IT problems in a timely manner, meaning that he's been unable to keep track of his pension investment, and he says, has also been unable to move a pension he currently holds in the EU to SWL because of those issues.

What happened

In May 2022, Mr Q's employer set up a personal pension for him with SWL. In January 2023, Mr Q decided to start the process of registering for online access to his pension on SWL's website. After repeated failed attempts to register, Mr Q decided to telephone SWL's customer support line for help. Following a number of discussions on 4 January 2023, SWL's helpline were unable to resolve his access issues, so they explained to Mr Q that they would escalate his case to their specialist back-office IT team, who would then call him back.

Despite the promise of a call back, after not hearing anything from SWL by June 2023, Mr Q decided to chase them for an update. During that interaction, Mr Q decided to formally complain to SWL. In summary, he said that he was unhappy at being unable to keep track of his pension. In addition, he also said:

- The lack of IT access and visibility to his pension meant that he'd been unable to move a pension he held in the EU to the UK.
- He was surprised that he'd not heard anything by this point because he'd raised a complaint about the issue in January 2023.

After reviewing Mr Q's complaint, SWL concluded that the time it had taken to resolve his online registration wasn't acceptable. They also said, in summary, that they had identified why the problem had occurred and it had since been resolved. In addition, they also explained that:

- They didn't believe that Mr Q had raised a complaint with them in January 2023. SWL went on to say that they only committed to resolving Mr Q's IT registration problems rather than treating his comments as an element of dissatisfaction.
- SWL felt that had Mr Q wanted to know how his pension was doing, he could have telephoned them for an update.
- In addition, they also said that because the pension that Mr Q wished to transfer to them was situated in the EU, he would need to speak to an independent financial adviser (IFA) and complete the process on an advised basis as they couldn't accept an online application to move the pension to them from Mr Q directly.

To say sorry for the time it had taken to resolve Mr Q's IT access issues, SWL explained that they had sent him a cheque for £150 for the trouble and inconvenience that they'd caused him.

Mr Q was unhappy with SWL's response, so he referred his complaint to this service. In summary, he said that he'd found it frustrating getting his online pension access organised. He felt that given SWL's delays, he stood to lose around €15,000 if he were unable to switch his EU pension to his SWL pension plan. He also said, in summary, that he'd found it frustrating having no visibility of how his pension was performing.

The complaint was then considered by one of our Investigators. He concluded that whilst SWL could have resolved Mr Q's online access to his pension sooner, he didn't believe it had resulted in him being unable to obtain access to information about his pension during that window, because Mr Q could have telephoned SWL during that time. In addition, he said that he'd seen no evidence that Mr Q had complained in January 2023 or that he'd been prevented from moving his EU pension to SWL as a result of the IT issues.

Mr Q, however, disagreed with our Investigator's findings and asked for his complaint to be escalated to an Ombudsman.

Therefore, Mr Q's complaint now comes to me 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 Q 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. Instead, I will focus on what I find to be the key issue here, which is whether SWL's actions have resulted in Mr Q suffering a financial loss and if they have treated him fairly.

My role is to consider the evidence presented by Mr Q and SWL 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 Q's complaint in part, but I won't be instructing SWL to do anything else beyond what they've already proposed - I'll explain why below.

Mr Q's expectations of when his complaint was raised

I'm considering this issue first as my starting point and I think it's important to do so for a number of reasons. Mr Q has explained that as well as being unhappy about the length of time it took SWL to resolve his IT problems, he's also unhappy about the length of time that SWL took to respond to his complaint. He says that he raised his concerns with them in

January 2023. Ordinarily, as complaint handling isn't a regulated activity, I wouldn't typically comment on the length of time that businesses take to put things right, but because this point is interlinked to the wider points that Mr Q has raised, such as his interactions with SWL in January 2023, as I have listened to the recorded calls that he had with SWL, I believe it is reasonable to comment.

When Mr Q contacted SWL's IT team in January 2023, he understood from the discussions he held with them that he'd clearly explained to them that he wanted his frustration at being unable to access his pension account online registered as a complaint. I've listened to the telephone discussions that Mr Q had with SWL on 4 January 2023:

- At 10:04 – on this call, Mr Q explained that he was trying to register his online account. The SWL call handler told Mr Q that because he held a workplace pension, she wasn't familiar with the platform that his plan was on so she would try and put him through to a different team that could help. After placing him on hold for several minutes and being unable to get through, the SWL call handler explained that she would place Mr Q's call directly into the queue so he could speak to that team.
- At 10:12 – Mr Q explained that he was trying to set up his online account and that he was hitting some hurdles as the activation link that he'd been provided with had expired. The SWL call handler then tried to talk Mr Q through how to register on the portal. However, when he took Mr Q's policy number, he explained that it appeared he was actually already registered on their system. The call handler then explained to Mr Q that he should try and register again using his new policy number or his postcode. Mr Q then explained that he'd not received any emails from SWL after trying to reset his password three times when he selected the 'forgot password' option. The call handler then placed Mr Q on hold whilst he liaised in with the IT team. After taking guidance from the IT team, the call handler asked Mr Q to try and register using a different email address. When Mr Q tried to do so, the SWL system didn't ask for an alternative email address.

During the call, Mr Q did say that he could see his pension balance when he logged in to his Halifax Banking App because SWL is part of the same group. The call handler explained that he would send Mr Q a new log in email link to his personal email address. He also stated that he would send Mr Q's details through to the IT team so they could investigate further to try and identify what the issue might be. The call was concluded when the handler explained that the IT Team would call Mr Q back later.

- At 12:22 – After SWL tried to call Mr Q back, the call got disconnected so he telephoned them back. On this call, he explained that he'd been trying to complete the online registration process so he could view his new pension. He went on to say that when he'd clicked on the activation link that SWL had sent him, it had expired. He also explained that the system stated that an account had already been created but when he selected 'forgot password', the system wouldn't generate a new password email for him. The call handler explained that Mr Q's policy was with their servicing team. In addition, he stated that Mr Q's pension was on the 'new part of their website', but he only dealt with policies that were held on the 'old part of their website'. The call handler then tried to put Mr Q through to a new team who could help. After that discussion, it's not immediately obvious what then happened because the recording ended.
- At 13:55 - SWL contacted Mr Q to explain that they weren't able to see an obvious reason why he couldn't access his online account, so they were going to raise an 'IT ticket' for one of their specialists to look into things further for him. SWL concluded the call by explaining that someone from the IT team would get back in touch with Mr Q once they'd reviewed the issue.

Despite the frustration of not being able to log in to the pension portal, at no time during the various telephone interactions that Mr Q had with the different SWL call handlers did he express any dissatisfaction. So, I'm satisfied that SWL were fair in stating that they didn't treat any of those calls as a complaint and as such, I don't support this element of his complaint.

Online access to SWL's pension portal

Mr Q's complaint stems from the fact that he'd joined a new employer who set up a pension for him with SWL. As part of the set-up process, he'd attempted to gain access to his pension online, but because of a number of IT problems, he wasn't able to complete SWL's registration process. When he contacted SWL in January 2023, despite their assurances that they'd look into things for Mr Q, SWL took until August to put things right for him. So, I can well understand his frustration, particularly after listening the various telephone conversations that he had with SWL in January 2023.

I don't believe that there's any doubt here that Mr Q had to wait longer than SWL would've liked to access their online pension portal. They've admitted as much in their resolution letter to him; they've also apologised and sent him £150 for the trouble that they caused.

Whilst Mr Q wasn't able to see details of his pension online during that window, he still had other options open to him that would've allowed him to source any information that he needed about his plan. Looking at SWL's website, their telephone number is well publicised, as is an email address to write to and there also appears to be an online chat feature. So, it seems to me that whilst Mr Q couldn't view how his pension was doing through SWL's online portal, SWL offered plenty of other pathways to reach them had he wanted to understand how his pension was doing or needed to make any alterations to his plan. Importantly though, Mr Q could as a minimum always see the balance of his pension because by his own admission, when he logged into his Halifax Banking App, he was able to see a summary of the pension because SWL is part of the same banking group as Halifax.

I've thought carefully about the £150 that SWL have paid to Mr Q for the trouble that they've caused. I can't see that Mr Q has suffered any financial detriment as a result of not being able to view his plan online and he's not suggested that during the window that he couldn't access his pension, he intended to make any alterations. So, it seems to me that the amount SWL have paid is fair and reasonable in the circumstances and is in line with what I would have instructed them to pay Mr Q had they not already done so. It therefore follows that I'm upholding this element of Mr Q's complaint, but I won't be asking SWL to do anything beyond what they've already undertaken in respect of this issue – that is, to pay Mr Q the £150 if they've not already done so.

Switch of EU personal pension to SWL

Mr Q says that he wanted to move an existing personal pension that he held in an EU country, in to his SWL plan, but because he was unable to access SWL's online portal, he was unable to do so. Mr Q also explained that because of SWL's delays in resolving his online access, this meant that he was likely to suffer a financial impact of around €15,000.

Given the nature of where Mr Q's pension was held, SWL explained in their complaint response letter to him that they wouldn't have been able to accept an online application from him and it would've needed to have come through an advised channel. This meant, SWL say, Mr Q would've needed to have taken advice from an IFA who could have then facilitated the switch from the EU to themselves.

I think that had Mr Q made his intentions known to SWL earlier, they would've informed him of the need to seek out an IFA who had the skills to provide advice on moving the EU pension. Importantly though, had the transfer been a priority for Mr Q, I would have expected him to have chased SWL up earlier than June 2023, after his initial discussion with them in January 2023. It therefore seems to me that despite his lack of access to SWL's online pension portal, it would have made no difference to the outcome; that is to say, Mr Q would've still needed to have sought guidance from an adviser, regardless of how long it took SWL to fix his IT problems. Whilst I appreciate that Mr Q will be disappointed by my decision, I'm not upholding this element of his complaint.

My final decision

Scottish Widows Limited has already made an offer to pay Mr Q £150 to settle the complaint, and I think that this offer is fair and reasonable in all of the circumstances. So, my decision is that Scottish Widows Limited should pay the £150 to Mr Q if they've not already done so.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr Q to accept or reject my decision before 7 April 2024.

Simon Fox
Ombudsman