

The complaint

Mr S complains that Scottish Widows Limited (SW) stopped collecting his monthly pension payments by direct debit. He also complained about SW failing to provide him with the information he needed to complete his tax return in 2021/2022.

What happened

Mr S began making payment into his personal pension plan around 2001. He was paying these contributions by direct debit.

In March 2022 SW wrote to Mr S about his benefit options as according to its records he was nearing retirement age. Mr S told SW he was unsure what he wanted to do about his pension and was taking advice. By 28 April 2022, not having heard back from Mr S, SW deferred his retirement date until age 75 and switched his fund into a building society fund.

Mr S telephoned SW in May 2022 and said his April 2022 direct debit payment had not been collected. SW told Mr S it would arrange for his direct debit to be re-instated and the missing payment to be collected.

By July 2022, although Mr S contacted SW several times, SW had still not re-instated the direct debit or collected the missing payments, despite assuring Mr S they would.

In August 2022, Mr S asked SW to provide him with his premium history for the 2021/2022 tax year. On 6 September 2022 SW sent Mr S his transaction history spanning from April 2001 to March 2022.

On 29 September 2022, SW sent Mr S confirmation that his direct debit would recommence with a payment of £692.28 on 1 November 2022 and return to its normal monthly amount in December 2022.

On 6 October 2022, SW wrote to Mr S saying it had not received the September 2022 contribution and advised him how to make up the missed contributions. SW said if these payments weren't made up the plan may become "paid up".

Mr S complained to SW and they issued a final response on Mr S's complaint on 17 October 2023, upholding it. SW said the direct debit was to be re-instated that day with the total missing contributions of £1,153.80 also taken that day and regular monthly contributions resuming the following month. SW agreed to compensate Mr S for the trouble and upset he had been caused by their failings and paid him £200.

In November 2022, Mr S contacted SW again because he considered that he had not been provided with what he had asked for, which was the "*£ figure for tax year 21/22 inland revenue return*".

SW said they'd look into things, but noted that a premium history for 2021/2022 had already been sent. They asked Mr S exactly what information he needed for his tax return.

On 24 November 22 Mr S pointed out that he had not received the *total* amounts (gross & net) paid into his pension between 6 April 2021 and 5 April 2022.

Mr S contacted SW again on 11 January 2023 saying he needed a response as his tax return had to be filed by 31 January 2023. He brought his complaint to our service on 12 January 2023.

On 17 January 2023 SW issued a further final response letter. They didn't uphold Mr S's complaint about a failure to provide details of Mr S's *total* contributions paid into his pension. They said the information was sent and that Mr S just needed to add up the individual contributions to obtain a *total* contributions figure. SW did, however, accept that Mr S had been put to some further trouble having to chase them and so paid Mr S a further £50 (£250 in total) for the trouble and upset caused. On 23 January 2023 SW also provided Mr S with the figures totalled up.

Our investigator looked into Mr S's complaint and concluded that SW did not need to do anything further to resolve Mr S's complaint. She concluded that SW had responded fairly and reasonably and that the £250 paid by way of compensation to put matters right was reasonable in the circumstances, and in line with awards made by this service in similar circumstances.

She noted that the missed payments had been paid into his plan and that Mr S's fund remained invested in a building society cash fund, with Mr S not asking for this to be changed. She noted that there was therefore no investment loss and that Mr S had access to the missed payment amounts, which remained in his possession, until the direct debit was reinstated. She recommended therefore that no interest was payable. She further noted that Mr S's tax position had not been affected as a result of the delay in paying over the contributions, as they were still received in the same tax year.

Mr S didn't accept our investigator's view, he considered that £400 was a fairer amount taking into account the amount of time and trouble he had been put to trying to get SW to put matters right. SW reconsidered its position and maintained its view that £250 in total was an appropriate amount to compensate Mr S for the trouble and upset caused.

As agreement could not be reached, Mr S's complaint comes to me for a final 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.

It's not in dispute that SW's errors and omissions have caused Mr S trouble and upset. SW accepts this.

Our investigator concluded that Mr S had not suffered any financial loss. Mr S has not disputed this. My view also is that Mr S has not suffered any investment, interest or other financial loss arising from SW's errors and omissions.

So, what I need to consider, is whether the amount paid by SW to Mr S for the trouble and upset he has been caused is fair in all the circumstances.

I acknowledge that it must have been very frustrating for Mr S to have to contact SW a number of times to get things put right, with reassurances being given about re-instating his direct debit that were not then kept.

As our investigator explained, SW's role was not to advise Mr S on what information to include in his tax return, it was to furnish him with relevant information. I consider that it furnished him with the relevant information he *needed*, and in a timely way, upon request. SW gave him the individual gross and net figures, all he was left to do was add these up.

Looked at as a whole, I still consider that the £250 already paid to Mr S as compensation is fair and reasonable. The amount paid is in line with other awards made by this service. Further information is available on our website about how we calculate compensation for distress or inconvenience – see <https://www.financial-ombudsman.org.uk/consumers/expect/compensation-for-distress-or-inconvenience>

My final decision

In all the circumstances, Scottish Widows Limited need not do anything further.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 14 December 2023.

Kim Parsons
Ombudsman