

The complaint

Ms M complains that ReAssure Limited (ReAssure) caused delays to her accessing her pension fund. She says she's been trying to withdraw her funds since September 2020. And that she had been required to repeatedly return the same forms.

What happened

Ms M has previously worked in the UK. And has built up a pension fund held with ReAssure.

I understand that she was living away from the UK in 2020 in country A when she first told ReAssure she wanted to access her pension. And that she moved again to country I in January 2021.

On 8 October 2019, ReAssure wrote to Ms M at her country A address to tell her that before it could proceed with her request to change her address, it needed to confirm her identity. It gave details about what needed to be provided.

On 28 July 2020 ReAssure sent Ms M an annual pension statement to her address in country A. It quoted the pension value of around £25K and told Ms M to call it if she wanted to withdraw her pot.

Ms M emailed ReAssure on 17 September 2020 to tell it that she intended to withdraw the entire pot and to ask for the forms she would need. She said she didn't have an income as she'd retired in January 2019.

ReAssure's call notes show that on 27 September 2020, it called Ms M. As she couldn't talk at that point, it arranged to call her back. On 29 September 2020 ReAssure's call notes stated the following about the call it had with Ms M:

"called and spoke to PH, went through risks and Covid risks with her. PH also gave me her email address for sending her the LS form."

On 29 September 2020, ReAssure sent Ms M the forms she needed to complete. Ms M told this service she sent those all back in October 2020.

ReAssure's email said:

"Thank you for your request to take your entire pension pot as a lump sum. Please see the important information below about the value of your policy, which you need to consider before completing the form linked from the bottom of this email".

A link to a ten- page form was provided. The email also said:

"If you have moved overseas, please read the enclosed Customer Identification Guide and return any documents that are needed".

The Pension Lump Sum application form clearly needed a National Insurance (NI) number to be provided.

Ms M said that she filled out and couriered the Pension Lump sum application and Lifetime allowance declaration forms to ReAssure in November 2020.

Ms M emailed ReAssure on 9 April 2021 for an update. She said she'd filled out the lump sum redemption form at least six months ago, but hadn't heard from ReAssure. She said she'd now since moved from country A to country I.

ReAssure wrote to Ms M on 16 April 2021 to ask her to confirm her identity after she'd told it that she'd changed address. The copy of the letter I've been provided with had no address noted, as Ms M had been marked as gone away, so it appears to have been emailed. ReAssure told Ms M that she'd need to send certified copies of two identification documents – one from each of the two lists it provided - to confirm her identity.

I understand that ReAssure emailed Ms M again on 19 April 2021 with details of how to progress her claim, as it hadn't received the forms she said she'd completed. ReAssure said it didn't hear from Ms M again until 13 October 2021.

ReAssure's internal notes state that on 13 October 2021 Ms M wanted to update her address again. It said it would send the relevant address change forms by email.

Ms M complained to ReAssure on 5 January 2022.

ReAssure received the required proof of identity and the completed change of address form – from country A to country I - on 13 January 2022. Ms M said she'd moved countries on 21 January 2021 and signed the forms on 4 January 2022.

On 21 January 2022, ReAssure issued a retirement options pack to Ms M's address in country I. This also said that if she wanted to withdraw her pot, she should call it.

The pack included a section on moving overseas. And explained the identity checks that would have to be carried out, and why it needed to do so, before Ms M could access her pension.

The pack stated:

"To avoid delays on any future requests, please send us your ID documents within the next 6 weeks. If you cannot send them within this time, please note that we will need to see them before you can:

- *make certain changes to your policy*
- *request a payment from your policy"*

It also stated that the current value of the fund was around £28K.

ReAssure's internal notes stated that it then emailed an options pack to Ms M on 25 January 2022 in response to her request to encash her pension.

Ms M emailed ReAssure on 25 January 2022 stating that she'd received its last letter. She said the letter repeated what they'd discussed before, and that she was very frustrated that she'd been made to fill in the same forms on three separate occasions. Ms M said she wanted to fully cash in her pension. She explained that as she lived in country I, it wasn't viable for her to call ReAssure as she had to wait for long periods. She asked ReAssure to call or email her instead.

ReAssure then wrote to Ms M on 2 February 2022 to ask her to complete a one-page risk questionnaire. It said this was needed before it could process her chosen option.

Ms M emailed ReAssure on 2 March 2022 to tell it that she'd sent all the information it'd asked for, and supplied proof of submission. She said it was impossible to get hold of ReAssure. And asked it to call her on her country I number if it needed to speak with her. She said if it couldn't do this, it should simply transfer the full value of her pension to her account.

ReAssure's call notes show that it emailed Ms M on 3 March 2022 to explain that it hadn't yet received a completed encashment form. It said it had only received her change of address details, her passport and bank identification. And it couldn't accept the bank identification, as it had Ms M's old address on it.

ReAssure explained what it needed Ms M to provide. And that it could only accept bank identification by post, not email. It also said it needed a risk questionnaire to be completed and signed with a wet signature, although it noted this could also be completed over the phone.

ReAssure sent a further risk questionnaire for Ms M to complete. It said it was sorry she wasn't happy and that it was treating her request as a high priority. ReAssure also said once the risk questionnaire had been emailed back, it could then send an encashment form by email, which Ms M could wet sign and then email back.

ReAssure wrote to Ms M again on 20 April 2022. It said that her pension was valued at around £28K. And included a guide about what she needed to do now to access her lump sum. The letter also stated that it included the forms Ms M needed to fill in so it could pay her the lump sum, less a tax charge.

Ms M emailed ReAssure in May 2022. She said that although she'd sent the requested updated bank identification, and the completed risk questionnaire by courier, she'd still not received the encashment forms. She asked ReAssure to promptly deal with her encashment.

Ms M chased ReAssure twice in July 2022. And on 28 July 2022, ReAssure issued an annual pension statement to Ms M, to her address in country I. It said her pension was worth just under £28K. And asked her to call it if she wanted to withdraw the pot.

ReAssure issued its final response to the complaint in August 2022. It said it had received a completed risk questionnaire and bank statement, but not the application form, which it said it had sent to Ms M earlier in 2022. It said it had sent Ms M a new application form. But that it couldn't proceed with her withdrawal request until that had been completed and returned.

ReAssure also said that due to the time that had passed since Ms M said she'd sent the forms, it wouldn't hold any copies. But that if Ms M could evidence that she'd already sent the application form, it may consider a loss assessment.

ReAssure received a lump sum application form, declaration, photo and bank identification on 24 October 2022.

Ms M contacted ReAssure on 26 October 2022 to tell it that all the forms had been completed, but her pension still hadn't been paid.

ReAssure emailed Ms M on 26 October 2022 to say that before it could proceed it needed "suitable ID" and her NI number. It also emailed Ms M on 28 October 2022 to acknowledge

receipt of the encashment form she'd sent. And to repeat its requirement for Ms M's NI number. It explained what she'd need to do to get this if she didn't already have it.

ReAssure tried to call Ms M on 4 January 2023 to tell her it still needed her NI number. It also emailed her to ask for it on the same date.

Ms M said that she hadn't worked in the UK since the mid-1990s. She wanted to know why ReAssure hadn't told her it would need this from the start. She brought her complaint to this service. She said she really needed to access her pension fund as she was already retired and recently widowed.

Ms M wanted ReAssure to give her the pension pot in full. And to compensate her for all the courier charges and long-distance calls, with long wait times, that she'd had to make.

Ms M's solicitor wrote to ReAssure on 2 February 2023. The letter covered a detailed version of events. And said that it required the pension to be released or legal action may be necessary.

Our investigator asked both ReAssure and Ms M for further information.

ReAssure told this service that it had provided the relevant documents and forms and requirements so that Ms M could access her pension but she hadn't returned them. It said it couldn't proceed with payment without the outstanding information. It said it would send confirmation of what it needed in order to release payment.

Ms M told this service in April 2023 that she'd now re-sent all of the forms, including her NI number, to ReAssure by courier in the first week of April 2023. But that she hadn't heard back from it.

Our investigator asked ReAssure to comment. It said that it'd issued the risk questionnaire to Ms M on 29 March 2023 and that once that had been completed all of its requirements would've been met.

Our investigator felt that ReAssure had delayed the withdrawal. He felt that ReAssure should've been clear about what was needed on 29 September 2020. And if it had, Ms M would've been able to provide what was required of her (two forms and identification). He considered that if this had happened, the subsequent issues wouldn't have occurred. Although he noted that the missing NI number would've always been an issue, he felt it would've been dealt with more swiftly.

Our investigator felt that all requirements would likely have been fulfilled after eight weeks, or by 24 November 2020. Allowing a further working week for payment, he felt the payment should've been made to Ms M on 1 December 2020.

To put things right, he felt that ReAssure should perform a loss calculation to ensure that Ms M was put back to the position she would've been in if the payment had been made on 1 December 2020. And that the loss calculation should also take account of currency fluctuations. He also felt that ReAssure should pay 8% simple interest on the value that would've been paid on 1 December 2020 until the date it makes the payment. And that it should pay Ms M £400 for the trouble and upset caused.

Ms M accepted our investigator's view. ReAssure did not. It made the following points:

- It didn't think it should backdate the payment to 1 December 2020 as it hadn't received the required forms from Ms M at that time. It said it couldn't process the

pension without the correct forms. And it was Ms M's responsibility to complete and return them. It said it wasn't required to chase customers for completed forms.

- It said Ms M had changed address throughout the term of the complaint period. It said it couldn't process a pension to an unverified address.
- ReAssure said it had issued a further options pack as it was a regulatory requirement before a pension could be crystallised. And that it had issued a risk questionnaire on 2 February 2022 as the previous risk information had been completed over two years before and therefore needed to be re-done.
- It had to confirm Ms M's identity at her residential address before it could request information from her. So although Ms M had chased it between May 2022 and July 2022, it didn't get the documents back until 24 October 2022.

Our investigator still felt that it was most likely, although documentary evidence couldn't be provided, that Ms M had sent her completed forms by special delivery. And that she'd noted through tracking that these had been delivered. He also still felt that ReAssure hadn't been clear about what was needed in the first call it had with Ms M. So he didn't change his view.

Our investigator asked for further information from Ms M. He asked why she hadn't chased ReAssure between September 2020 and April 2021. And why she hadn't provided the change of address information ReAssure needed promptly.

Ms M said she'd provided the requested information. But it had taken a long time given the complexity of the information requested and the fact that she'd had to use physical mail. She said that ReAssure hadn't asked her for her NI number until January 2023. And that it had taken her nearly nine months to get this from HMRC.

Ms M also asked ReAssure to send her the encashment she was still waiting for.

ReAssure also provided further information to this service. It said that although our investigator had stated that Ms M had sent her completed forms by special delivery, it had reviewed its sign in book and couldn't locate any extraneous documents received in that period with the client's name on.

ReAssure also said that when Ms M told it in April 2021 that she'd changed her address, it couldn't have issued documents to her until she'd completed the required change of address documents. It said it didn't receive these until 19 January 2022. And that it had then reissued a risk questionnaire, as the old one had become invalid. It said it hadn't received anything back until 19 April 2022. And that it had then issued a lump sum application form on 20 April 2022, which it hadn't received back until October 2022.

ReAssure said it was still waiting for a new risk questionnaire from Ms M before it could complete the encashment. It said that Ms M could contact it by phone to complete this if she wanted.

Our investigator asked Ms M to provide further comment. She said she'd sent ReAssure everything it ever asked for within ten days of receiving the request. He still felt that on balance the initial paperwork had been sent in by recorded delivery. And that on the initial call between ReAssure and Ms M, more should've been done. He felt that although Ms M could've acted more quickly, the early delays ReAssure had caused had led to the later address issues.

Our investigator also noted that although ReAssure wasn't happy with his recommendation

to backdate the transfer to December 2020, it hadn't put forward a different proposal.

ReAssure said that if Ms M still wanted to progress her claim as soon as possible, she'd need to contact it herself. It also felt that it would've been reasonable for the withdrawal to have been completed 10 days after Ms M's chaser on 24 May 2022. It said this was because it hadn't responded to this, and that failure had led to multiple chasers from Ms M.

ReAssure said that it was an evidence-based service. And that Ms M hadn't told it – before bringing her complaint to this service – that she'd sent her forms in by special delivery. It said it had never been given anything to track. And that it would've expected Ms M to have provided this information. It also said that the first opportunity Ms M had had to query the lack of receipt of the pack she said she'd sent in November 2020 was in April 2021. But she hadn't done so.

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

I issued my provisional decision on 4 July 2023. It said:

I've considered all the evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done so, I intend to uphold it. I agree with our investigator that ReAssure did delay the withdrawal request. But I don't agree that it caused issues when Ms M first asked for the withdrawal at the end of September 2020. Instead, I'm satisfied that Ms M wasn't able to fully complete the Pension Lump Sum application form, as she didn't know her NI number.

I consider that Ms M should've been aware from when she first received the Pension Lump Sum application form at the end of September 2020 that she would need to provide her NI number. I say this because it was a clear requirement on that form.

However, I'm satisfied that ReAssure could've taken steps that would've made the withdrawal process take less time. I agree with it that it should've responded in a timely fashion to Ms M's May 2022 chaser about her withdrawal. And that if it had, a reasonable time frame for the withdrawal process to be completed would've been 10 working days after Ms M's chaser on 24 May 2022. I'll explain the reason for my decision.

I first considered whether Ms M fully completed and returned the forms ReAssure sent her on 29 September 2020.

Did Ms M fully complete and return the 29 September 2020 forms?

I can see that Ms M received forms she'd requested in the 29 September 2020 email from ReAssure. I say this because Ms M replied to ReAssure on the day it sent the email containing the forms. Her email said: "These forms are for a UK bank account. Are there different forms for an account in [country A]? If yes could you please let me have those?"

ReAssure replied the following day. Its email said: "Can you email them back and advise that you will need payment to an overseas bank account and what forms you need to fill out. That form is only for UK bank accounts".

Ms M replied the same day that she would do so. But I haven't been provided with any further emails relating to this point.

I asked Ms M for clarity about which forms she'd sent to ReAssure in either October or November 2020. She'd said that she'd: "couriered to [ReAssure] the following in November

2020: Pension Lump sum withdrawal application and Lifetime allowance declaration forms”.

But later in the same email she'd said she'd never been sent the encashment forms. She also said in her 8 April 2021 email to ReAssure, her 21 May 2022 email and her 3 March 2022 email that she'd still not received the encashment forms. I asked her if the “encashment form” she said she'd never been sent was different from the Pension Lump sum withdrawal application form.

Ms M simply said that she'd completed all the forms ReAssure ever sent her and returned them promptly by courier.

The 29 September 2020 email ReAssure sent Ms M included a 10-page form – the Pension Lump sum application form – which clearly needed a NI number to be provided. Ms M said she completed and returned this by courier in October or November 2020. But she also told this service that it had taken her nine months to obtain a copy of her NI number. So I asked Ms M how she'd been able to fully complete the September 2020 form in October/November 2020 if she didn't yet have her NI number.

Ms M said she didn't have a NI number given she'd left the UK more than 25 years ago and had misplaced it. She said she'd explained this in the letter she'd attached with the package she said she'd sent ReAssure in November 2020. Ms M said ReAssure never explicitly told her that an NI number was needed until 28 October 2022. And that it was therefore only after this that she started the process of applying for a copy of her NI number. Ms M said that ReAssure should've told her that it needed this when it received her November 2020 package.

From what I've seen, I'm satisfied that Ms M wasn't able to fully complete the Pension Lump Sum application form in October/November 2020, as she didn't know her NI number. Without this, I'm satisfied that the withdrawal couldn't be completed.

Therefore I can't fairly say, regardless of whether Ms M did or didn't courier the completed forms to ReAssure, that ReAssure caused a delay from the end of September 2020.

I'll next consider whether ReAssure did receive the October/November 2020 pack Ms M said she'd sent.

Did ReAssure receive the October/November 2020 forms?

I agree with Ms M that it would be wrong to expect her to still have proof of a courier sent from country A nearly two years earlier. But ReAssure said that Ms M had never told it that she'd sent the forms she said she'd sent it by special delivery until she brought her complaint to this service. It also said that it had never been provided with anything to track. So I asked Ms M to explain why she hadn't provided ReAssure with the tracking information it would've expected at the first opportunity.

ReAssure had also said that Ms M had her first opportunity to query the lack of receipt on 9 April 2021 but that she didn't query it. So I asked her to explain why this was the case.

Ms M said that she didn't have the tracking numbers as she was relocating from country A to another country and then to country I after her husband had sadly died in early 2021.

Ms M provided a screenshot of the only courier receipt with a tracking number that she had. This was dated 7 January 2022.

While I understand why Ms M can't evidence that she couriered her forms to ReAssure in

October/November 2020, I can't fairly say that she did. I say this because I'm persuaded that if Ms M had couriered the forms in October/November 2020, she would've mentioned this in the April 2021 email to ReAssure.

I'm also satisfied that ReAssure has checked its records and has found nothing to evidence that anything from Ms M was received at this time.

I'm not persuaded that ReAssure ever received the forms Ms M said she sent it in October/November 2020. And therefore I'm satisfied that it didn't receive the letter Ms M said she'd attached to the package which she said explained why she didn't have her NI number.

In any event, Ms M has repeatedly stated that she was unhappy that she'd had to send ReAssure completed paperwork by mail, rather than by email. So I would've expected her to have emailed ReAssure to let it know she didn't have her NI number, rather than partially complete the forms and send an explanatory letter.

I next considered how much of the delay ReAssure is responsible for. I first considered the period between November 2020, when Ms M said she'd couriered the forms to ReAssure, and April 2021, when she chased ReAssure for progress.

November 2020 to April 2021

As I had no evidence that Ms M had chased ReAssure about her withdrawal request before 8 April 2021, I asked her if she could provide any.

Ms M provided all of the information she had. She said that her 8 April 2021 email to ReAssure included the sentence: "I've written repeatedly since then via email and have not received a reply". Ms M felt that this showed that she must've been in contact with ReAssure between the time she said she'd couriered the forms in November 2020, and her chaser email in April 2021.

I've carefully considered the evidence, including the recent information Ms M has kindly provided to this service. But I'm not persuaded that it evidences that she actually did chase ReAssure between when she said she'd couriered the forms to them in November 2020 and April 2021.

I say this because Ms M has shared a number of emails between herself and ReAssure, which shows that she had kept at least some of the correspondence. Given most of the correspondence was by email, I would expect her to have a record of any emails she exchanged with ReAssure between November 2020 and April 2021. As she hasn't been able to provide any, I'm not persuaded that she did chase ReAssure by email between November 2020 and April 2021.

I next considered the period between 19 April 2021 and 13 October 2021. I did this because ReAssure said it didn't hear from Ms M between 19 April 2021, when it sent her details of how to progress her claim, and 13 October 2021, when it said she contacted it because she wanted to update her address.

19 April 2021 to 13 October 2021

I asked Ms M why she didn't chase ReAssure about her encashment during this period, or to provide evidence that she had.

Ms M said she'd sent ReAssure the completed documents by post. And that she was waiting for it to get back to her. She said postal correspondence with ReAssure always took 8 to 12

weeks. And also said that she was in the middle of relocating and had just lost her husband.

I'm very sorry that Ms M was going through such a difficult time in her life over this period. I can understand why she didn't have the time to chase ReAssure. However, given she didn't chase ReAssure, I can't fairly hold it responsible for the delay over this period.

I say this because I understand that ReAssure emailed Ms M on 19 April 2021 with details of how to progress her claim, as it hadn't received the forms she said she'd completed. It couldn't do anything more at that point. And it wasn't responsible for following up with Ms M when she didn't respond, as it was up to her to decide whether or not she wanted to proceed with her claim.

I next considered how Ms M's changes of address impacted her withdrawal.

Changes of address

Ms M said that she moved to country I in January 2021. But she didn't tell ReAssure that she'd moved for almost a year.

As Ms M wanted to withdraw her pension funds over this period, I asked her why she didn't tell ReAssure about her move as soon as possible. I wanted to understand why she had waited so long under the circumstances.

Ms M said that after the sad death of her husband, she wasn't sure where she wanted to live. She said the only UK sterling account she had was in country A. And ReAssure needed bank statements from the previous six months with her address, signed and stamped in hard copy. She said this had been very difficult to do for a bank in country A from country I, so she'd had to change her bank to one in country I which would accept a UK sterling deposit.

I'm grateful to Ms M for clearly explaining the situation she was in at this time. I can appreciate how difficult it was to sort out her banking details under the circumstances. So I'm not surprised that it took a while to arrange.

However, I can't fairly hold ReAssure responsible for any of this delay. I say this because I've seen no evidence that it treated Ms M unfairly or that it didn't follow its usual processes. And I can see why it couldn't process a pension to an unverified address.

I next looked at ReAssure's view of the delays it caused

ReAssure's view of the delays it caused

While ReAssure disagrees with the date our investigator recommended for the backdating of the encashment, it told this service that it felt a reasonable time frame for a loss assessment would be 10 days after Ms M chased it on 24 May 2022. ReAssure acknowledged that it hadn't responded to this. And that this had caused multiple chasers.

Ms M told this service that ReAssure made it really difficult to withdraw her pension, which was very unfair.

I can see that this has been a difficult time for Ms M. And I understand why she feels that ReAssure has made it difficult for her to withdraw her pension. However, as I've noted above, I consider that a lot of the delay wasn't caused by ReAssure.

From everything I've seen, I consider that ReAssure's offer to backdate the encashment to 10 days after 24 May 2022 is fair and reasonable under the circumstances.

I say this because I agree with ReAssure that it did cause delays from this point. But, when I consider the requirement for Ms M to provide her NI number, and the need for ReAssure to have a confirmed address before it could take further action, I'm not persuaded that ReAssure was solely responsible for the delays before then.

Distress and inconvenience

Ms M has had to chase ReAssure on a number of occasions since May 2022 to progress her claim. ReAssure has acknowledged that these chasers were caused by its failure to respond to Ms M. Therefore I can see that ReAssure has caused Ms M some distress and inconvenience.

Based on what I've seen, I intend to ask ReAssure to pay Ms M £200 compensation in respect of the distress and inconvenience it has caused her.

Response to my provisional decision

ReAssure said it was willing to accept my provisional decision. And that it would look to proceed once it had received all completed requirements.

Ms M said she was tired of all the correspondence and had no more points to make. She said she had mailed the risk questionnaire ReAssure had asked for to it. And hoped it had no further requirements before it could send her the funds.

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.

As no new information has come to light to change my opinion, I remain of the view I set out in my provisional decision.

Putting things right

I require ReAssure Limited to:

- Calculate what Ms M's withdrawal benefits would've been in the currency of country I had the withdrawal completed 10 working days after 24 May 2022. This is 8 June 2022.
- Add simple interest at 8%* each year from 8 June 2022 to the date of my final decision.
- Pay Ms M the total of the withdrawal benefits and the interest as soon as it has received the outstanding completed risk questionnaire from Ms M, as long as ReAssure receives this within its usual time limits. If it is not received within those time limits, I understand that it may be necessary for Ms M to provide additional paperwork to ReAssure under its usual terms and regulatory requirements.
- Pay Ms M £200 in respect of the distress and inconvenience the delay ReAssure caused has caused her.

*If ReAssure considers that it's required by HM Revenue & Customs to deduct income tax from that interest, it should tell Ms M how much it's taken off. It should also give Ms M a tax deduction certificate if she asks for one, so she can reclaim the tax from HM Revenue & Customs if appropriate.

My final decision

For the reasons set out above, I uphold Mrs C's complaint. I require ReAssure Limited to take the actions detailed in the "Putting things right" section above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms M to accept or reject my decision before 8 August 2023.

Jo Occleshaw
Ombudsman