

## Ombudsman's Determination

Applicant	Mr M
Scheme	PGS (UK) Pension Fund ( <b>the Fund</b> )
Respondent	JLT Benefit Solutions Limited ( <b>JLT</b> )

## Outcome

1. I do not uphold Mr M's complaint and no further action is required by JLT.
2. My reasons for reaching this decision are explained in more detail below.

## Complaint summary

3. Mr M is complaining that he received an incorrect quotation from JLT which was £30,000 higher than his actual entitlement under the Fund.

## Background information, including submissions from the parties

4. In a letter dated 25 September 2015 to Mr M, JLT said that any values would not be guaranteed whilst he remained an active member of the Fund.
5. On 13 October 2015, JLT provided Mr M with an estimated transfer value quotation. On the quotation it incorrectly said that the transfer value would be guaranteed.
6. No further action was taken until JLT sent a revised transfer quotation on 23 February 2016.
7. On 2 March 2016, Mr M's Independent Financial Adviser (**IFA**) contacted JLT and complained that the quotation was considerably lower than the one issued on 13 October 2015.
8. Mr M signed the transfer request and discharge form on 6 April 2016.
9. Mr M raised a formal complaint. On 12 August 2016, he received a stage one internal dispute resolution letter from the Fund. It said his complaint was upheld to the extent that he was provided with misleading information, but was told it would not honour the higher pension amount as this was not his entitlement.

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The Fund referred the matter back to JLT to consider a compensation award by way of an apology for the misleading information.

10. Mr M was sent a letter from JLT dated 30 August 2016. The letter apologised that the quotation of 13 October 2015 was incorrect and also had wrongly stated that the transfer value was guaranteed. JLT recognised that this would have caused Mr M distress and inconvenience and offered him £500 by way of an apology.

### **Adjudicator's Opinion**

11. Mr M's complaint was considered by one of our Adjudicators who concluded that no further action was required by JLT. The Adjudicator's findings are summarised briefly below:
  - There is no dispute that JLT sent an incorrect transfer estimate on 13 October 2015, which quoted a value that was approximately £30,000 higher than Mr M's actual entitlement and also incorrectly stated that the value was guaranteed.
  - Mr M had not suffered an actual loss but a loss of expectation and he should only receive the benefits that he is entitled to.
  - The £500 distress and inconvenience award was a reasonable amount, given the circumstances of the case.
12. Mr M did not accept the Adjudicator's Opinion and the complaint was passed to me to consider. Mr M provided his further comments which do not change the outcome. I agree with the Adjudicator's Opinion, summarised above, and I will therefore only respond to the key points made by Mr M for completeness.

### **Ombudsman's decision**

13. Mr M contends that he has suffered an actual loss and not a loss of expectation. Mr M is not entitled to the higher amount and so cannot have suffered an actual financial loss. He thought in October 2015, that the transfer value would be higher and it was not so he has suffered a loss of expectation.
14. Mr M has said that because of the incorrect information he now has to continue working in order to recoup the difference. Mr M has said that he made all his retirement plans based on the incorrect quotation. Therefore, he believes that JLT should honour the higher amount. Mr M transferred after he knew the correct transfer value. I cannot therefore agree that he made any life changing decisions or retirement plans based on the incorrect amount quoted.
15. Mr M considers JLT should honour the higher amount in any event. Mr M is not entitled to the higher amount and it would be wrong for JLT to take an action which would be detrimental to other members of the Fund which would be the case were JLT to pay the higher amount.

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16. I accept that Mr M has suffered distress and inconvenience, but I consider that the £500 JLT have offered for this is reasonable.
17. Therefore, I do not uphold Mr M's complaint.

**Karen Johnston**

Deputy Pensions Ombudsman  
24 March 2017