

Ombudsman's Determination

Applicant	Mr M
Scheme	Friends Life Personal Pension Plan
Respondents	Friends Life

Outcome

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

Complaint summary

3. Mr M's complaint against Friends Life is about their failure to provide him with a pension advice slip in a timely manner.

Background information, including submissions from the parties

4. Mr M is in receipt of a personal pension from Friends Life. A pension advice slip is automatically generated and sent each time a payment is made.
5. On 28 April 2017 Friends Life sent a pension advice slip to Mr M by second class post. Mr M received the pension advice slip on 13 May 2017.
6. Mr M raised a complaint with Friends Life regarding this on 15 May 2017 claiming that the delay was unacceptable. Friends Life responded to this with an interim reply on 18 May 2017 and a full complaint response on 1 June 2017.
7. Friends Life explained that they send correspondence to their customers by second class post in good faith that it will be delivered in advance of the timescales that Mr M has experienced.
8. Mr M responded to Friends Life on 5 June 2017 to explain his dissatisfaction and stated that he did not believe that the complaint had been investigated properly. Mr M also mentioned that his complaint had been addressed to the Head of Customer Service at Friends Life, however the response he had received did not come from that person. There was also no indication that the person, who supplied the interim

reply, or the person who supplied the full complaint response, were acting on behalf of the Head of Customer Service.

9. Mr M also raised the point that he did not believe Friends Life's mention of a previous complaint with them, in their response, was appropriate as it was irrelevant to the complaint now.
10. Friends Life provided a further response on 7 June 2017 in which they explained again that they put their correspondence in the second class post in good faith that it will reach their customers within the three working days as stated by the postal provider.
11. Friends Life explained that they made the business decision to put all their correspondence in the second class post many years ago as a cost saving mechanism.
12. Friends Life apologised for the delay Mr M had been caused, the confusion regarding the author of their complaint responses and for the mention of a previous complaint which they explained that they had simply wanted to make Mr M aware that they knew of his previous concerns.
13. Following this exchange Mr M brought his complaint to this office on 9 June 2017.

Adjudicator's Opinion

14. Mr M's complaint was considered by one of our Adjudicators who concluded that no further action was required by Friends Life. The Adjudicator's findings are summarised briefly below:
 - Once correspondence leaves Friends Life's offices, they are entitled to rely on the postal system's service standards and they are therefore not responsible for any delay that is caused following the posting of their correspondence.
 - As a result Friends Life have not acted in a way which would constitute maladministration
 - Friends Life's apology is a reasonable response to this complaint.
15. Mr M did not accept the Adjudicator's Opinion and the complaint was passed to me to consider. Mr M provided his further comments on the delay in receiving the pension advice slip and comments in relation to the consistency in the author of Friends Life's responses and the mention of a previous complaint in the responses from Friends Life. Mr M's comments do not change the outcome of this investigation. 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

16. Mr M states that the delay he has experienced is not only unreasonable but unacceptable. He does not believe that Friends Life can rely on the assertion that they put their correspondence in the second class post in good faith and feels that they should be held accountable for the delay he has experienced.
17. I have considered Mr M's submissions regarding his complaint and I agree that Friends Life are entitled to rely upon the service standards set out by the postal system. Once correspondence leaves their office they cannot be held responsible for any subsequent delay. Friends Life's decision to correspond with its customers by second class post seems to me to be a reasonable business decision.
18. Mr M also says there should have been an explanation as to why the Head of Customer Service at Friends Life did not respond to his complaint.
19. I find that with an organisation as large as Friends Life, it is not unreasonable to expect that correspondence may be answered by someone from the same team rather than the individual originally involved in the complaint. Often this is done to avoid a delay in a response to the customer or simply as a result of delegation. In this instance it appears to be for the latter reason, as the author of the second letter clearly states "I am writing to confirm your complaint has been passed to me for investigation."
20. I have considered Mr M's assertion that Friends Life should not have mentioned a previous complaint in their response to him. Friends Life have stated that his previous complaint had no bearing on the result of their investigations and was a merely a tool to state that they were aware that he had previously been unhappy with their service. I do not consider that there was any malice behind the mention of this previous complaint and accept that Friends Life have apologised for the mention of this in their response to Mr M.
21. Overall I find that Friends Life's explanation for the delay and apologies for the subsequent issues are reasonable and no further action is required by Friends Life.
22. Therefore, I do not uphold Mr M's complaint.

Karen Johnston

Deputy Pensions Ombudsman
15 August 2017