

## Ombudsman's Determination

Applicant	Miss S
Scheme	Armed Forces Pension Scheme (the <b>Scheme</b> )
Respondent	Veterans UK

## Outcome

1. I do not uphold Miss S' complaint and no further action is required by Veterans UK.

## Complaint summary

2. Miss S' complaint is that Veterans UK failed to conduct adequate checks or enquiries before transferring her pension to the Pinnacle Pension Scheme.

## Background information, including submissions from the parties

3. The sequence of events is not in dispute, so I have only set out the salient points. I acknowledge there were other exchanges of information between all the parties.
4. On 14 February 2013, The Pensions Regulator (**TPR**) launched a new awareness campaign against pension liberation schemes (the **Scorpion guidance**). This comprised:
  - a "fraud action pack" for pension professionals; and
  - an information leaflet entitled "Pension liberation fraud – The predators stalking pension transfers" (the **Scorpion leaflet**), to assist members in understanding what might happen should they take up an offer.
5. The fraud action pack stated on page 8:

"Looking out for pension liberation fraud

When processing a transfer request, trustees and administrators may be in a position to identify the warning signs that suggest that pension liberation fraud is occurring. If you are a trustee or administrator, and any of the following criteria apply to a transfer request you have received, then you may be about to transfer a

member's pension to a scheme designed to liberate their funds. Here are some of the things to look out for:

- Receiving scheme not registered, or only newly registered, with HM Revenue & Customs.
- Member is attempting to access their pension before age 55
- Member has pressured trustees/administrators to carry out transfer quickly
- Member was approached unsolicited
- Member informed that there is a legal loophole
- Receiving scheme was previously unknown to you, but now involved in more than one transfer request.

If any of these statements apply, then you can use the check list on the next page to find out more about the receiving scheme and how the member came to make the request.”

6. In July 2014, TPR issued an action pack for trustees and administrators on pension scams, 'A lifetime's savings lost in a moment'. This stated on page 3:

“Here are some common features of pension scams:

- Phrases like 'one-off investment opportunities', 'free pension reviews', 'legal loopholes', 'cash bonus', 'government endorsement'
- Victims are approached out of the blue over the phone, via text messages or in person door-to-door
- Transfers of money or investments overseas, meaning the money is harder to recover
- Access to pension pot before age 55
- No member copy of documentation
- Victims encouraged to speed up transfer of their money to the new scheme.

...

If any of these features apply, then you can use the check list on the next page to find out more about the receiving scheme and how the member came to make the request.”

7. Miss S was a deferred member of the Scheme.
8. On 9 September 2014, Veterans UK received a letter from Active Pensions requesting a transfer value for Miss S. Enclosed with the letter was a 'Granting of

Authority' form. The letter stated that the one-page form had been completed and signed by Miss S. The form comprised a pre-prepared typed statement, which as relevant said:

"I am writing to confirm that I have appointed Active Pensions (my "Agent") to collate my membership information.

Their correspondence address is...

...

Please accept this as confirmation of my request to provide information to my Agent.

I am aware that my Agent is not a regulated entity. I nevertheless authorise you to give effect to my request.

I confirm that I have been provided with a copy of the insert, available from the Pensions Advisory Service, entitled "Predators Stalk Your Pension".

..."

9. Written on the form was: Miss S' service number, full name, address, date of birth and National Insurance number. It was signed and dated 4 September 2014.
10. On 22 September 2014, Veterans UK wrote to Active Pensions. The letter included details about the Scheme, Miss S' transfer value of £29,305.63 (guaranteed for three months) and stated:

"Please have [Miss S] complete Annex C, which should then be returned to us along with the new pension scheme administrators' payment instructions. Enclosed is a copy of our letter which should be despatched to [Miss S].

...

It is necessary for us to protect the Scheme against potential fraud. Therefore, prior to transfer of pension benefits taking place, we will require a copy of the scheme member's birth certificate or passport and also confirmation of their home address in the form of a utility bill, council tax bill or Driving Licence. Payment of the transfer value will be made by BACS unless otherwise directed." [Original emphasis].

11. A letter to Miss S (enclosed with the letter to Active Pensions) said an application had been received from Active Pensions requesting the transfer value of her accrued pension rights and that an assessment of the transfer value (£29,305.63) had been provided. The letter detailed Miss S' pension on discharge and its current value and explained that if she transferred, she would cease to have any rights to a pension from the Scheme. The letter said:

“It should be noted that [Veterans UK] is not an advisory body and cannot highlight the advantages and disadvantages of different schemes. For advice, you should consult an Independent Financial Adviser.

When you have reached a decision about this matter please complete Annex C, which should be returned to us through your new pension scheme administrators in order for us to receive their payment instructions. It is necessary for us to protect the Scheme against potential fraud. Therefore, prior to any transfer of pension benefits taking place, we will require a copy of your birth certificate or passport and also confirmation of your home address in the form of a utility bill, council tax bill or Driving Licence.” [Original emphasis].

12. Included with the letter to Miss S was a one-page document entitled ‘Transferring your Pension – Pension Liberation. This warned of companies offering access to pension benefits before age 55, recommended taking appropriate financial advice, summarised what to look for in pension liberation scams and provided the website address for The Pensions Regulator (**TPR**), FSA and HMRC for further information on pension liberation.
13. On 3 October 2014, Veterans UK received a letter from Chartwell Trustee Pension Solutions Limited (**Chartwell**), the Trustee and administrator of the Pinnacle Pension Scheme, requesting the transfer of Miss S’ pension benefits from the Scheme. Enclosed with the letter was:
  - the completed Annex C;
  - a copy of a letter from HM Revenue & Customs (**HMRC**) acknowledging the registration of the Pinnacle Pension Scheme on 25 March 2013 and providing the Pension Scheme Tax Reference (**PSTR**); and
  - a copy of Miss S’ passport and driving licence.
14. Annex C was signed by Miss S and a witness on 30 September 2014.
15. On 3 November 2014, Veterans UK wrote to Chartwell that the transfer for £29,305.63 would be paid via BACS within 21 working days. Payment was made on 14 November 2014.
16. On 27 November 2017, Miss S received a letter from The Insolvency Service informing her that Chartwell was under investigation.
17. In 2018, the High Court ordered the liquidation of Chartwell after it was found to have abused millions of pounds of investors’ savings.
18. In January 2019, the Insolvency Service informed Miss S that Chartwell had been wound up and there were no funds to repay anyone who had invested.

### **Ms S’ position**

19. Ms S submits:-

- 19.1 In 2013, she started employment as a Security Officer. In August 2014, a colleague [Mr R] asked her and others (all ex-military) whether they would be interested in transferring their pensions to a new scheme. Mr R said he had already transferred his pension as the scheme gave a better return at retirement age via investment in storage containers. She and others each completed a form to register their interest.
- 19.2 She heard nothing more until 19 January 2015, when she received a letter from Chartwell informing her that her pension had been transferred to the Pinnacle Pension Scheme.
- 19.3 She wondered how this had happened but was not concerned as she did not suspect Mr R was dishonest, she had received a statement where her money was, and she did not know that the Pinnacle Pension Scheme was non-regulated. During this time Mr R left the Security company and re-joined the Army.
- 19.4 Active Pensions did not forward Veterans UK's letter of 22 September 2014 to her.
- 19.5 Veterans UK corresponded directly with Active Pensions. It made no contact with her. She believes Veterans UK should have sent all correspondence, or at least copies, directly to her.

*The Granting of Authority form*

- 19.6 The form at the top of the page has her service number written in her handwriting. Her details at the bottom of the page are not in her handwriting and the signature is not hers. It has been completed fraudulently.

*The Annex C*

- 19.7 She did not complete the form. It is not in her handwriting. The address entered for her is that of her parents. The signature is not hers.
- 19.8 She was at work on 30 September 2014 and not in Kent when the form was purportedly signed by her and the witness.
- 19.9 Veterans UK accepted the form with no direct correspondence with her and without checking the validity of the witness.
- 19.10 She does not recognise the name of the witness or their address in Kent, which by checking on Google is misspelt. The witness is a director of a company of which Mr R is a shareholder and is friends with Mr R's wife on Facebook.

*The photocopy of her passport*

- 19.11 She does not know how a copy of her passport was obtained. In the Armed Forces passports were taken from everyone for a period. She did not get her passport back for around three months. While it was not in her possession two mobile phones were taken out in her name using her passport or a copy as ID. This was reported to the Police at the time.  
*In summary*
- 19.12 Veterans UK did not fulfil its duty of care to inform her of the risks involved with non-regulated companies. It received bank details from a pension scheme that was not regulated and who banked with Metro Bank. This alone should have been a red flag.
- 19.13 The process of transferring her pension started on 9 September 2014 and was completed on 3 November 2014. It all seems rushed.
- 19.14 Veterans UK failed to conduct adequate checks and enquiries in relation to the Pinnacle Pension Scheme, send her The Pension Regulator's transfer fraud warning leaflet and to engage directly with her regarding the concerns it should have had with the transfer request if it had properly assessed it.
- 19.15 She did not request or want to transfer. She was not in financial difficulty prior to the transfer and received no incentive to transfer. She has started a new pension with her new employer. She has no investment experience.
- 19.16 She has reported the fraud to the Serious Fraud Office and Action Fraud. She is aware that this is a separate issue to her original complaint.

**Veterans UK's position**

20. Veterans UK submits:-

- 20.1 Miss S signed and dated the Granting of Authority form, asking it to accept Active Pensions as her nominated agent. So, its understanding was that Miss S was happy for it to deal directly with Active Pensions. Miss S did not instruct it to copy any paperwork relating to the transfer to her. The signature on the form appears to match signatures written on her service records, passport, driving licence, etc.
- 20.2 With its letter to Active Pensions, it enclosed a letter to Miss S and instructed Active Pensions to forward the letter to her. Miss S clearly received Annex C, as it was signed and returned.
- 20.3 Included with the paperwork was a copy of TPR's guidance on pension liberation and the associated risks.

- 20.4 It had no reason to question the sincerity of Active Pensions as Miss S sent Veterans UK the Granting of Authority instruction and asked it to deal with Active Pensions. Furthermore, the signed instruction states that she accepts that Active Pensions was not regulated.
- 20.5 Miss S signed and dated the Annex C. The signature on the form appears to match previous signatures supplied by Miss S. It had no reason to question the validity of the witness.
- 20.6 A copy of Miss S' driving licence was supplied which provided evidence of proof of address.
- 20.7 It cannot comment on how Active Pensions or Chartwell came to be in possession of Ms S' passport. Neither the Scheme nor its custodians have ever been in possession of the physical passport. The photocopy supplied was valid, in date and fully legible.
- 20.8 All necessary procedures were followed by the Scheme at the time of Miss S' request to transfer. The decision to transfer was and remains the decision and the right of the Member. It would not have been acceptable for the Scheme to have denied Miss S' wishes or challenged her further, upon satisfaction of checks and completion of paperwork. Scheme Members are encouraged to seek independent financial advice prior to transfer, as Veterans UK is neither qualified nor authorised to do so. Nonetheless, it believes that even if such advice had been offered, Miss S would still have transferred.
- 20.9 It does not understand Miss S' comment concerning Metro Bank. Metro Bank PLC is an independent UK bank which continues to operate successfully.
- 20.10 It ensured that the receiving scheme was HMRC registered. All transfer paperwork was scrutinised for completeness and accuracy and physical proofs of identification and residency were required before the transfer could be processed. It believes these checks comply with TPR's guidance at that time.
- 20.11 Veterans UK has provided a copy of two documents that Miss S signed while in service for comparison with the signatures on the disputed Granting of Authority form and the Annex C. It says it is content that the signatures on these documents are those of Miss S. It adds that a person's signature does change organically over time. However, if Miss S believes that fraudulent behaviour has occurred, then she should further this matter with the Police.

## **Adjudicator's Opinion**

- 21 Miss S' complaint was considered by one of our Adjudicators who concluded that no further action was required by Veterans UK. The Adjudicator's findings are set out in paragraphs 22 to 38 below.
- 22 The Adjudicator put to one side Miss S' allegation of fraud, as it was not part of the complaint that was accepted for investigation by my Office. Moreover, fraud was a criminal matter which was not within my jurisdiction to consider. The Adjudicator noted that Miss S had separately reported the matter to the Serious Fraud Office and Action Fraud.
- 23 Miss S said Veterans UK had failed to conduct adequate checks or enquiries before transferring her pension to the Pinnacle Pension Scheme.
- 24 So, the Adjudicator considered whether Veterans UK had acted reasonably on receipt of the Granting of Authority form and the Annex C transfer instruction.

### *The Granting of Authority*

- 25 The form's first-person declaration confirmed: Miss N's appointment of Active Pensions, that she was aware the agent was not regulated (nevertheless she had requested all information required to be passed to Active Pensions), and that she had been provided with the Scorpion leaflet.
- 26 Ms S said she did not sign the Granting of Authority. The Adjudicator said while he was not a handwriting expert, the signature was not dissimilar to her signature on the two documents provided by Veterans UK, which Miss S signed whilst in the Army.
- 27 On balance, the Adjudicator's view was that it was reasonable for Veterans UK to have accepted the form as Miss S' authority to deal directly with Active Pensions.
- 28 Veterans UK provided Active Pensions with details about the Scheme, quoted Miss S' transfer value and requested Active Pensions to arrange for Miss S to complete Annex C, which was to be returned with the new pension scheme administrator's payment instruction.
- 29 With this information, Veterans UK enclosed a letter for Miss S, which it asked Active Pensions to forward to her. Veterans UK said the letter included a one-page document on pensions liberation (see paragraph 12 above).
- 30 The Adjudicator did not consider that it was unreasonable for Veterans UK to have expected Active Pensions to send the letter and document to Miss S, given that there was no reason for it to question the validity of the Granting of Authority form.

### *The Annex C*

- 31 Miss S said she did not receive Veterans UK's letter and document and did not complete or sign the Annex C. She said she did not know the witness and could not have signed the document on 30 September 2014 as she was at work on that day.



- 32 But as the Annex C was completed and returned and apparently had been signed by Miss S (again the signature was not dissimilar to the signature on the two documents provided by Veterans UK, which Miss S did sign), on face value there was nothing untoward about the transfer request from Chartwell that would have alerted Veterans UK to the fact that anything was amiss.
- 33 With the Annex C was a letter from HMRC confirming the registration and PSTR for the Pinnacle Pension Scheme. The registration had been in place for more than a year. Also provided was a copy of Miss S' passport and driving licence.
- 34 Ms S said the process of transferring her pension seemed rushed – starting on 9 September 2014 and completing on 3 November 2014. The Adjudicator did not agree. Essentially, once it received the transfer paperwork, Veterans UK had a statutory and contractual duty to transfer Miss S' funds. At that time there were no indications of why the transfer should not go ahead, such as those concerning pension liberation fraud.
- 35 Miss S said she did not request or want to transfer. But, after being informed by Chartwell that she was a member of the Pinnacle Pension Scheme, she did not question the matter with or submit a complaint to Chartwell and/or Veterans UK. Had she done so immediately, it was possible that the transfer could have been reversed.
- 36 While the Adjudicator empathised with Miss S, who appeared to have been a victim of pension liberation fraud, the matter could not be viewed with the benefit of hindsight.
- 37 Chartwell had been incorporated since 2007 and while problems became clear in 2017, Veterans UK could not have foreseen this in 2014.
- 38 Taking the above into account, it was the Adjudicator's view that Veterans UK had fulfilled its due diligence obligations with the information it held and there was no apparent reason for Veterans UK not to make the transfer payment to the Pinnacle Pension Scheme.
- 39 Miss S did not accept the Adjudicator's Opinion and the complaint was passed to me to consider. Miss S provided her further comments which do not change the outcome. I agree with the Adjudicator's Opinion and note the additional points raised by Miss S.

### **Ms S' further submissions**

40. Ms S submits:-

- 40.1 Five of the six points to look out for pension liberation fraud, as noted on page eight of the fraud action pack for pension professionals (see paragraph 5 above), apply to her transfer request. Namely:-
  - Receiving scheme not registered, or only newly registered, with HMRC - The Pinnacle Pension Scheme was newly registered with HMRC, 19 months before the transfer request.

- Member is attempting to access their pension before age 55 - She was then age 30.
- Member was approached unsolicited - Veterans UK should have asked her.
- Member informed that there is a legal loophole - Veterans UK should have asked her.
- Receiving scheme was previously unknown to you, but now involved in more than one transfer request – At the time of her pension transfer seven colleagues<sup>1</sup> also had their pensions transferred to the Scheme. These multiple applications were ignored by Veterans UK.

40.2 Veterans UK should then have used the pack's checklist to find out more about the Pinnacle Pension Scheme and how she came to make the transfer request

40.3 GOV.UK guidance, 'Transfer a pension scheme member's savings', under the sub-heading, 'Your scheme has a member wishing to transfer their pension', states:

"Getting confirmation from HMRC shouldn't be the only check you make and rely upon when deciding whether or not to make a transfer. You should make further checks to satisfy yourselves that a transfer should be made.

Confirmation from HMRC on a scheme or product shouldn't been seen as a recommendation."

40.4 The Scheme was an occupational arrangement. She was not employed by Active Pensions, Chartwell, Pinnacle or any associated companies.

40.5 Information on Companies House:-

- On Chartwell, under 'Filing history', notes on 1 April 2014 a First Gazette notice for compulsory strike off and on 11 April 2014 that accounts were posted for a dormant company.
- On Active Pensions, under 'People', notes that Mr S Bass is the Director. Mr Bass was mentioned in Determination *PO-10505*.

40.6 The TPR guidance clearly states that direct contact with the member should be made. Veterans UK's comment that it did not send copies of forms to her because she did not ask for them completely misses the point that a pension

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<sup>1</sup> Miss H, after obtaining their permission, provided TPO with the names of five colleagues who transferred to the Pinnacle Pension Scheme.

scam would not want copies to be sent to the member. Veterans UK should have acted with due diligence as per the guidance to pension professionals.

- 40.7 Veterans UK failed to check that she had received Annex C and did not attempt to challenge her wishes. Its belief that she would have transferred anyway was not persuasive as she had not made any previous request to transfer.
- 40.8 Veterans UK did not ensure, or have any concerns, that the receiving scheme was FCA registered or if it was connected to an unregulated investment company. The transfer was paid to Chartwell, when it should have been paid to the Pinnacle Pension Scheme.
- 40.9 It is fair to say that if a scheme received a Granting of Authority directly from a scheme which is unregulated, a form should be sent directly to the member by their scheme. Veterans UK had no way of knowing that it was a legitimate request. The form only appointed Active Pensions as agent, it did not authorise Veterans UK to ignore TPR guidance on pension liberation.
- 40.10 Veterans UK should have contacted her directly for confirmation that she had received and signed the two forms (the Granting of Authority and Annex C).
- 40.11 The transfer was rushed. Veterans UK had a statutory six months in which to transfer her pension.
- 40.12 She wished she had asked more questions when she discovered that her pension had been transferred. She did not, owing to circumstances in her life at that time and the fact she felt sure that Veterans UK would have looked after her interests and followed the TPR guidance on pensions liberation. She was not aware of the existence of scams until 2019, when the Insolvency Service contacted her. In 2015, when she was notified that her pension was with Chartwell, she was unaware of pension liberation fraud.
- 40.13 Determination *PO-12763* states far better than she can arguments against the points raised by Veterans UK with regards the checks and procedures that should have been carried out.

41 Veterans UK has confirmed the payment of the five transfers, referred to by Miss H, (four in early September 2014 and one in October 2014) to the Pinnacle Pension Scheme following contact from Active Pensions.

## Submissions by the MOD

42 Following TPO's request for further information, the MOD submits:-

- It is unable to say when Veterans UK first became aware of the Pinnacle Pension Scheme. However, correspondence obtained in connection with the criminal investigation of the scheme suggests that the first transfer was paid in September 2013.
- At the time of Miss H's transfer request, the following checks were made prior to a transfer request being processed:-
  - The receiving scheme was registered with HMRC and HMRC did not hold any information to indicate a significant risk of the scheme being set up or used for pension liberation.
  - All paperwork had been completed correctly and signed by the member.
  - The member had supplied proof of ID and their address.
- The Scorpion guidance does not appear to suggest that scheme managers should actively enquire as to whether any of the warning signs of pension liberation fraud were present. On page 8 it states: "When processing a transfer request, trustees and administrators may be in a position to identify the warning signs that suggest that pension liberation fraud is occurring". So, only if any of the warning signs are apparent without active enquiry is it suggested that the member should be contacted.
- There was nothing in the correspondence received in relation to Ms S' transfer that would have given rise to concern, applying the criteria set out in the Scorpion guidance.
- The Pinnacle Pension Scheme was registered with HMRC on 25 March 2013 and Miss S' transfer request was received on 9 September 2014. So, the transfer was not to a 'newly registered' scheme.
- There was no suspicion that the Pinnacle Pension Scheme was not a legitimate pension scheme; and it was within Miss H's right to transfer.
- 1700 transfers were processed out of the Scheme in 2014. The numbers given of those transferring to the Pinnacle Pension Scheme were not significant in comparison.
- Transfers to the Pinnacle Pension Scheme were blocked from 9 December 2014, following a transfer being refused by Veterans UK because the scheme was no longer registered by HMRC.

## Oral Hearing

- 43 I have the power to hold an oral hearing under the procedural discretion contained in Section 149(4) of the Pension Schemes Act 1993. However, I tend not to exercise my discretion unless I am of the view that a complaint cannot adequately and appropriately be determined without me hearing directly from the parties. For example, I might require clarification of the parties' statements or there is some ambiguity in the evidence presented to me.
- 44 Section 146(2) of the 1993 Act requires complaints to me to be made in writing. I therefore begin by considering whether I am able to determine a complaint on the basis of the written submissions. After careful consideration, I am satisfied that the evidence and written submissions I have been presented with from both parties is sufficient to determine Ms S' complaint. I have concluded, therefore, that there is little to be gained by holding an oral hearing.
- 45 As a result, I have decided not to hold an oral hearing in this case.

## Ombudsman's decision

- 46 Miss S says a case that was determined by the previous Ombudsman (*PO-12763*) in July 2018, states far better than she could the arguments against the points raised by Veterans UK with regards to the checks and procedures that should have been carried out.
- 47 Nonetheless, I am not bound by previous decisions. My decision is based on the facts and merits of Miss S' case.
- 48 When a pension scheme member has a statutory right to transfer, the scheme trustee/administrator must have a good reason not to allow the transfer.
- 49 Miss S says five of the six points to look out for pension liberation fraud, as detailed on page eight of the February 2013 of the action pack for pension professionals, applied to her transfer request. I do not agree for the following reasons:-
- The Pinnacle Pension Scheme was registered with HMRC some 19 months before Miss H's transfer. It was not a 'new' scheme.
  - While Miss S was age 30 around the time of the transfer, she was not attempting to take her pension early.
  - Miss S says a work colleague recommended the arrangement to her and she expressed an interest for more information. This does not amount to an unsolicited approach.
  - I have seen no evidence that she was informed of a legal loophole.
  - Miss S says at the time of her transfer seven colleagues also transferred to the Pinnacle Pension Scheme. The MOD has advised that 1700 transfers out of the Scheme were processed in 2014. Given this number, I do not consider that

Veterans UK should have been alerted by the small cluster of transfer requests to the Pinnacle Pension Scheme. I also note that TPR's July 2014 action pack for trustees and administrators is different and does not refer to the sixth point. So, in this instance, I do not consider that Veterans UK was required to delve further and utilise the checklist provided in TPR's February 2013 action pack for pension professionals.

- 50 Miss S says Veterans UK made no attempt to confirm with her that she was aware of the risks. But by signing the Granting of Authority, Miss S informed Veterans UK that:
- she was aware that the agent for Active Pensions was not regulated;
  - she had been provided with the Scorpion leaflet, so she had been made aware of pension liberation fraud; and
  - she wanted requested information to be passed to the agent.
- 51 While Miss S maintains that she did not sign the form, the signature is not obviously dissimilar to the signature on the two documents provided by Veterans UK, which Miss S did sign. So, there was no reason why Veterans UK should have checked directly with Miss S that she wanted it to process the agent's request for information.
- 52 When Veterans UK provided the transfer information and Annex C to the agent, it enclosed a letter to Miss S which detailed her benefits in the Scheme and recommended that she seek independent financial advice before making her decision to transfer. I agree with the Adjudicator that Veterans UK had no reason to believe that its letter and the Annex C would not be passed by the agent to Miss S.
- 53 Miss S notes that the Director of Active Pensions is referred to in another case that my predecessor determined in December 2017 (*PO-10505*). Mr S' complaint concerned Chartwell's failure to properly administer the Pinnacle Pension Scheme and its refusal to provide information when requested. This is not the same as Miss S' complaint against Veterans UK.
- 54 Miss S says Veterans UK made no attempt to confirm that she was aware of the transfer request.
- 55 But as the Annex C was apparently signed by Miss S (again the signature is not obviously dissimilar to the signature on the two records provided by Veterans UK, which Miss S did sign) and relevant documents were included (a copy of her driving licence and passport) there was no reason for Veterans UK to suspect that she had not received its letter and the Annex C, or that she did not want to transfer.
- 56 Miss S points out that Chartwell's filing history on Companies House's website shows on 1 April 2014 a First Gazette notice for compulsory strike off and on 11 April 2014 that accounts were posted for a dormant company. Nonetheless, the strike off notice was cancelled on 12 April 2014 and the problems with the pension company did not become apparent until some years later.

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- 57 Miss S says Veterans UK did not attempt to challenge her wishes. But Miss S had a statutory right to transfer, and at the time Veterans UK had no reason to block the transfer.
- 58 Miss S says the transfer was rushed and points out that Veterans UK had a statutory six months to process the transfer. Six months is a maximum and not a minimum period. Once Veterans UK received Annex C, it had no reason to not proceed and pay the transfer.
- 59 I note that Miss S says she did not want to transfer. But when Chartwell informed her that the transfer had been completed, she did not contest the matter with it or Veterans UK. In fact, she took no action until after the Insolvency Service contacted her in 2019 (see paragraph 16 above).
- 60 I very much sympathise with Miss S, as she appears to have been a victim of pension liberation fraud. But, as the Adjudicator said, her complaint cannot be considered with the benefit of hindsight.
- 61 In this case, I am satisfied that Veterans UK acted appropriately before allowing the transfer, and I do not uphold Miss S' complaint.

**Dominic Harris**

Pensions Ombudsman

8 March 2024