

Death benefits

Death benefits are a common topic for complaints made to The Pensions Ombudsman (TPO). This factsheet outlines what to do if you have a complaint about death benefits.

What are death benefits?

A pension scheme may provide for death benefits to be payable when a member of the scheme dies. Death benefits could be one or more pensions paid to the deceased member's survivors, and/or a lump sum paid to one or more beneficiaries.

The benefits which are payable and who they are payable to will depend on the rules of the scheme.

Who decides who death benefits are paid to?

This will depend on the scheme rules. Usually, it will be the trustees of the scheme who will make the decision. Some death benefits are payable automatically, without the need for any decision.

The scheme rules will usually set out the categories of person to whom a death benefit can be paid, and the trustees can only decide to pay the benefit to someone within one of those categories. Trustees are generally not required to follow the wishes of the deceased member.

Where a scheme is run by a scheme manager rather than trustees, the same principles apply to the scheme manager.

What should I do if I have a complaint about death benefits?

You should first raise the issue with any party you believe to be at fault and give them a chance to put things right.

You should do this by setting out your complaint to them in writing. You may want to ask for a copy of the complaint process and also the scheme rules, policies or guidance under which the decision was made.

It is important that you complain to any party you believe to be at fault as soon as possible, as there are time limits for bringing a complaint to us.

For further information, see our factsheet "[Complaining to the party/parties at fault](#)".

If you are unhappy with their reply or they do not respond within eight weeks, you can submit a complaint to us.

What can TPO investigate?

Common complaints that we can deal with include:

- “I disagree with the decision not to pay me a death benefit from the pension scheme.”
- “I believe I am receiving the wrong type or amount of death benefit from the pension scheme.”
- “I believe my application for death benefits did not go through the correct process.”

These are only examples. If your complaint is different, we may still be able to investigate it.

We can investigate whether a decision about death benefits followed the proper process.

This can include looking at whether the decision maker:

- was the right person to make the decision
- followed the requirements of the scheme rules
- interpreted the scheme rules correctly, and
- took into account the appropriate factors in reaching their decision.

We can also look at related complaints, for example where you were given the wrong information about death benefits, or there was a delay in the process.

What can TPO decide?

If the proper process has not been followed, we can direct the decision maker to reconsider their decision, following the proper process.

We can also make an award for any distress and inconvenience you may have suffered. For further information, see our factsheet “[Redress for non-financial injustice](#)”.

How can I complain to TPO?

[Check](#) to see if we can deal with your complaint. If we can, you can complete an application online. You will need to include full details of your complaint together with the response (if any) from any party you believe to be at fault. We will then be able to consider how best we can help. It is also helpful if you can provide us with:

- copies of the policies and scheme rules that the decision was made under, and
- any additional relevant correspondence between you and any party you consider to be at fault.

Further information

For further information about TPO, including details about who we are, the way we investigate complaints, and how to make a complaint, visit www.pensions-ombudsman.org.uk.

The Pensions Ombudsman is an independent organisation set up by law. Our primary function is handling pension complaints and disputes. We act impartially and our service is free.

This factsheet is part of a general overview of The Pensions Ombudsman's role and investigation process. It does not constitute legal advice or other professional advice. The Pensions Ombudsman will consider each application on a case-by-case basis, having regards to the facts and evidence in each case and in accordance with relevant legislation. You should consult a professional adviser for legal or other advice.