

The Early Resolution Service

This factsheet is guidance for applicants about The Pensions Ombudsman's Early Resolution Service (ERS) explaining what it is, how it operates and what your options are.

What is the ERS?

The aim of the ERS is to provide an informal and streamlined approach to dispute resolution.

Our Early Resolution Team (ERT)

Our ERT is made up of staff and volunteers. All our volunteers are pension professionals with many years of pension experience. Your caseworker, whether staff or volunteer, will be impartial and will consider the issues without taking sides. They will look to see if they can help resolve your complaint fairly and informally at an early stage, without the need for formal adjudication.

How does the process start?

Our legal framework means it is sometimes not possible for us to investigate a complaint formally until certain jurisdictional requirements are met. But if we consider we can help resolve the matter outside our adjudication service, your complaint will be passed to a member of the ERT.

What happens next?

Your caseworker will carefully consider what you send us. They will use their experience to explore the issues and possible options. If necessary, they may ask for more information from you and the parties you have complained about.

Your caseworker will then advise you on the merits of your complaint. This may mean they come to the view the party you have complained about does not need to take any remedial action. If they come to that view, they will explain why.

If, however, the caseworker considers more should be done by the respondent, they will assist you in presenting the outstanding issue(s) clearly and work with both you and the respondent to see if an informal resolution is possible. This helps ensure that the focus is on the key issue(s) that really matter, making it clearer for all parties to understand and, hopefully, resolve.

What happens if this does not resolve my complaint?

Whatever our caseworker's opinion, you are free to ask that a formal investigation into your complaint is carried out, which could result in a final, and binding, Determination being made by the Ombudsman. Sometimes you will have to complete your pension provider's formal complaints process before the formal investigation can begin.

Our caseworker will explain what you need to do and what actions you need to take if you want a formal investigation, which will be led by our Adjudication Service. If the matter progresses to a formal investigation, a copy of the ERS case file will be made available to the adjudicator.

Any opinion or decision by an adjudicator or the Ombudsman will be made completely independently of any view previously expressed in the ERS.

Any decision subsequently made by the Ombudsman will be made completely independently of any view expressed by the ERS caseworker.

Does the Early Resolution Service have legal powers?

No. The service relies on the willingness of all parties to resolve the matter informally.

Do I have to participate in the ERS process?

No. The service relies on the willingness of all parties to resolve the matter informally and is run on the basis of consent and cooperation. This means that at any stage of the process either the respondent or you may advise us that you do not wish to participate in the ERS. We do, however, believe that the ERS can be of great value and benefit to both applicants and respondents and we hope that both parties will wish to participate and explore whether informal resolution at an early stage is possible.

Complaints about our service

If you wish to raise a complaint about our service this must be brought to us within the following time limits:

- ❖ For cases that conclude **after** 1 April 2021, the service complaint needs to be made within **3 months of the case closing**,
- ❖ For cases that concluded **before** 1 April 2021, the service complaint needs to be made within **6 months of the case closing**.

We will not accept service complaints brought to us outside of this timeframe, unless there is an exceptional circumstance, such as ill health, which prevented you from raising this.