

The Resolution Team

This factsheet contains information for applicants and respondents regarding The Pensions Ombudsman's Resolution Team.

What is the role of the Resolution Team?

The Resolution Team aims to resolve pension complaints informally. It relies on the willingness of parties to work together to reach a mutually agreeable resolution. The team is made up of Resolution Specialists with many years' experience of pensions and complaint handling.

When will a complaint be looked at by the Resolution Team?

Our Assessment Team reviews every complaint received and confirms whether it is something we can look at. When we accept a complaint, we will consider whether it would be better dealt with at Assessment, by the Resolution Team or through our more formal Adjudication process.

The Resolution Team will generally be used for any pension complaint we think can be resolved informally, by parties reaching an agreement.

What happens in the Resolution process?

A Resolution Specialist may do one or more of the following during their investigation:

- ❖ Ask any party for more information and/or clarification on any relevant issues
- ❖ Issue an informal view to both parties explaining their assessment of the complaint and, if appropriate, what is needed to put things right. In most cases, all parties agree with the suggested solution and the case can be closed.
- ❖ Issue a Decision Letter to all parties. This will only be issued when informal resolution has not been successful, and the Resolution Specialist considers that the outcome of the complaint is clear.

If all parties agree with the Decision Letter, the matter is treated as resolved. If any party disagrees with the Decision Letter, the matter will generally be passed to the Ombudsman for a final decision.

The Pensions Ombudsman is not a regulator. We cannot punish the respondent or make them change their processes and practices. Our role is to consider any detriment to the applicant and put things right if things have gone wrong.

What happens if the respondent has done something wrong and needs to put things right?

If the Resolution Specialist considers that something has gone wrong, they will ask the respondent to put the applicant back in the position they would have been in, had the error not occurred.

We may also ask the respondent to pay an amount for 'non-financial injustice' to cover any distress and inconvenience (D&I) caused by their errors and/or poor complaint handling.

In many cases, we find that a formal apology alone is enough to put things right. Where we think the D&I suffered is significant, we may propose an award of £500. In rare cases, we may consider that the D&I suffered was serious or severe enough to warrant a higher award.

You can learn more about our approach to non-financial injustice awards in our [factsheet](#).

Where we consider that adequate steps have already been taken by a respondent to put matters right, we will explain why we believe this to be the case. We would not ask the respondent to do anything further.

What happens if the respondent has done nothing wrong?

The Resolution Specialist will contact the applicant and explain why, in their opinion, the respondent has done nothing wrong.

What happens after a resolution is reached?

If both parties agree on a resolution, the Resolution Team will close the case and take no further action.

It is each party's responsibility to take any step agreed as part of the resolution. The Resolution Team is not responsible for enforcing what has been agreed.

In the rare instance in which an agreement is not honoured, the Resolution Specialist may attempt to clarify the agreement that was reached and ensure that any outstanding issues are resolved between the parties.

If the agreement is still not honoured, a formal decision letter may be issued.

What happens if my complaint progresses to the Adjudication Team?

To begin with, we will assess the case and decide if it is something we can formally investigate. If we decide not to progress a complaint to a formal investigation, we will explain the reasons for this decision.

If a complaint is accepted for formal investigation, an Adjudicator will conduct a new, independent investigation and both parties will be given the opportunity to submit additional information and arguments.

Whilst the Adjudicator will have access to the Resolution Team's case file and will take this into account, any opinion or decision made by an Adjudicator or an Ombudsman will be reached independently of any view previously expressed by a Resolution Specialist.

Importantly, any attempt to resolve a complaint during the Resolution process, such as one party making an offer to the other, will not be treated as an admission of wrongdoing or weakness in the party's position.