

## Referrals and complaints about the Pension Protection Fund

If you have an unresolved problem with the Pension Protection Fund (PPF) you can get help to sort it out.

First you need to give them a chance to put things right. But if you've done that, and aren't satisfied with the outcome, you can ask us to look into it.

We are an independent organisation set up by law to investigate pension matters. We look at the facts, without taking sides. And we have legal powers to make decisions that are final, binding and enforceable in court. Our service is free.

This factsheet has information on our role and how we work. It includes details of:

- How we can help
- What you need to do
- What we will do
- Other organisations that can help
- Feedback and complaints about us

### How we can help

We can look at referrals of reviewable matters and complaints about maladministration causing injustice. You can ask us to look at one or both of these issues.

If you don't agree with a decision made about a reviewable matter or a complaint of maladministration, you must first go through the PPF's two stage internal procedure. If you need help to do this you can contact The Pensions Advisory Service.

The final decision will be made by the PPF Reconsideration Committee. For complaints of maladministration we may (in some circumstances) be able to look at a problem even if it has not been through the second stage of the PPF process.

We can accept applications from anyone who has had a decision made by the PPF Reconsideration Committee.

## What we can look at

We can look at decisions made by the PPF about reviewable matters. A list of reviewable matters and guidance on how to ask the PPF to review a decision is available at <http://www.pensionprotectionfund.org.uk/Pages/homepage.aspx>.

We can also look at decisions made by the PPF about a complaint of maladministration causing injustice. Examples of maladministration include the PPF Board taking too long to act without good reason, or giving incorrect or misleading information.

## What you need to do

You must bring your application to us no more than 28 days after the PPF Reconsideration Committee's decision was sent.

In exceptional circumstances we may be able to extend the 28 day period, but for decisions about some reviewable matters the period can't be extended.

## Bringing your application to us

You'll need to send us an application form along with any documents related to your application.

By law we may not be able to accept your application unless you:

- provide all the relevant information asked for on the application form
- include a copy of the Reconsideration Committee's decision
- include any other documents relevant to your application.

You can appoint someone (a representative) to help you with your application.

## What we will do

First we'll decide whether or not your application is something we can deal with. We may need to get more information from you or elsewhere to do this.

Usually it will take seven weeks for us decide whether or not we can deal with your application and if we can't we will explain why.

If your application is something we can deal with, we will appoint an adjudicator who will be your main point of contact.

An adjudicator may contact you, the PPF Board or anyone else we think can help to ask for more information. Any information you provide will be shown to the PPF Board and any information they provide will be shown to you.

If there are other applications similar to yours or you have made both a complaint and a referral, we may decide to look at them together. If we do we will let you know. You, the PPF Board and any other parties involved in the case will be given the opportunity to object.

## **Significantly adversely affected people**

We have to notify other people who may be 'significantly adversely affected' by the outcome of your case. If there are such people, we will do this by publishing details of your case on our website. All the information related to your case will be made available to any significantly adversely affected people. They have the right to participate in the case which means they will have the same rights and responsibilities as you - this includes making representations to us and requesting an oral hearing.

## **Oral hearings**

Any party to a case can ask us to hold an oral hearing – though it will be our decision, and we may hold one even if we aren't asked. For example we might decide, or agree, to hold a hearing if there is a significant conflict of evidence that can't be decided based on the papers, or if we think that a party may have been dishonest. If you think we should hold an oral hearing for your case you should write to us explaining why.

## **Making a decision about your case**

Some applications can be resolved in a few months; others may take longer depending on the number of people who need to be contacted or the complexity of the case. Our website has more information about what to expect if we can investigate your case.

Once we have enough information we usually send all parties an adjudicator's view of the case. All parties will have a chance to comment and if any party should disagree, they can ask an Ombudsman to review the case papers and make a final and binding decision. This is called a determination.

In some cases an Ombudsman will issue a preliminary decision and invite all parties to comment on it. The Ombudsman will then review any comments and ask for more information if needed before making a final determination.

## After a decision has been made

If the Ombudsman makes a determination in your favour it will usually include instructions to the PPF Board to put things right.

An Ombudsman's determination can be enforced in the courts (unless there is a successful appeal on a point of law) and is binding on you, the PPF Board and any significantly adversely affected people.

**Unless there are special circumstances we publish all determinations on our website.**

For more information on our privacy and personal information policy visit:

[www.pensions-ombudsman.org.uk](http://www.pensions-ombudsman.org.uk)

## Other organisations that can help

### The Pensions Advisory Service

For help and advice while you are asking the PPF to review a decision.

11 Belgrave Road  
London SW1V 1RB  
Telephone 0300 123 1047  
[www.pensionsadvisoryservice.org.uk](http://www.pensionsadvisoryservice.org.uk)

## Feedback and complaints about us

If you have some feedback on how we could improve our service or think something may have gone wrong please contact us.

You should start by contacting the person who is dealing with your case. If you're not able to resolve the matter, contact their line manager and ask them to look into it.

We hope you won't need to, but if you're not happy with a line manager's response (other than a complaint that the outcome of your case should have been different), then you can write to:

The Casework Director  
The Pensions Ombudsman  
11 Belgrave Road  
London SW1V 1RB

**This factsheet is a basic guide to our role and how we work. It does not provide a comprehensive description of the legislation that governs our work.**

**September 2016**