

The complaint

Mrs B complained about the poor service she received from Aviva Life & Pensions UK Limited following the death of her husband.

Mrs B has been assisted in bringing this complaint by a family member. For the purposes of simplicity, I will refer to all correspondence as if it had come from Mrs B.

Mrs B would like Aviva to increase the compensation it has offered her to reflect the distress and inconvenience its poor service has caused her.

What happened

Mrs B's husband had a joint life survivor pension with Aviva. When he unfortunately passed away in 2022, she contacted Aviva to inform it on 28 October 2022.

Aviva wrote to Mrs B on 31 October 2022. It offered its condolences to Mrs B and informed her that pension payments would continue to be made to her from the pension annuity, although these payments would be reduced to c£200 per calendar month. It also stated that a pension overpayment of c£1,100 was made after her husband passed away and asked her to repay that money to Aviva, providing details of how she could do this.

Mrs B subsequently returned the overpayment promptly to Aviva.

Aviva was, in turn, expected to send a final settlement cheque to Mrs B. This did not arrive as she expected.

Mrs B has explained that she both wrote to and called Aviva on a number of occasions to ask about the settlement cheque. Aviva did not provide any evidence which disputed this.

Aviva finally wrote to Mrs B on 3 July 2023 to say that the settlement cheque had not been cashed. Unfortunately, although the letter was sent to the correct address and referred to Mrs B's husband, it used the wrong name for Mrs B, a name she did not recognise.

Mrs B called Aviva when the letter arrived on 10 July 2023 to tell it that it had used the wrong name on the letter and the settlement cheque. Aviva arranged for an amended letter and settlement cheque to be sent to Mrs B and registered a complaint. On 1 August 2023. It offered Mrs B £100 in respect of its poor service and the distress and inconvenience it had caused her.

When the promised cheque for £100 compensation was not received, Mrs B brought her complaint to this service.

Our investigator contacted Aviva to see if it would increase its offer of compensation to Mrs B to reflect the poor service and distress it had caused her over a prolonged period of time. Aviva did not respond, so our investigator reviewed all the information provided and formed the view that the complaint should be upheld and that Aviva should pay Mrs B a further sum of £300, making a total of £400 in respect of its poor service.

Aviva did not respond to our investigators view, so this complaint has been passed to me to make a final decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I've reviewed all the evidence in this case and I uphold this complaint.

I will now explain how I have reached my conclusions

It's clear to me from the available evidence that Aviva has made mistakes in the service it has provided to Mrs B. On hearing of the news of her husband's death, it wrote to her to explain the situation and to request repayment of the overpayments it had made in respect of his pension. This was correct and it didn't do anything wrong here.

Mrs B also promptly arranged for the overpayment to be sent back to Aviva.

Where Aviva provided poor service was in not sending the settlement cheque to Mrs B until July 2023, after a number of contacts from her. And when it did contact her, it put the wrong name on both the letter and the settlement cheque.

Aviva also failed to send the promised £100 compensation cheque by the time Mrs B had brought her complaint to this service, over three months after it had been offered to her.

Mrs B has provided evidence that she was caused significant distress and inconvenience as she felt that Aviva was not acting with the care and urgency that a situation such as hers warranted.

From this evidence, I find it fair and reasonable to conclude that Aviva not only provided poor service to Mrs B, but also caused her significant distress and inconvenience over a prolonged period during her bereavement.

Putting things right

To compensate Mrs B appropriately, I find that Aviva should pay her a total of £400, to include any payments already made.

My final decision

For the reasons explained above, I uphold the complaint. Aviva Life & Pensions UK Limited should pay Mrs B a total of £400 as outlined above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B to accept or reject my decision before 19 June 2024.

Bill Catchpole
Ombudsman