

## The complaint

Mrs W complains about Aviva Life & Pensions UK Limited (Aviva) delays and poor service in connection with a request to transfer her personal pension to a Qualifying Recognised Overseas Pension (QROPS).

## What happened

Mrs W lives overseas.

She held a personal pension with Aviva, which she opted to transfer to a QROPS. At the same time, she was looking to transfer other pensions held with different UK providers.

Although it seems Mrs W had some contact with Aviva earlier in the year, the attention largely turned towards the transfer from about October 2022 onwards. Aviva sent Mrs W a transfer pack on 21 October 2022. It noted the current transfer value of her policy and asked her to complete various forms, including a pension discharge form and a Pension Wise guidance form. Under a heading of “beware of pension scams” it told Mrs W that if any warning signs were present, she may need to seek advice from MoneyHelper (a free advice service).

According to a later response from Aviva (as set out below) Mrs W didn't receive the transfer pack sent in October 2022, so it sent a further pack around 17 November 2022. Mrs W completed and returned this promptly. Aviva received it around 21 November 2022. Mrs W included various pieces of information, such as:

- Information about her overseas residency.
- She was intending to invest in an offshore investment bond.
- She was transferring other UK pensions.

Aviva sent Mrs W's transfer request to its technical team a week later. Before Aviva had finished reviewing the information Mrs W provided, she'd attended a MoneyHelper appointment around 8 December 2022 in connection with a different transfer request. According to an email chain from her financial adviser, she didn't send the MoneyHelper reference to Aviva because it hadn't yet requested it.

Having reviewed Mrs W's request, Aviva says it told her on 23 December 2022 that she'd need to request MoneyHelper guidance before it could proceed.

Mrs W provided a response to Aviva (relating to the appointment concerning a different policy) around 9 February 2023. Aviva then confirmed it had received the information it needed and the transfer request was being reviewed.

However, on 21 February 2023, Aviva told Mrs W's receiving scheme (the communication was forwarded on to Mrs W) that the MoneyHelper guidance related to a different pension policy. So, it needed Mrs W to arrange a new appointment before it could proceed. It added that, under the regulations, where one or more amber flags are present, the trustees or scheme managers must require the member to attend a MoneyHelper appointment. The

matter wouldn't be covered by an earlier MoneyHelper appointment.

This communication prompted Mrs W to email Aviva on 28 February 2023. She explained that she'd been in touch with MoneyHelper regarding its communication dated 21 February 2023. MoneyHelper had explained to her that none of its guidance calls were tailored specifically to one pension. Rather, it's a call that covers all areas in accordance with the latest safeguarding regulations. In other words, it wouldn't give Mrs W different information if she repeated the process. Mrs W therefore thought arranging another appointment wouldn't be a good use of her time. She asked Aviva for confirmation that it could now move forward with the transfer.

On 1 March 2023 Mrs W's adviser forwarded a copy of her email (as set out above) to the receiving scheme. The same day the receiving scheme called Aviva to find out what was happening with the transfer. Aviva again said it was awaiting the MoneyHelper unique reference number from Mrs W. A complaint was lodged on Mrs W's behalf about the time things were taking.

There were further exchanges between Mrs W and Aviva (in which she again said she'd already provided the MoneyHelper unique reference number) and within Aviva's internal teams. The internal contact appears to have centred around whether Aviva could in fact accept the MoneyHelper unique reference number that Mrs W had supplied.

This appears to have culminated in another communication to Mrs W on or around 3 April 2023. In it, Aviva explained that if the MoneyHelper appointment pre-dated its request for guidance to be sought, it's typical for another appointment to be needed.

However, Mrs W was of the opinion that as the transfer started before the MoneyHelper appointment, the process should continue.

In a response sent on 14 April 2023 (further to the complaint made on 1 March 2023) Aviva said the following:

- It received Mrs W's transfer pack on 21 November 2022, which it sent to its technical team to review a week later.
- The technical team responded on 23 December 2022 saying that Mrs W needed to attend a MoneyHelper appointment. Aviva recognised that the time taken to get to that point was unacceptable.
- However, due to the legislation, it still required Mrs W to attend a MoneyHelper appointment. It accepted that as it had caused a delay, it would consider any financial loss Mrs W had suffered once the process was complete.
- Aviva offered £75 in respect of the inconvenience caused by the delay in telling Mrs W she'd need to attend a MoneyHelper appointment.

Mrs W sought MoneyHelper guidance on or around 16th May 2023, following which she sent the unique reference number to Aviva. It appears to have received this on or around 24 May 2023 (around six working days later - as noted below, it used that date as the "effective" date for the transfer).

On 5 June 2023 (a further seven working days after completing its review of the transfer) Aviva confirmed to Mrs W that it had made a payment of £36,756.74 to her new provider as a transfer of her pension benefits.

On 13 June 2023 Aviva confirmed it had made a payment to the receiving scheme. However, the funds were rejected. Aviva didn't initially make Mrs W aware of that.

She called Aviva in early July 2023 to complain that it hadn't told her about the funds being rejected. It seems from what Mrs W told us that she'd been chasing Aviva about the whereabouts of the payment in the meantime.

In another complaint response sent on 7 July 2023, Aviva said:

- It completed the transfer process on 5 June 2023 using the bank details provided by the new scheme. However, the funds were rejected with no reason given. Having checked that the details used were correct, it said it contacted the receiving scheme on 5 July 2023 to ask if it should make payment to a different bank or use a different payment reference. It received a response on 6 July 2023, so the transfer was again with its administration team for processing.

Aviva apologised to Mrs W that it hadn't told her the funds had been returned once rejected. It recognised the frustration this likely caused. In light of this it paid a further £50 in compensation.

On 17 July 2023 Aviva said it had "re processed" the payment. It gave a similar update on 25 July 2023.

Despite Aviva's update, problems continued. Mrs W remained in fairly regular contact with Aviva after that time.

Sometime around late July/early August 2023, Aviva told Mrs W that its transfer team was awaiting confirmation from the receiving scheme that the details used to make the payments were correct.

Mrs W complained to Aviva on 1 August 2023 that the new provider still hadn't received the funds.

Mrs W initially complained to the Financial Ombudsman Service in August 2023. Although Aviva had completed the transfer process, the new provider still hadn't received the funds at that point. Mrs W was in touch with Aviva during early September 2023 to chase updates.

Aviva authorised a further payment and it was received by the new scheme in mid September 2023 – it seems that was on or around 18 September 2023.

Aviva then contacted the receiving scheme for information, so that it could work out if its delays had caused Mrs W to suffer a financial loss.

It sent a further complaint response on 18 September 2023 explaining the various attempts to make payment. Aviva acknowledged that the earlier payment errors were caused by manual input errors on its part. It made a further compensation payment of £200 to recognise the impact these issues had. It said it had also contacted the new provider for information to enable it to complete a loss calculation.

There were various issues, meaning that Aviva wasn't able to complete a loss calculation. It was in touch with the receiving scheme over the following few months about the information it needed. Mrs W remained in contact with Aviva.

As matters still weren't resolved, one of our Investigators assessed Mrs W's complaint and sent his opinion on 1 March 2024. The Investigator outlined the various delays and issues on Aviva's part and noted it took until around mid-September 2023 for funds to be transferred to the receiving scheme.

The Investigator concluded:

- Mrs W's transfer application could likely have been reviewed by about 5 December 2022 (ten working days after it was received) in line with the Transfers and Re-registration Industry Group standards – TRIG. And Aviva should have told Mrs W at that point that she'd need to attend a MoneyHelper appointment.
- Mrs W might have been in a position to raise this transfer during her MoneyHelper appointment scheduled for 8 December 2022, if she'd known sooner about Aviva's requirement for her to do so.
- Allowing time for Aviva's compliance checks, if Mrs W had provided confirmation of a MoneyHelper appointment on 9 December 2022, the transfer should have been completed no later than 16 December 2022.

The Investigator set out the steps that Aviva needed to take to establish if Mrs W had suffered a financial loss as a result of its delays and mistakes. He also thought that Aviva should make a further compensation payment to reflect the level of inconvenience that Mrs W suffered. He recommended Aviva pay a further £150 in addition to the £50 he thought it had offered (making £200 in total).

Mrs W accepted the Investigator's opinion.

We didn't initially hear anything from Aviva, so the complaint was passed to me to decide. I contacted Aviva and asked if it had any comments to make in response to the Investigator's assessment. It said (amongst other things):

- It didn't agree with the date the Investigator mentioned as the likely date of transfer.
- It had awarded more compensation for the distress and inconvenience its actions caused (£325 in total) than recommended by the Investigator.
- It had experienced difficulties getting information from the receiving scheme but had since received some information for the period around June 2023.
- It disputed some of the Investigator's other findings, such as the application of TRIG standards when progressing a pension transfer of this kind. It felt those standards didn't apply in a complex QROPS transfer like this.
- It also pointed out where it had written to Mrs W earlier than the dates the Investigator suggested. For instance, it said it had written to her on 23 December 2022 about a MoneyHelper appointment and not just in February 2023. It also suggested that Mrs W hadn't initially complied with its request to provide confirmation that she'd sought MoneyHelper guidance, which also delayed things.

Aviva asked me to review its response and give my opinion on the date the transfer could likely have been completed - not least because it might be possible to resolve the complaint without the need for a final decision. I've since reviewed what Aviva had to say. And I think it would be helpful to both parties to at least see my findings set out in a provisional decision.

### **My provisional decision**

I sent Aviva and Mrs W my provisional decision on 20 December 2024. I said the following:

*“There is some acceptance on Aviva's part that it caused mistakes and delays. That's reflected in the various complaint responses (four in total) that it gave between about April and December 2023 and in the amounts of compensation that it's paid. Given that, I don't think it's necessary for me to make specific findings about things that are no longer in dispute.*”

*What's clearly still in dispute though is the earliest point at which Aviva could have completed the transfer. Notwithstanding its acknowledgement of delays and mistakes along the way, Aviva seems to be of the opinion that the transfer couldn't have happened until early June 2023 (with an effective date of 24 May 2023) as that's the point at which its "requirements" had been met. Whereas our Investigator suggested that everything could have happened in December 2022. He set out his rationale for that. Aviva has taken issue with the standards the Investigator applied here (TRIG) on the basis that Mrs W's transfer was to a QROPS, so was by no means a straightforward transfer request. As far as Aviva is concerned, the standards set out within TRIG would more likely apply to straightforward UK transfers.*

*I've thought very carefully about both positions here. For reasons I'll outline shortly, I'm more inclined to agree with Aviva here that it wouldn't necessarily be reasonable to apply TRIG standards to a pension transfer of the kind involved here. I also agree, as I've noted below, that Aviva had to have due regard to regulations and guidance introduced on 30 November 2021 in the wake of increasing pension scams. However, for the reasons I'll also outline, I don't agree with Aviva that the earliest it could complete the transfer was in June 2023 (effective from 24 May 2023).*

#### *The applicable legislation and guidance*

*Mrs W's transfer request was made about a year or so following important changes in legislation. The Occupational and Personal Pension Schemes (Conditions for Transfers) Regulations 2021 (introduced on 30 November 2021) gave providers like Aviva important responsibilities in the wake of increasing pension scams. Those supplemented other guidance and best practice that was already in place across the industry. In short, Aviva was required to complete additional due diligence to ensure that, as far as possible Mrs W's pension wasn't at risk of falling foul of a scam. Indeed, according to guidance produced by The Pensions Regulator (TPR) in particular (which Aviva was expected to have regard to), there were specific things that providers and others needed to look out for when the transfer was being made to a QROPS – as Mrs W's pension was.*

*Mrs W isn't suggesting that Aviva shouldn't have carried out additional checks. She recognises the importance of safeguarding her pension. But she does think that Aviva took too long to complete the necessary action.*

*Here, Aviva was expected to strike an appropriate balance between completing due diligence and not delaying things unnecessarily. According to the supporting guidance produced by TPR most requests for a statutory transfer were likely to be straightforward and were therefore expected to be completed within a deadline of six months. TPR also envisaged that a minority of cases would require more investigation. My interpretation of that guidance is that whilst a provider might have up to six months to complete a statutory transfer, that didn't mean it could always take that amount of time to complete the process. Rather, even in situations where a provider is required to carry out more due diligence, it's still expected to do so as quickly and efficiently as possible whilst paying attention (and taking appropriate follow up action) to any red or amber warning flags.*

*Did Aviva act fairly and reasonably here and in line with the applicable guidance?*

*As I've indicated above, the guidance does suggest that a provider might have up to six months to complete a statutory transfer. But, again, as I've also touched on, that doesn't mean that it shouldn't complete the process much sooner if it can.*

*Aviva received the transfer paperwork from Mrs W around 21 November 2022. Having*

carried out certain checks, it initiated the transfer on 5 June 2023 with effect from 24 May 2023. If I was to agree with Aviva that that was the earliest point at which it could complete the transfer, I'd effectively be overlooking a few key factors.

First, as far as I can tell, Mrs W had supplied most, if not all, of the supporting information that Aviva needed to assess a transfer of this kind. At least there's nothing persuasive to suggest that it asked her for more information. As far as I can see, having reviewed the request, the only other thing Aviva asked Mrs W for was evidence that she'd sought MoneyHelper guidance. In other words, the only thing standing in the way of the transfer potentially being approved was Aviva receiving confirmation that Mrs W had sought MoneyHelper guidance. And whilst I do accept that until it had that confirmation, the outcome was by no means certain, it was still important that Aviva avoided any unnecessary delays when taking the additional steps necessary.

It took Aviva a week to refer the matter to its technical team. I don't think that was wholly unreasonable, as it seems likely Aviva would need to carry out an initial review before referring the matter on for technical support. However, it then took the technical team roughly a further four weeks before saying that Mrs W would need to attend a MoneyHelper appointment. Notwithstanding that Aviva was required to carefully assess Mrs W's request in line with the guidance I referred to earlier, in the particular circumstances of this case (such as the level of information Mrs W seems to have provided) I don't think around four weeks is reasonable. I've seen no persuasive evidence to suggest that, at the latest, this couldn't have been completed within about fifteen working days. And Aviva itself seems to accept (in its complaint response dated 13 April 2023) that there was a delay here.

Next, this wasn't the only UK pension that Mrs W was looking to transfer to a QROPS. And Aviva was aware of that upfront from the information that Mrs W provided. According to the guidance I referred to earlier:

"You should advise members consolidating more than one pension to wait until they have requested all transfers before booking their appointment. This will avoid them being asked to attend more than one safeguarding appointment."

It doesn't appear that this guidance only applies to multiple pension transfers with the same provider. Therefore, as far as I'm aware, it would apply in Mrs W's particular circumstances.

Despite that, I've seen no persuasive evidence that Aviva communicated with Mrs W in the way the guidance suggests. I appreciate that Aviva was unlikely to have known the status of Mrs W's other transfers with other providers. But had it set out the position as the guidance described, even if all of the other transfers hadn't yet been requested, Mrs W could have made an informed decision about whether to book an appointment in relation to her Aviva transfer – even if it meant booking further appointments down the line. Mrs W was clearly keen to progress the transfer, so on balance, I think it's reasonable to assume that had Aviva given her the kind of explanation set out above, she'd have pressed ahead with a MoneyHelper appointment even in the absence of other transfers having progressed.

As far as I'm aware, if a provider deems MoneyHelper guidance to be necessary based on its own checks, it won't generally accept evidence of guidance being sought which pre-dates its own request. Neither will it generally accept guidance that was sought in relation to a different transfer request. That's an important point here. And again, bearing in mind that Aviva knew Mrs W was making a number of transfer requests at the same time, I think it ought to have made that clear as early as possible. Whilst Aviva maintains that it told Mrs W on 23 December 2022 that she'd need to seek MoneyHelper guidance, I've seen no persuasive evidence that it set out, at that point, (it did later on) the parameters within which it would accept that guidance had been sought. And as I'll go on to outline, I think that

caused other delays and issues.

*When Mrs W submitted confirmation of having sought MoneyHelper guidance (albeit in relation to a different pension transfer request) on or around 9 February 2023, I imagine she would have thought she'd complied with Aviva's request. I can appreciate her frustration and disappointment therefore when Aviva then told her on 21 February 2023 that it couldn't accept her evidence. It said:*

*"as the Moneyhelper appointment you attended was not in respect of an Aviva policy, we do require you to attend another appointment with regards to our policy. Under the regulations where trustees or managers of the transferring scheme decide that one or more amber flags are present in respect of the transfer they must require that the member attends a Moneyhelper interview. The Amber Flags are not covered by an earlier Moneyhelper appointment under the Regulations".*

*In my opinion, any disappointment and frustration she felt could have been avoided had Aviva communicated with Mrs W more clearly much earlier on. In any event, I'm satisfied that the explanation given on 21 February 2023 was much clearer about what needed to happen and why. Despite that, I can see that it still took a few more months and further exchanges between Mrs W and Aviva (largely following her contact with MoneyHelper which appeared to question the necessity of Mrs W attending another appointment). I think it's worth saying here that I didn't find anything untoward in the response that Aviva gave Mrs W on 21 February 2023.*

*However, I can see that Mrs W did arrange a further MoneyHelper appointment and supplied the evidence that Aviva was looking for. Aviva then completed its final checks and approved the transfer effective from 24 May 2023 having deemed its requirements to have been met. It then attempted to initiate the transfer of funds on 5 June 2023. As things stand, Aviva believes the effective date of 24 May 2023 is correct, not least because of the time it took Mrs W to demonstrate that she'd sought MoneyHelper guidance in relation to this transfer.*

*I've given this matter very careful consideration. The key question I have to answer is when, on balance, the transfer would most likely have happened had it not been for what I consider to be Aviva's delays and other issues. Of course, in thinking about that, I also need to take account of Mrs W's actions.*

*And, overall, based on everything I've seen, I remain satisfied that regardless of any potential delays on Mrs W's part – (for instance during a period from about February 2023 onwards when she challenged some of Aviva's communication and sought reassurance from MoneyHelper) the transfer process would still have concluded before May 2023. In fact, for the reasons I'll outline below, had everything been equal, I think it would have concluded by 15 March 2023. I've explained my thinking in more detail here:*

- Bearing in mind Mrs W seems to have provided most, if not all, of the information Aviva needed to review the application, it's not clear why it then took the technical team around 20 working days (between 28 November 2022 and 23 December 2022) to review things. Even allowing for the checks that I'm satisfied Aviva had to carry out, I think this process could have been concluded, at the latest, within about fifteen working days, so by 16 December 2022. That's a delay of 5 working days.*

- It took Mrs W around 56 working days (allowing for Bank Holidays) from 21 February 2023 (when I'm satisfied she was given a clearer explanation about the evidence she needed to seek from MoneyHelper) to 16 May 2023 to arrange her appointment. Had that clearer explanation been given on 16 December 2022 (when I think the technical team could have completed its checks), assuming it would still have taken 56 working*

days (again allowing for Bank Holidays) Mrs W would likely have had her appointment on 7 March 2023.

- It then took a further six working days (between 16 May and 24 May 2023) for Aviva to receive confirmation and establish an 'effective' date. Again, applying the same logic, six working days from when Mrs W would likely have had her appointment on 7 March 2023, is 15 March 2023. Therefore, I'm intending to say that Aviva would likely have been able to receive confirmation and establish an effective date by 15 March 2023.

- It then took Aviva about a further seven working days after its requirements had been met to initiate the transfer of funds, Again, applying the same logic based on when I think everything could have happened, seven working days after 15 March 2023 is 24 March 2023. That's the date that funds could have been transferred based on unit prices at 15 March 2023.

So, unless either party gives me persuasive evidence suggesting the transfer would likely have been made at a different point, these are the dates I'm intending to apply.

However, having eventually completed the transfer, that wasn't the end of the matter. Things were far from straightforward when it came to the funds being transferred. I can see that Aviva made several attempts to transfer the funds before they were eventually (successfully) received by the receiving scheme in mid-September (sometime around 18 September 2023 it seems). Again, Aviva appears to accept that its errors caused the delays here.

Given Aviva's further acceptance, I don't think it's necessary for me to go into too much detail here. However, I do need to decide when I think the funds would have been transferred to the receiving scheme had it not been for the additional errors on Aviva's part. That's important when setting out what Aviva now needs to do to put things right.

I can see that Aviva first attempted to make a payment to the receiving scheme on 5 June 2023. But it wasn't received until about 18 September 2023. Below, I've set out what I'm intending to direct Aviva to do to put things right now.

### **Putting things right**

My aim in setting out the method of redress below is to put Mrs W back in the position she would have been in – or as close to that position as possible – had it not been for the shortcomings in the way Aviva handled things.

To compensate Mrs W fairly I'm intending to say Aviva must:

Compare the performance of her pension as I'll set out below. If the actual value is greater than the fair value, no compensation is payable.

If the fair value is greater than the actual value there is a loss and compensation is payable.

### **Actual Value**

The value received by Mrs W's QROPS on 18 September 2023.

### **Fair Value**

The value Mrs W's funds would have been worth on 18 September 2023 had Aviva not caused delays and other issues.



To calculate the fair value Aviva must work out the value of the funds it would have transferred to QROPS on 24 March 2023 using the unit prices of Mrs W's investments on 15 March 2023.

Then Aviva must work out what Mrs W's funds would have been worth on 18 September 2023 had they been invested in line with the index - the FTSE UK Private Investors Income total return index – from 24 March 2023 until 18 September 2023.

If Mrs W has suffered a loss, then the loss would have also missed out on investment returns. Therefore, Aviva must also increase the loss by the same benchmark - the FTSE UK Private Investors Income total return index – from 18 September 2023 until the date of my final decision.

If Aviva has not settled the complaint within 28 days of receipt of Mrs W's acceptance of my final decision, it should add 8% per year simple interest from the date of my final decision to the date of settlement.

If there is a loss, Aviva should pay it into Mrs W's QROPS as a 'top up' payment if possible, also allowing for the effect of charges and any available tax relief (if applicable) according to the rules where Mrs W lives.

If Aviva is unable to pay the compensation into Mrs W's QROPS, it should pay the amount directly to her. But if it had been possible to pay it into the plan, it would likely have provided a taxable income. Therefore, the compensation may need to be adjusted to notionally allow for any income tax that would otherwise have been paid (depending on the rules in Mrs W's country of residence) to ensure the compensation is a fair amount.

### **Why is this remedy suitable?**

I've chosen this method of compensation because:

- It appears Mrs W wanted Capital growth and was willing to accept some investment risk.
- The FTSE UK Private Investors Income Total Return index (prior to 1 March 2017, the FTSE WMA Stock Market Income total return index) is made up of a range of indices with different asset classes, mainly UK equities and government bonds. It's a fair measure for someone who was prepared to take some risk to get a higher return.
- Although it is called income index, the mix and diversification provided within the index is close enough to allow me to use it as a reasonable measure of comparison given Mrs W's circumstances and risk attitude.

Finally, I've thought about whether Aviva has already done enough to recognise the impact of its delays and mistakes on Mrs W. Overall, this process took around ten months (from Aviva receiving Mrs W's transfer forms) to the funds being received safely by the new provider. As I've already mentioned, Aviva accepts that its inputting errors caused the delay in the funds being received. So far, Aviva has paid a total of £325 in compensation payments the last of which was in September 2023 (£200) to recognise its errors when sending the funds to the receiving scheme. Whilst I'm satisfied that Aviva's compensation payments go some way to recognising the impact all of this had on Mrs W, I'm not persuaded, on balance, that they go far enough.

For instance, Mrs W told us that when the transfer finally went through in early June 2023

*she was told to wait around two weeks for payment to be received by the new provider. Whilst she thought that seemed a long time, she nevertheless waited. But the payment didn't arrive. Having called Aviva, she was told that a payment had been made, so she says she went on holiday trusting it would arrive. It didn't. Aviva later told her the payment had been rejected. Mrs W explained to us that she was concerned around this time to know what had happened to the payment - especially given the assurances she'd received. I find Mrs W's testimony credible, and I can appreciate why it would cause additional worry not knowing what had happened to a payment of over £36,000 that had reportedly been made. In other words, Mrs W wasn't just impacted by the delay/mistake. In the particular circumstances of this case, I'm intending to direct Aviva to pay a further £150 in compensation in recognition of the worry its actions caused to Mrs W here. I think that fairly recognises the impact of the additional issues I've outlined"*

## **Responses to my provisional decision**

Aviva accepted my provisional decision.

Mrs W thanked me for my detailed report and said it "*reads well*". However, she raised two specific points:

- Although Aviva offered her £325 in compensation, she hadn't received any amounts at all.
- By the time Aviva told her she had to make another appointment with MoneyHelper, the earliest one was a number of weeks later. So that explains why there was a delay between about February and May 2023.

## **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'm grateful to Mrs W for her comments. And for explaining, in particular, the delay between Aviva telling her she'd need to arrange another MoneyHelper appointment and the appointment happening.

I've thought about this. But I've seen no persuasive evidence to suggest that it still wouldn't have taken the same number of weeks for an appointment to be available, even if Aviva had communicated more clearly earlier on. Therefore, I see no reason to change the dates I used in my provisional decision when working out what should have happened and when.

As far as the compensation is concerned, Aviva clearly thinks this has been paid, but Mrs W hasn't received it. So, it should now liaise with Mrs W about this to ensure she receives the total amount she is due. In total, I'm awarding £475 to recognise the distress and inconvenience Mrs W has suffered (including the £325 that Aviva had already offered). If £325 wasn't paid or received by Mrs W, Aviva should pay this amount in addition to the £150 I mentioned in my provisional decision (making £475 in total). I'm satisfied that amount fairly recognises the distress and inconvenience Mrs W suffered as a result of Aviva's shortcomings.

### **Putting things right**

Aviva Life & Pensions UK Limited should take the steps I set out in my provisional decision (as noted above). It should also ensure Mrs W receives a total compensation amount of £475 to recognise the distress and inconvenience suffered.

### **My final decision**

I uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs W to accept or reject my decision before 10 February 2025.

Amanda Scott  
**Ombudsman**