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**Chair:** Tony King  
**Secretary:** Ian Pattison

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Department for Work & Pensions  
Public Bodies Review  
Caxton House  
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To whom it may concern

**Triennial Reviews of Pensions Bodies – call for evidence  
Ombudsman Association submission**

1. Introduction

The Ombudsman Association (formerly the British and Irish Ombudsman Association) was established in 1991 and includes as members all major Ombudsman schemes and complaint handling bodies in the United Kingdom and Republic of Ireland. The Association's objectives include:

- encouraging, developing and safeguarding the role and title of Ombudsmen in both the public and private sectors
- setting criteria for the recognition of Ombudsman offices by the Association
- formally recognising those persons or offices who satisfy the criteria
- facilitating mutual learning and providing services to members designed to develop best practice working to raise the profile of Ombudsmen and the understanding of their work

The Association welcomes this opportunity to submit evidence to the Triennial Reviews of Pensions Bodies.

Our submission is informed by the experience we have gained representing and working with our member schemes which, together form a key part of the wider administrative justice landscape, as well as with many years of close co-operation and involvement with the Administrative Justice & Tribunals Council (AJTC). This submission is made on behalf of the Association, but does not necessarily represent the views of its individual member schemes, some of which we understand are making their own responses to this review.

One of the bodies being revised, the Pensions Ombudsman is a (full) Ombudsman Member of the Association; the Pension Protection Fund Ombudsman, although not officially a member, is associated by virtue of the post also being held by the Pensions Ombudsman.

## 2. Responses to questions

These responses will focus on a single organisation, the Pensions Ombudsman, although some reference will be made to the Pensions Protection Fund Ombudsman

### 2.1 Do the functions of the Pensions Ombudsman remain necessary?

The position of the Association is that the provision of impartial redress serves the public interest and is an important part of access to justice. This is equally applicable to public services, as well as to the provision of private goods and services.

### 2.2 To the extent that the functions are necessary, are there alternative means of delivering them which would be more efficient and effective?

The position of the Association is that an ombudsman is likely to be an appropriate model for complaint resolution where there is an imbalance of power between members of the public and bodies/businesses. This is certainly the case regarding pension policy holder and pension providers/trustees of pension funds.

The Pension Protection Fund Ombudsman function is already carried out by the Pension Ombudsman so there seems little sense in having two separate statutory roles, and it might therefore be sensible to abolish the latter and combine its functions with the former – particularly for the sake of clarity and consumer confusion

### 2.3 Is continuing NDPB status the most appropriate and cost-effective delivery model for the Pensions Ombudsman?

The Association's primary concern about delivery models of Ombudsman Members is that they fulfil the Association's criteria, which are:

- independence (from bodies under jurisdiction)
- fairness
- effectiveness
- openness and transparency
- accountability

The current model for the Pensions Ombudsman as a tribunal NDPB fulfils these criteria, so there would be concern if the model was changed to ensure no dilution of the criteria.

### 2.4 Is there sufficient clarity about the role of the these bodies in relation to the others?

See final paragraph of 2.2 above.

2.5 Is there sufficient clarity about the roles of the Pensions Ombudsman in relation to other dispute resolution bodies?

The Association believes there to be sufficient clarity between the role of the Pensions Ombudsman as a dispute resolution body for occupation and personal pensions, and other bodies, especially the Financial Ombudsman Services which deals with all other financial services.

2.6 Other evidence

The Association's strategic position statement is attached for information.

Ian Pattison  
Secretary  
On behalf of the Executive Committee of the Association

Enclosure:

Ombudsman Association: Strategic position statement