

Scottish Widows Complaint: PO-14071

*Involving fraudulent evasion of pension encashment by SW,
and its brazen cover up by The Pensions Ombudsman*

Complainant: Ian Clive McInnes
Email: ian.mcinnnes@yahoo.com.mx
Website: <https://www.elpobrecorderito.com/PersonalPensionFiasco/>

This document is part of the complete correspondence on the above website. This contains proof of criminal misconduct by two organisations that one would expect to act with the highest standards of probity. Their contempt for the law amounts to a gross breach of the trust the public must place in them.

Scottish Widows is guilty of fraudulent evasion of personal pension encashment (amongst numerous other instances of [cavalier customer treatment](#)). In particular, the assertion that their onerous (and in my case, impossible to satisfy) "verification" demands "*are required under UK legislation*" is a blatant false pretence. In fact, the government requires no verification whatever when there is an ongoing business arrangement, let alone the draconian, changing, and dreadfully documented demands of Scottish Widows.

The Pensions Ombudsman is guilty of criminal protection of Scottish Widows in its refusal (after a year of quite deliberate inaction and prevarication) to investigate and determine the above, as is required under the Pension Schemes Act 1993/2017. Instead, it has forced an [illegal "pragmatic solution" with SW](#).

Both the above organisations are also guilty of lies, deceit, and evasiveness. And if I were mistaken about SW's fraudulent verification requirements, the numerous statements on the matter that I have made to SW, TPO, and also TPAS would have been rebutted; instead they have met only with silence.

Document Details

Date Sent / Received	17 July 2016
Sender / Recipient / Medium	Ian Clive McInnes / TPAS (Denis O'Brien) / Email
Description	I had by now developed a usable website and completely rejected SW's "verification" requirements (although the comment I made about this below shows my usual caution). I provided a link to this new website.
Website Links to More Info	Event Summary / Verification

Re: 163274 - Ian McInnes CRM:00042381

Gente

- [Ian McInnes <ian.mcinnnes@yahoo.com.mx>](mailto:ian.mcinnnes@yahoo.com.mx)
-
- jul 17 a las 5:38 P.M.

Para

- [Denis O'Brien](#)

Texto del mensaje

Dear Denis,

I am grateful for your very helpful response to my request. I have now made an (interim) complaint by email to Scottish Widows. I received a response in which they offer only communication by telephone. This is not acceptable as, apart from the fact that I have a hearing impairment making this difficult, I would have no record to present to the Pensions Ombudsman.

I am preparing a website to document my case:

www.vivazamora.mx/ScottishWidowsComplaint

I have also sent this link to Scottish Widows.

I would be very grateful if you could review this and advise me as appropriate. Of particular relevance here is the item for 13 July (currently the last entry) in the page "Chronology and Documents". I believe that the issues here amount to serious shortcomings in Scottish Widows' handling of verification procedures, that will affect many people.

Kind Regards,

Ian McInnes.

De: Denis O'Brien <Denis.O'Brien@PensionsAdvisoryService.org.uk>

Para: "'ian.mcinnnes@yahoo.com.mx'" <ian.mcinnnes@yahoo.com.mx>

Enviado: Miércoles, 6 de julio, 2016 5:45:46

Asunto: 163274 - Ian McInnes CRM:00042381

Dear Ian,

Thank you for the following emailed enquiry:

I am resident in Mexico, and have attempted to encash two Personal Pension plans of Scottish Widows. Essentially, I am quite legitimately unable to meet the requirements of proof of name and address that they state the government requires for this encashment, and thus obtain payment.

It is my understanding that in order to obtain a ruling by the Pensions Ombudsman, I must first have completed the Scheme's Internal Dispute Resolution Procedure. Having searched on the internet and found no reference to an IDRP for Scottish Widows, I emailed them asking that they send me this; to which I received this stunning response (copied and pasted from the password-protected PDF they sent):

"Thank you for your email dated 26 June 2016 in reference to you pension policies P56879Q, N80803X.

Unfortunately we are not aware of the expression "Internal Dispute Resolution Procedure" If you would be kind enough to

clarify what you want, we would be happy to assist you if we can."

I can only interpret this as a refusal to supply me with this document, and thus deny me any means of pursuing my case.

I would therefore be grateful if you would resolve the following issues:

- 1. How I can obtain the IDR for Scottish Widows, or otherwise how I can pursue my case if such cannot be obtained*
- 2. What verification of Name and Address is required by the government in order to take a lump sum from a Personal Pension Scheme*

To start with, it may help if I clarify our role which is to try to help individual members of the public who require general information about pensions, or are concerned about their entitlement under an occupational, personal pension or stakeholder pension scheme. In helping members of pension schemes our aim is to ensure that they receive their correct benefits from the trustees/scheme authorities and understand their rights but we do not give legal advice.

Furthermore, when there is evidence of maladministration which has created financial loss for an individual and the individual has done what they can to resolve the matter in writing, we will consider mediating with the parties involved on behalf of the individual to seek satisfactory resolution. We have no statutory powers but use our skill and experience to mediate with the parties concerned to try and reach a successful outcome to ensure the individual has not suffered a financial loss.

In the following link you will find a leaflet outlining our role "Who we are" as well as our leaflet "Avoiding and resolving disputes" for your information and assistance:

<http://www.pensionsadvisoryservice.org.uk/publications/category/leaflets-and-guides>.

From these you will note that when a problem arises with a pension scheme, the first thing to do is to raise this in writing with the people responsible asking that they support their feedback with copies of appropriate documentation / legislation. This will give the parties involved an opportunity to either correct an error if one has taken place or justify their actions.

Once you have received a response or if you have already written and received a response or if an acceptable response has not been forthcoming within a reasonable period of time, if you remain dissatisfied and believe the treatment is unfair, you can then write to us with a summary of your concerns, supplying copies of **all** items of relevant correspondence and documentation, whereupon we will review the position to see if we can help. Please note, we will need actual copies of the correspondence rather than summaries, excerpts or transcripts.

In the meantime I can explain that Internal Disputes Resolution Procedures (IDRP) are features of occupational pension schemes. Personal pension plans are not occupational pension schemes and they do not have IDR. In other words, to escalate an unsuccessful complaint to the Pensions Ombudsman Service for a personal pension plan you can do this once you have exhausted your written efforts to have resolved this - there is no IDR to complete first. There is also no obligation to avail yourself of our services although the POS will often suggest that you do.

As to evidence of identity, this is not a pensions specific matter; it is a requirement for all financial organisations. Consequently, it is beyond our area of expertise but I have managed to find the following links to Government information on this topic which may help you:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/372271/mlr8_tcsp.pdf and <https://www.gov.uk/guidance/money-laundering-regulations-your-responsibilities>. As mentioned, we are not

expert with this matter so it may be more appropriate for you to refer to the Information Commissioner (IC) about this. I am attaching a link to the IC's website for your assistance: <http://www.ico.gov.uk/>.

I hope this has helped.

As money related decisions can be those that affect our life the most you may be interested in a new free service we have been given access to that will help you know when and where to trust your own 'money' judgement in future. Bambooning is an easy online test. It takes about ten minutes and provides you with a free report that will give you an insight into your 'financial personality' and how that might, or might not, sometimes serve you!

Click the following link to get started: [How are you Bambooning?](#)

Kind regards,

Denis O'Brien Dip PFS
Technical Specialist - Information & Guidance Team
Tel: 0207 630 2269

Twitter: [@TPASNews](#)

Facebook: [/pensionsadvisoryservice](#)

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