

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	24 September 2016 / 29 September 2016
Sender / Recipient / Medium	Ian Clive McInnes / TPO / Post (DHL Express Letter)
Description	Application to TPO, comprising a covering letter with a completed application form. I sent it after it became clear that my case with TPAS was going nowhere (this was finally confirmed by their email of 23 September). As I was worried that they might not work from my website (recalling my experiences with TPAS), I called this out and provided a link to a list of documents that they could print if necessary (the page entitled "Document List").
Website Links to More Info	Event Summary / Details (TPO)

Ian McInnes
Clavel #322
Col. Palo Alto
Zamora, C.P.59618
Michoacán, MEXICO
24 September 2016
ian.mcinnnes@yahoo.com.mx
NI No: **XX 99 99 99 X**

Pensions Ombudsman Service
11 Belgrave Road
London SW1V 1RB

Personal Pension Plan: **P56879Q**
S2P Replacement Plan: **N80803X**

Please find enclosed my completed application form in respect of my complaint against Scottish Widows. This concerns their refusal to encash the above two Personal Pension Plans. I am sending this by courier as there is no option to send it electronically, and ordinary post between the UK and Mexico (as I continually emphasise) is not a practical means of communication (usually taking 2-3 months, sometimes longer). For this reason, please use email if at all possible.

It is hardly practical to enclose paper copies of all the documentation that you may require for this case. However, I have created a website that serves as the source of documentation on my side:

www.vivazamora.mx/ScottishWidowsComplaint

Although I understand that you will probably not normally work from websites, I think that this provides a much more convenient way to get an overview of my case than you could get from paper. But for your convenience, the last page of the website contains a complete list of printable PDF documents with descriptions so that they can be selected and downloaded as required:

www.vivazamora.mx/ScottishWidowsComplaint/Documents.html

All textual content in these PDF documents is complete and unedited. There are a few postal items of peripheral interest that can only be viewed as popup images of the first page on the Chronology & Documents page of the website. Otherwise, the PDF documents contain the complete correspondence. There are also four PDF documents (with hyperlinks) that mirror the main pages of the website, plus the eight documents I sent to Scottish Widows as verification.

The Final Response from Scottish Widows is the last document in the Correspondence section. This ignores the main issue of the case, preferring instead to concentrate on the poor communication, for which the blame is laid entirely on the Mexican postal service.

The main issue is that Scottish Widows imposed and rigidly enforced verification requirements that were impossible for me to fulfil. In particular, I was unable to verify my address to their satisfaction, due to legitimate circumstances that I explained in some detail. My application was closed, even though they had definitive proof of my identity in the details of the bank account to which payment was to be made. Their Final Response reasserted their verification demands, so I remain unable to encash my pension.

My investigations indicate that Scottish Widows' verification demands are not just grossly excessive, but entirely without valid basis. I believe that in particular, the following two areas should be examined: firstly the reasonableness or validity of their verification requirements as expressed in their documents; secondly whether it was reasonable for them to insist on responding to my emails by post.

Yours sincerely,

Complaints about personal and occupational pensions

Before we can process your application you must complete all relevant sections of this form and provide the information requested.

1. Your details

Surname **MC INNES** First name **IAN** Title **MR**
 Address **CLAVEL #322, COL. PALO ALTO, ZAMORA, MICHOACAN, MEXICO** Postcode **59618**
 Date of birth **13/09/1955** Telephone **+52 351 548 7862**
 Email address (if you have one) **ian.mcinnnes@yahoo.com.mx**

2. Representative details

If you are appointing someone to represent you please include their details here. (please note if someone is representing you we will only correspond with them).

Name

Address

Postcode

Telephone

Email

3. Communication preferences

How would you, or your representative, prefer to be contacted?

Email Letter Telephone

Do you need information in another language or format?

Yes No

Braille Large print Translator Other

(please specify)

Do you have any other communication needs we can help with? Yes No

If yes, give details. **Please avoid post, and if possible telephone**

4. Previous referrals

Has your complaint been considered by a tribunal, court or another Ombudsman? Or is it in the process of being considered?

Yes No

If yes, give details.

Have you referred your complaint to the Pensions Advisory Service? Yes No

If yes, can we request your papers from them? Yes No

What is your Pensions Advisory Service reference number? 163274

Have you brought a complaint to us before? Yes No

5. How did you find out about us? (please select one)

- | | |
|--|---|
| <input type="checkbox"/> Recommendation from a friend or colleague | <input type="checkbox"/> Pension scheme administrator, manager or trustee |
| <input type="checkbox"/> Referral from the Pensions Advisory Service | <input type="checkbox"/> Pension scheme booklet |
| <input type="checkbox"/> Referral from the Financial Ombudsman Service | <input checked="" type="checkbox"/> Internet search |
| <input type="checkbox"/> Employer | <input type="checkbox"/> Other (please specify) |

6. About your complaint

Please tell us the name of your pension scheme or pension provider. If you have a policy number, please include it here.

Scottish Widows : P56879Q & N80803X

Please give us the name and address of each party you think is at fault. Your complaint can be about more than one party.

Employer:

Trustee:

Scheme Manager:

Scheme Administrator: Scottish Widows, 15 Dalkeith Road, Edinburgh EH16 5WL

When did you first become aware of this problem? 16 June 2016

Please tell us what went wrong and who you think is at fault.

On an application to encash two Personal Pension Plans, Scottish Widows imposed and enforced verification requirements that, after going to considerable trouble, I made plain to them were impossible for me to fulfil. They consequently terminated my application, despite having had concrete proof of my identity from the outset. All this was aggravated by partial response to my emails, even though I had made clear that sending post from the UK to Mexico is not a viable form of communication. Their Final Response reiterated the original requirements, and I thus remain unable to encash my pension.

www.viva3amara.mx/ScottishWidowsComplaint

Please tell us what personal or financial loss you have suffered.

I remain unable to encash my pension, but even if it could be encashed now, I would suffer a serious financial loss due to the depreciation of my lump sum since Brexit (the average exchange rate for the last two weeks of April 2016 - during which encashment should have taken place - is 25.11 MXN/GBP). Other issues are unnecessary trouble and stress in providing verification documents and pursuing this case, and inconveniences due to lack of payment.

How would you like the matter put right?

Scottish Widows should pay the lump sum, plus full compensation in respect of the aforementioned issue. I am also concerned that numerous other customers are being put to unnecessary trouble over verification requirements that I contend are completely unjustified.

7. Supporting information

To process your application we need a copy of the final response you received from the parties you are complaining about as well as any other documents relevant to your application. If you are not sure which documents to include with your application form you can contact us for advice (Telephone 020 7630 2200).

8. Declaration

I consent to the Pensions Ombudsman Service obtaining necessary information to deal with my complaint from other bodies, including the other parties to my complaint. I confirm that I have read and understood the personal information policy (see below).

Signed

R c mlan

Date 24 / 09 / 2016

Keep a copy of this form for your records and send the completed form along with any supporting documentation to: Pensions Ombudsman Service, 11 Belgrave Road, London SW1V 1RB.

Personal Information Policy

Under the Data Protection Act 1998 we must comply with various duties for any personal information that we hold about you. For example we must use your information fairly, and keep it safely and securely.

What is personal information? By "personal information", we mean information that is about identifiable living individuals. Your complaint will include a considerable amount of information about you, such as your name, age, workplace or former workplace, and possibly your financial affairs and medical history. When we investigate your complaint you or others will probably give us additional information about you.

How we use personal information We use this information to help us reach a decision about your complaint, and we may need to share information with any individuals or organisations that are involved in dealing with your pension. By law, we also have the power to share information about your complaint with a small number of other organisations, if we think it necessary in helping them carry out their own functions, but we will always consider this carefully before doing so.

Publishing Ombudsman determinations We aim to carry out our work openly and transparently and for this reason we usually publish Ombudsman determinations on our website. The published determinations give the complainant's name (but not address), and will include relevant information about you, in order to explain what decision an Ombudsman has reached and why.

For more information visit www.pensions-ombudsman.org.uk