



Financial Assistance Scheme

Complaints, reviews and appeals

The Financial Assistance Scheme is administered
by the Pension Protection Fund

Contact us

If you have any questions about a specific pension scheme, you should first talk to your scheme trustees. But, we are always happy to answer any questions about the FAS.

Further details about the FAS and how it works can be found on our website at www.pensionprotectionfund.org.uk. Or you can call our customer services team and ask for more information and guidance.

The team can be contacted at:

Financial Assistance Scheme
PO Box 234
Mowden Hall
Darlington DL1 9GL

Telephone:
0845 604 4585

Textphone:
0845 604 4139

(Phone lines are open from Monday to Friday, 9.00am to 5.30pm.)

How we deal with your complaints and concerns

As scheme manager for the Financial Assistance Scheme (FAS), the Pension Protection Fund (PPF) aims to resolve any concerns you have as quickly and simply as possible. We are here to help and, if there is a problem, we want to hear from you sooner rather than later so we can help sort it out.

Under the FAS, you can make your concerns known in one of two ways. You can:

- **make a complaint**
- **ask us to review a decision under certain circumstances.**

If you are still not satisfied you can appeal against a decision we have made.

To find out whether or not we can resolve any problem before you take any of these actions, we encourage you to contact us first to see if we can address any issues quickly and easily. Please see our contact details.

If you decide to take further action, this booklet provides the guidance you need to make sure you follow the correct procedures.

Complaints

What is a complaint?

The FAS defines a complaint as ‘an expression of dissatisfaction about the manner in which the FAS has carried out its functions’.

Complaints may be an objection to, or criticism about, the way we have done, or not done something. Or, it may be about a mistake or lack of care, or about the way you have been treated.

Making a complaint

We want to deal with your concerns as soon as we can. Therefore, we aim to reply to your complaint within seven working days of receiving it. If we cannot deal with it within seven working days, we will tell you why. We will also tell you if we need more information and when you can expect a reply.

If you are not satisfied with the initial response to your complaint, tell us. It will then go to a senior manager at the FAS who will aim to resolve your complaint. If you are not happy with the answer you receive at this level you may approach the Head of FAS.

If at this stage you think we have not dealt with your complaint properly, you can write to the Independent Case Examiner. But before doing this, you must have given us the chance to respond to your complaint.

Reviews

What is a review?

The FAS will make formal decisions about various matters including whether a scheme's members could – or a particular member can – receive FAS assistance, and about the amount of assistance a person is entitled to receive. These are known as **reviewable determinations**. We will notify you in writing of any formal decisions made. If you don't understand the content, you disagree with the decision or if you think we hold incorrect data, then please ask us to explain.

If you disagree with any **reviewable determination** you have received, you can ask us to look at the decision. This is called a review.

We can review the following decisions:

- **whether or not your scheme manager has supplied notification details correctly – eg, the name of the scheme**
- **whether or not your pension scheme qualifies for the FAS**
- **whether or not you are a qualifying member of that pension scheme**
- **whether you might be able to obtain a lump sum payment from FAS and, if so, how much**
- **the proper amount of an annual increase to an annual payment or ill-health payment**
- **the amount you are entitled to in:**
 - annual payments
 - ill-health payments
 - terminal illness payments, or
- **whether or not we are satisfied that you meet the terminal illness or ill-health tests, or**
- **whether or not you are a survivor or surviving dependant of a qualifying member.**

Reviews continued

Initial payments (and interim health payments) are made at our discretion. These payments are made until your scheme has finished winding-up and your annual payment can be calculated. They are not **'reviewable determinations'** so you do not have the right of review and appeal against them. However, if you have a query about these payments or think we hold incorrect data, please contact us.

There are time limits for asking us to review decisions (see the section headed **Asking for a review**).

Who can ask for a review?

If a pension scheme has not completed winding-up, then the following people can ask for a review of a decision as to whether or not the scheme qualifies:

- **the trustees or managers of that scheme, or their representatives**
- **any scheme member or their survivors – spouse, civil partner, partner, or eligible children – who could receive payments from the FAS and are affected by our decision, and**
- **the member's representative (or one that we have appointed).**

If the scheme has completed winding-up, only you or your survivors – spouse, civil partner, partner, or eligible children – who are affected by our decision, or your representative can ask for a review about whether or not you are entitled to receive FAS payments.

If you prefer, you can write to ask us to appoint someone as your independent representative for the purposes of the review. We can choose to appoint an independent representative for you, in certain circumstances.

Asking for a review

The time limits for review applications are complex and are set out in the Financial Assistance Scheme (Internal Review) Regulations 2005 but, for reviews raised now, are broadly as follows:

- For determinations which relate to scheme notification or scheme eligibility, within one month of the date of the determination.
- For determinations relating to member assessment or ill-health payment assessment, at any time after the determination is made.
- For determinations relating to member eligibility, survivor eligibility, indexation assessment, lump sum assessment, scheme beneficiaries assessment, ill-health eligibility, severe-ill-health eligibility or terminal-illness eligibility, within one month of the date of the determination.

We may review some decisions outside the time limits in exceptional circumstances. We can only do this if we think it is reasonable to bring the review request late and if it is no later than 12 months from the date shown on the **reviewable determination**. If you ask for a review, out of time in this way, you must explain why the review is brought late.

If you want us to review a decision you must write to us with the following information:

- **name and address of the person seeking a review**
- **the date on the reviewable determination that sets out the decision that you want us to review**
- **why you feel the decision is wrong, with supporting evidence where possible**
- **if applicable, the name and address of your representative, stating whether or not we should use the representative's address in correspondence, and**
- **why you, or your representative, could not ask for a review earlier if you are applying outside the normal time limits.**

Reviews continued

You, or your representative, must sign and date the letter.

If you would prefer to use an application form, there is one available on the FAS section of the PPF website or we can supply one on request.

It is normally the scheme trustees or managers who will ask us to review decisions on whether or not a scheme qualifies for FAS.

But, if you are a scheme member and you feel a scheme qualification decision is wrong, you may want to contact the trustees or managers to discuss your concerns and to ask whether or not they will ask us to seek a review of our decision on your behalf. Please contact us if you want more information about this.

Appeals

How to make an appeal

If you are unhappy with the outcome of a review and want to appeal against our decision, you should contact the Pension Protection Fund Ombudsman.

You can get more information from:

Office of the Pension Protection Fund Ombudsman
11 Belgrave Road
London SW1V 1RB

Tel: 020 7834 9144

Fax: 020 7821 0065

enquiries@ppfombudsman.org.uk

www.ppfombudsman.org.uk

Notes

Important information about this booklet

This booklet is for guidance only, it is necessarily simplified, and is not a definitive statement of law or entitlement.

Information in this document is based on current understanding of the legislation in force at the time of writing. Assistance will always have to be calculated in accordance with legislation which will, therefore, override in the case of any conflict.

