

GUIDE TO FILLING IN PARLIAMENTARY OMBUDSMAN FORM

Below is a guide to help you fill in the Parliamentary Ombudsman complaint forms. Once it has been filled in and signed by you and your MP, it should be sent, together with your evidence, to the attention of:

MS. REBECCA MILNER, The Parliamentary Ombudsman, Millbank Tower, Millbank, London SW1P 4QP

INSTRUCTIONS FOR FILLING IN THE PO FORMS

Section 1 Top line: To:-----MP

This is where you should put the name of the MP complaining on your behalf. This does not need to be your own MP but it is obviously best to ask your own MP to help you first.

From: Name-----

This is where you must fill in your name, address and phone number and then SIGN the form in space below, together with the Date.

Section 2: Leave blank (it is only for someone who is complaining on behalf of other people, not themselves)

Section 3: This must be completed by an MP (preferably your own MP, but it could be any other MP) and the MP must also sign and date it.

Section 4:

4A What organisation are you complaining about?

This is where you write which Government organisations you are complaining about.

Here you should fill in the following:

HM Treasury, DWP, DSS, OPRA, Inland Revenue, FSA (and its predecessor regulators)

4B What are you complaining about?

Here you could put that you are complaining about the maladministration of final salary occupational pension schemes, in the particular case of winding up, which has caused loss of most of the occupational pension you were expecting and which has caused you enormous stress and suffering, or you could choose similar wording. Then you should each include a written explanation of what has happened to you. This should include the following information:

When you joined your scheme

How many years you contributed

What benefit you were promised

Explain why you thought that your pension was safe. If you relied on information from the Government bodies (such as DWP or DSS leaflets, OPRA booklets, FSA guides or perhaps information from your trustees who had read OPRA booklets) then you should state that clearly. If you did not rely on Government information, either by reading it directly, or by perhaps speaking to friends or trustees who did, then it will be harder for you to claim that the

Government's actions caused you to lose your pensions. Just reading information in newspapers or from actuaries, is less likely to demonstrate that the Government is responsible for the losses you have suffered, although if the newspapers relied on Government information, then this might still be proven.

You need to say what happened to your employer - did the employer fail, was the scheme already closed, did the employer just decide to wind up the scheme, but was still solvent? etc.

Next you should say how much pension you have lost

Finally, you should explain what you might have done to protect your pension, if you had known it was not safe. For example, some people transferred money in from other schemes and have lost it all, but would not have transferred it in, if they had known it was not safe. Some people could have taken early retirement and their pension would have been protected, but they stayed on because they thought their pension was safe. Some people would have taken a transfer out of the scheme, if they had known they might lose their pension. Some may have decided to save in a different form, or perhaps put aside some extra savings. Some may have decided to move jobs, to a 'safer' employer, if they had known the risks. Basically, you were all denied any opportunity to protect your money, because you were lulled into a false sense of security by Government assurances of protection.

4C How has this affected you?

In this section, you should explain how the situation has affected you.

Firstly, tell how much or what proportion of your pension you have lost. Secondly, talk about the stress and suffering that it has caused, any health problems that may have resulted, have you had to sell your house, take a job that damaged your health etc. This will suggest what your financial loss is and then you should also say what you think should be done to remedy the injustice. In this part, you could write that you think the Government should restore your promised pension in full and also consider offering some payment to compensate for the stress and suffering that you have been caused. If you have had to sell your house, or otherwise had to try and make up for the loss, or if a divorce settlement allowed for you getting a pension which you will not now get, you should try and quantify the damages suffered here too.

Section 5 Leave blank

Section 6

Have you complained...

If you have written any letters to Government departments, then mention this here. You could also say you have complained through a public campaign which has been running for some time, to try to persuade the Government to compensate for its maladministration, but so far the Government has failed to agree to do so.

Section 7 What evidence can you provide?

For this part, it would be helpful if you could provide any statements which you received from your pension scheme, any copies of letters that show what you were promised and then what you might now get on wind up. Any other documents which you think show how you relied on information from Government departments would also be helpful and any copies of correspondence with Government departments might be helpful if you can provide them.

That's it!!

Complaint for referral to the Parliamentary Ombudsman

For help in completing this form see guidance in leaflet, or call our Helpline on 0845 015 4033.

Section 1 (to the MP) MUST be completed by the person making the complaint.

To: _____ MP

House of Commons, London SW1A 0AA

From: Name _____

Address: _____

Telephone: _____

Please consider the complaint I have described below and in the evidence attached. If you agree, please refer it to the Parliamentary Ombudsman. I give my permission for the Ombudsman to obtain relevant papers about my case from the organisation(s) concerned.

Signature of person submitting the complaint: _____ Date _____

(If you are complaining on behalf of someone else rather than for yourself, **Section 2** MUST be completed also.)

Section 2 (Authorisation) ONLY complete if you are not the aggrieved person and are making the complaint as their representative.

I am making this complaint on behalf of:

Name: _____

Address: _____

Telephone: _____

Reason why the aggrieved person is not making the complaint himself or herself:

I wish the Parliamentary Ombudsman to investigate my complaint and give my permission for her to obtain relevant papers about my case from the organisation(s) concerned.

Signature of aggrieved person _____ Date _____

(Unless special circumstances apply, the person who has suffered injustice or been denied the access to official information should sign here. If that is not possible, representatives should provide evidence of their authority to act.)

Section 3 (From the MP to the Ombudsman) MUST be completed by the Member of Parliament.

To: The Parliamentary Ombudsman, Millbank Tower, Millbank, London SW1P 4QP
Mr/Mrs/Miss/Ms _____

has referred to me a complaint about injustice caused by maladministration **and/or** the refusal of access to official information. Please consider it and let me know if you will investigate this complaint.

Signature of MP _____ Date _____

Section 4 (Details of a complaint about maladministration) ONLY complete if the complaint is about maladministration.

4A What organisation are you complaining about?
I wish to complain to the Parliamentary Ombudsman about injustice as the result of maladministration by:

4B What are you complaining about?

(Outline the background to the complaint and give a brief description of what you think the organisation failed to do or did wrongly. If there is not enough space here, please continue your comments on a separate piece of paper and attach it to the form.)

4C How has it affected you?

(Describe how you (or the person you represent) have suffered or your interests have been affected and, if appropriate, show any financial loss sustained. State what you think should be done to remedy the injustice.)

Section 5 (Details of a complaint about refusal of access to official information)
ONLY complete if you have a specific complaint about access to official information

5A What organisation are you complaining about?
Regarding a request for access to official information, I wish to complain to the Parliamentary Ombudsman about the actions of:

(Give the name(s) of the organisation.)

5B What are you complaining about?

I wish to complain that the department/body has: (tick appropriate boxes or provide details)

- (i) refused to supply me with the information I requested []
- (ii) refused to give me ALL the information I requested []
- (iii) taken too long (more than 20 working days) to reply to my request []. It is _____ days since I made my request.
- (iv) requested an unreasonably high charge for giving me the information []. They asked for£ _____
- (v) Other (describe)

(Describe the actions you are complaining about.)

Section 6 Have you complained to the organisation concerned?

Either: Yes, I have complained [] (tick box)

(If possible, attach a copy of the complaint and the response you received.)

OR: No, I have not complained because...(give reason)

(Before making a decision to intervene, the Parliamentary Ombudsman usually expects complaints to have been put to the department concerned, so that they have an opportunity to consider the complaint and offer a remedy.)

Section 7 What evidence can you provide?

Please attach to this form copies of the correspondence you have had with the organisation about the subject of the complaint. That will be returned to you via the MP. Please give below any reference numbers quoted to you by the department concerned: _____

(Describing the problems you have had is helpful, but is not enough for the Ombudsman to decide to investigate a complaint. Her decision is based on the information YOU give her because, until she has decided to investigate, she cannot insist that an organisation provide her with their files. Enclose the relevant letters you have written to the organisation, their responses and any other information you think appropriate. The Ombudsman's office will copy them and return the originals to you through your MP.)

PLEASE MAKE SURE YOU HAVE INCLUDED YOUR SUPPORTING EVIDENCE