

A Case Against the Swansea Pension Service

Dear Sir/Madam,

I wish to bring to your attention a number misdealing towards a Mr. *****, a client of mine, by the Swansea Pension Service. It all began it seems with a **misplaced phone call** Mr. ***** made to inform them of a work's pension he was receiving. Mr. ***** said he made the call while Swansea Pension Service said they had no records of this and then took him to court over the matter.

Since then he has had more than a few harassment procedures levied against him. Amongst these I have uncovered an entire catalogue of miscalculations of dates, amounts and circumstances etc.

Please read the highlighted pieces below, which will give you some idea of what the problems are, together with written explanations (in block) of what's happened.

Thank you.

To: CONTACT-US@DWP.GSI.GOV.UK
From: donald_summers@aol.co.uk
Sent: Sat, 22 Mar 2014 19:18
Subject: Enquiry into Complaint.

Dear Sirs,

A day or so ago I received a rather disturbing letter from a Mr. ***** concerning misgivings as to pensioner's money being deducted by the Swansea Pension Service.

By coincidence I run an investigative organisation looking into human rights issues amongst other things and so is it therefore possible for you to fill me in as to what's going on here. Obviously we aim to be fair and so we need your side of things before proceeding further and if you could just give me some of the background details it would be appreciated.

I look forward to hearing from you.

Yours sincerely,

Donald Summers.

To: donald_summers@aol.co.uk
From: CONTACT-US@DWP.GSI.GOV.UK
Sent: Mon, 24 Mar 2014 13:03
Subject: RE: Enquiry into Complaint.

Thank you for your email.

I would like to assist you further by passing your email to the District Manager's office for your area.

Could you please 'reply' to this email with the following information – Mr. *****'s full name, date of birth and post code. We would also need his consent.

Due to the vast amount of emails we receive, please also include your original email.

Kind Regards,

Jamie Ives | "Contact us" Team Member | Central Operations Correspondence Gateway Team |
Department for Work and Pensions | <http://www.dwp.gov.uk>

From: PENSION SERVICE Swansea customer relations team <SWANSEA.CUSTOMERRELATIONSTEAM@DWP.GSI.GOV.UK>
To: Donald Summers. <donald_summers@aol.co.uk>
Sent: Tue, 25 Mar 2014 12:04
Subject: RE: Attention of Beverly Gambold

Dear Mr Summers

As I explained in my earlier e-mail I am unable to comment on an individual customers circumstances but if Mr ***** is not happy with the letter he has received then he can write in to the Pension Service requesting an explanation of why he owed more money than originally calculated.

Yours sincerely

Beverly Gambold | DPO\Complaint Resolution Manager\CQM Lead | Department for Work and Pensions

Dear Mrs. Gambold,

Ref: *****.

I fully understand that you cannot comment on an individual customers circumstances in fact I would be concerned if you could.

As far as I can gather, I understand this goes a long way back, Mr. ***** has made exhaustive requests to have this matter explained to him but to no avail. If I could therefore make a formal request on Mr. *****'s behalf perhaps you could get in touch with him and get this matter sorted out without further delay.

I understand Mr. ***** has written to yourselves giving you consent for myself to carry out investigations.

Yours sincerely.

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Relevant paragraph of letter received:

30th September 2013

You need to pay back more money than we originally asked for. **This is because we have received further information** from your Occupational Pension provider which means your claim has now been re-assessed from an earlier date.

You need to pay back £4369.42.

Unclear signature

pp. Peta Phillips

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From: Donald Summers. [mailto:donald_summers@aol.co.uk]
Sent: 25 March 2014 11:00
To: PENSION SERVICE Swansea customer relations team
Subject: Attention of Beverly Gambold

Ref: *****.

Dear Mrs. Gambold,

The letter I spoke to you about yesterday has been received and this actually concerned a Mr. *****
From what I can understand, looking into the history, this letter followed quite a lengthy exchange between yourselves and Mr. *****.

What I am actually concerned about are these particular sentences. 'You need to pay back more money than we originally asked for.', 'You need to pay back £4369.42' and 'This is because we have received further information from your Occupational Pension provider.'

It seems this was not the first time Mr. ***** was told without warning that he owed money without explanations ever being given. It does say, 'you can see how we worked out this amount on the attached pages,' but this was nothing more than indecipherable jargon rather than any explanation. It seems all Mr. ***** actually wanted was an explanation written in plain readable English as to why money was owed .

I look forward to your reply.

Yours sincerely.

Donald Summers.

Relevant paragraph of letter received:

28th March 2014

Whilst preparing the file for the Tribunal Services further information was received from your occupational pension provider. In light of this new information your Pension Credit assessment was reviewed again on 30 September 2013. As a result a further period of overpayment, between 17 August 2005 and 04 November 2007, was identified. The revised overpayment figure totalled £4369.42.

Philip Ward

From: Donald Summers. <donald_summers@aol.co.uk>
To: SWANSEA.CUSTOMERRELATIONSTEAM <SWANSEA.CUSTOMERRELATIONSTEAM@DWP.GSI.GOV.UK>
Sent: Mon, 31 Mar 2014 12:39
Subject: Attention of Mr. Ward.

Ref: *****

Dear Mr. Ward,

Thank you for your letter to Mr. ***** , a copy of which is attached and a relevant section is also given below in the next paragraph. The original problem however seems to me to be remaining as there is no mention as to what this 'new information' actually entails. Can you please, as I previously requested, explain either to me or Mr. ***** if you prefer exactly what this information is. I look forward to your reply.

Yours sincerely.

Donald Summers.

Relevant paragraphs of letter received:

31st March 2014

The overpayment arose when the Department discovered that you had been in receipt of a monthly occupational pension since November 2010 and had received 2 lump sum arrears payments from the Pension provider in September and October 2010. We have no record that you declared the award of this pension or the payments received to the Department.

Following the discovery of this income a decision was made on 31 December 2012 that the income should have been taken into account in your Pension Credit assessment as it is reasonable to assume that you were aware that you were due to receive a pension from your place of work. The original overpayment was calculated from 8 November 2011 based on information held at that time.

Philip Ward

Relevant sections from a recorded interview transcript:

Page 1 of 15: Day and date of Interview: Thursday 20th September 2012

Page 11 of 15: WH They give us a printout here to show that you had a lump sum of, a lump sum initially back in 2010/11 but late that year. About month seven so if that's from April you've got November, £4,000 was the, was the gross pension, there was tax on it, other deductions, what they're for I have no idea, but £892 was paid to you initially, does that sound about right?

CMP We did have a lump sum

REP Yeah but that wasn't it was it

CMP I don't know how much it was

Page 12 of 15: WH A £1,000 lump sum there a couple of months later. What I'm not clear of is if they say the pension was to start in 2005 did you defer it to, to wait a couple of years to receive it, did that happen perhaps?

REP I can't remember

This is a small part of a taped interview regarding the 'misplaced phone call' (see page 2). These questions concerned events that had happened seven years earlier and so it took some thinking on Mr. ***'s part about just what had occurred. But the crucial point here are the dates. Please compare 30th September 2013 with the 20th September 2012 (see pages 3 & 5 respectively) they knew about these 'lump sums' when this interview took place, a full twelve months earlier as their own fraud investigations taped interview reveals. Therefore this 'new or further information' they refer to was in fact not new at all.**

It was only through several exchanges of emails and letters from Mr. *** and myself that we were ever to establish that it was indeed these lump sums they were alluding to at all. And as if this were not enough, please also take a look at the letters below too.**

From: Donald Summers. <dona1d_summers@aol.co.uk>
To: SWANSEA.CUSTOMERRELATIONSTEAM <SWANSEA.CUSTOMERRELATIONSTEAM@DWP.GSI.GOV.UK>
Sent: Mon, 7 Apr 2014 10:25
Subject: For the Attention of Mr. Ward.

Ref: *****

Dear Mr. Ward,

Hello to you once again. Mr. ***** has been in touch with me again with yet another query for me to sort out. There are two attachments 'Pension Letters 1 & 2.'

In the first we read one set of dates and figures. 10 March 2014 - 6 April 2014 £18.00 and 7 April 2014-15 October 2017 £18.25.

And in the second we see the same dates but an entirely different set of figures. 17 March 2014 - 6 April 2014 £23.00 and 7 April 2014-15 October 2017 £23.25 and finally 16 October 2017 £5.00.

Repayments jumping from £18 per week to £23, this represents a price hike of £5 per week over and above what was already discussed and again, as with most of your departments' letters, it comes a bit out of the blue and with no real explanations other than your routine standardised script. And one other point, if your department decided the approx. £23 was the sum to be deducted, why was the figure of £18 ever issued in the first place.

As ever I look forward to your reply.

Yours sincerely.

Donald Summers.

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Relevant paragraphs of letter received:

11th April 2014

On 26 February 2014 the Department received a request from HM Courts to recover a Court fine at the rate of £5.00 a week. On 5 March 2014 a further letter was issued to inform you of the amount to be deducted following receipt of the Court order. This increased the weekly deductions to £23.00 from 17 March 2014 and to £23.25 from 7 April 2014.

I trust I have clarified the issues.....

Dawn Stoneman

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Mr *** then wrote to his solicitor for a reminder of what the sum involved.**

From: contact details withheld
Sent: 15 April 2014 16:22
To: David Elvy <david@randellsaunders.co.uk>
Subject: Court Case

Dear Mr. Elvie,

I'm writing to ask if you could tell me how much my court fines & costs came to last summer. I seem to have lost all of my paper work from the case and need it in order to know what the sum was. Looking forward to your reply and sorry for the inconvenience.

Yours sincerely.

From: David Elvy <david@randellsaunders.co.uk>
To: contact details withheld
Sent: Tue, 15 Apr 2014 16:50
Subject: RE: Court Case

Dear Mr. *****,

No inconvenience at all.

The Court dealt with you by way fine in the sum of £100.00, costs of £250.00 and victim surcharge of £15.00. **This total sum of £380.00** is to be paid at the rate of £10.00 per fortnight with the first payment to commence within fourteen days of the 30th August 2013.

From: Donald Summers. <donald_summers@aol.co.uk>
To: SWANSEA.CUSTOMERRELATIONSTEAM <SWANSEA.CUSTOMERRELATIONSTEAM@DWP.GSI.GOV.UK>
Sent: Wed, 16 Apr 2014 15:42
Subject: For the attentions of: Laurretta Devlin, Philip Ward, Beverly Gambold & Dawn Stoneman.

Dear Sir/Madams,

I've received several messages from Mr. ***** who now tells me **this extra £5 per week that's being deducting is for the recovery of 'court fines.'** Please see the email (above) from Mr. *****'s solicitor.

Having just this moment done my sums so to speak, **the time-scale for which these deductions are being made would eventually add up to around £652.00 whereas the fine together with costs etc. came to just £380.00. Could you please tell me as to why there's a £272 discrepancy.**

I look forward to your reply.

Yours sincerely,

Donald Summers.

And so, yet further discrepancies, this time regarding figures. And again this took several exchanges to establish that these extra deductions were in fact for the recovery of fines. I was intending to have all the figures sent over from day one since their debt recovery procedures began just to make sure there were no other discrepancies in their calculations. But I can only assume having revealed so many of their utterly incompetent mistakes they've refused to enter into any further dialogue with me since.