

CASE NOT SUSTAINED

CS/553

COMPLAINT AGAINST THE DEPARTMENT OF SOCIAL SECURITY IN RESPECT OF A LOW PENSION AWARD

The Complainant felt aggrieved by the Department of Social Security because she felt that she was in receipt of a very low pension.

The Complainant also lodged a complaint in respect of the Department's failure to review her pension allowance in relation to the cost of living. The Ombudsman informed the Complainant that he could not investigate this aspect of her complaint because this was not an administrative issue.

The Complainant was in receipt of a state pension of £175.75 per month, which she claimed was a ridiculously low amount. The Complainant was born on the 1st April 1925. During her working life she had worked for two entities totalling an amount of 32 years.

At that time of being awarded her state pension she claimed that she was unhappy because she had worked for so many years and she was expecting a better pension. She complained 2 or 3 times during a subsequent period but the DSS informed her that their calculations were correct and so was the monthly amount that she was entitled to. She was also informed that if she had worked for a couple of years more she would have been entitled to a more rewarding pension.

The Complainant informed the Ombudsman that she got married around 1951 and then got legally separated in 1954. As far as she could recall, she continued to use her marriage surname until she decided to change it back to her maiden surname circa 1978.

The Ombudsman initiated his inquiries by ascertaining that the dates and figures quoted by the DSS were correct and matched the information that the Complainant had provided.

In the Complainant's case, in order for her to obtain a full pension she needed a total of 1500 social insurance contributions. This calculation was based from 1955, when the Social Insurance Scheme commenced, until 1985 when she attained the age of 60 (i.e. 30 years). The records at the DSS showed that during this period she worked from 1960 to 1985, hence she did not complete the 30 years of social insurance contributions needed to obtain a full pension.

The Ombudsman was informed that the Complainant had been given an application form to enable her to apply for social assistance by way of the Minimum Income Guarantee. If entitled to it, this would ensure that the Complainant's pension would be supplemented so that she would receive in total a minimum of £85.00 per week.

On further reviewing the complaint, the Ombudsman realised that although the Complainant had parted company with her husband in the 1950's and some twenty years later decided to revert to her maiden name, the fact remained that she never divorced and so, if her late husband had made social security contributions, it could mean that there might have been some benefit to her.

The DSS was duly informed and after the pertinent checking of records they reported that her late husband had not made contributions and he had been on social assistance until his death.

The Complainant was informed of the outcome of the Ombudsman's investigation. She thanked the Ombudsman and the case was closed.