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Leaders in pensions

Pensions Dispute Resolution

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At CMS we combine technical pensions specialism with experience of acting on a wide range of disputes to ensure that our clients are able to resolve their disputes in the most effective way possible.



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Our market leading Pensions Dispute Resolution Group helps clients avoid and resolve disputes. Our experience covers:

- administration errors, member disputes and Pensions Ombudsman complaints
- Court applications to resolve documentation issues
- professional negligence claims, both in Court and through mediation

What we offer

Pensions Ombudsman complaints

We have unrivalled knowledge of the workings of the Pensions Ombudsman including through our role setting up and leading the Pensions Ombudsman User Group. We use this knowledge to help clients anticipate the likely view of the Ombudsman on any complaint and seek efficient resolution of the issue.

Preventing complaints

Our experience is not just used to deal with complaints, but to help prevent them. Many complaints can be avoided by taking the right approach when an issue first arises. We work with scheme administrators to ensure any errors are dealt with correctly and members compensated where appropriate.

Court applications

Our experience and willingness to give robust advice ensures that our clients rarely need to ask the Court to resolve a problem, but sometimes, particularly for issues relating to documentation, schemes are left with no alternative. Having been involved in many such applications we offer all parties an efficient and cost effective route to resolve such issues.

Professional negligence

As well as bringing professional negligence claims, we act for a number of the UK's largest benefit consultancies defending such claims. They choose us to defend their business and their reputation because they trust that we have both the technical skills and the disputes experience, we have the depth of resource to provide real value for money and we will strike the right balance between robust defence and pragmatic resolution of the dispute.



The leading firm for pensions litigation, in terms of strength in depth across the whole area.

Legal 500 2014

Recent work by our Pensions Dispute Resolution Group

- Successful mediation of a long running claim arising from an invalid sex equalisation exercise. Our technical expertise ensured the mediation quickly focussed on settlement rather than legal arguments.
- Acting for trustees bringing an application to Court to determine if the scheme effectively closed to benefit accrual and advising on the practical implications of the Court's decision.
- Acting for the successful representative member in a high profile Court of Appeal decision providing clarity on how schemes should equalise retirement ages.
- Running a training session for an in-house administration team on handling errors, using our experience to help the team prevent errors from turning into disputes.
- Acting for an employer in a multi-party claim to determine the obligations of the current and former employers to fund the scheme.
- Acting for the trustee in the first ever case where the Court used a purposive construction of scheme documentation to correct a drafting error.
- Acting for the PPF and trustees in a Court application to determine the ownership of the Wedgwood Museum collection and assisting in negotiations on the subsequent disposal of the collection.

Our approach

We recognise that disputes relating to pension schemes can be extremely complex and often make a big difference to individual members. All of our Pensions Dispute Resolution Group are members of the wider pensions team with specialist pensions knowledge. We believe it is this specialism which enables us to overcome technical issues and focus on resolving the dispute.

Our success in this area is demonstrated by our top ranking for pensions dispute resolution and general pensions work in both Chambers and Legal 500. Reported cases we have acted on include Coloroll, Foster Wheeler, Royal Mail Pensions Trustees v Gosling, Headway v Easterly, Pilots and MNRPF.



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