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Thursday, 23rd November, 2017.

**Chairman-Parliamentary Select Committee
Works & Pensions**

Chairman-Rt Hon Frank Field MP, DL.
House of Commons
London
SW1A 0AA
My Ref: PB001317.

Fire Service Pensions – Select Committee

Disabled Fire Service Veteran Mr. R.R.B. [REDACTED] ~ Pension Complaint.

Dear Mr.Field,

To my mind you and the Parliamentary Work & Pension Select Committee represent the ultimate national Watchdog in matters pension with the Parliamentary powers to ask questions, demand honest answers, and to call persons to account.

The Committee are also our last refuge in seeking procedural support for the justice of all matters pension regardless of whether or not a particular pension complaint may be upheld.

As you will be aware I have been forwarding my correspondence on Mr. B. [REDACTED]'s Pension Complaint to you and the Members of the Select Committee.

You will note from the attached that a senior Civil Servant, Ms.F.Nicol at TPO, has repeatedly failed to address not only her department's failure of Service Delivery but has obstructed the lawful due process of Mr. B. [REDACTED]'s original Pension Complaint.

At one point I suggested to move progress that a line be drawn under all these side issues and that Mr. B■■■■s Pension Complaint be advanced to a Determination. She declined to do that either.

Mr.Arter claims that he operates TPO as a Court within the meaning of CPR (Civil Procedure Rules) and if I accept that then he and his staff are equally bound by those same Rules of judicial procedure. It cannot be a Court when it suits.

Following the natural logic of this Ms.Nicol's repeated denial to Mr.B■■■■ of 'due process' amounts to perverting the course of justice which is a criminal offence.

There is also the question of whether or not Mr. Arter has actually seen my correspondence which was directed to him in the latter stages of this fiasco.

Not having received a formal response from him it is a reasonable conclusion that he has not seen the documentation, for if he has, and he has approved Ms. Nicol's actions, this will be tantamount to a denial of the will of Parliament enshrined in the legislation which created and runs TPO and a contradiction by which he claims that he operates as a Judicial Court of Law.

It would be helpful to us all, if you and the Committee would take the time on our behalf, to clarify this conundrum directly with Mr. Arter, because upon it hangs not only the veracity of a senior member of his staff but more importantly the public credibility and integrity of TPO as an organisation, and if indeed he has approved this denial of 'due process' to Mr. B■■■■, why?

This is a classic example of stonewalling to which we have all been subjected repeatedly to during the last 10 years from the clerks who administer our pensions; to our Pension Scheme managers; to the DCLG/Home Office; to the Information Commissioner to all and sundry Pension Ministers.

This is an archetypal example whereby bureaucrats misuse the various appeals routes and procedures to divert time limited(by age) matters on to their merry-go-round in the hope that the complainant will wither(die) on their anti-democracy vine or will wearily go away.

In the instance of Grenfell Tower one wonders, in the wee small hours, when such people are literally clinging by their fingertips what their thoughts might be if the Fire and Rescue Service subscribed to such obstructive maliciousness and the heroic Mr. B■■■■s of this world simply failed to turn up?

Yours Sincerely,



Divisional Fire Officer (Rtd) Grad I Fire E.



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Thursday, 23rd November, 2017.

The Pensions Ombudsman

Mr.A.Arter

11 Belgrave Road

London SW1V 1RB

My Reference: PB01217.

FAO Ms.Shona F.Nicol –Casework Director

A Third Service Delivery Complaint.

On behalf of

Mr.R.R.B. [REDACTED] ~ disabled Fire Service Veteran.

Dear Ms.Nicol,

1. Thank you for your email 22nd November @ 17:45hrs, and for pointing out my typographical error. I regret and note that you have simply failed to address a single point I have raised with you as TPO Casework Director and the Civil Servant responsible.
2. Am I to assume that this email, in this format, is both your formal receipt and formal acknowledgement of my letter of the 18th inst?
3. I note that *you say* and *you confirm* that Mr. Arter has seen and noted the contents of this, and my previous letters directed through you to him. I find it puzzling that you have not unequivocally stated that Mr. Arter has instructed you to reply in this format; a manner which the Pension Ombudsman would not normally reply in when

he expects his response to be circulated to higher authority; a reply in which you have disingenuously used the collective 'us'.

4. I will remind you of your duties under the Civil Service Code of Conduct.
5. I note that you have inadvertently confirmed that Mr. B■■■■'s Pension Complaint(PO~7523) still lies on TPO's database. Please ensure that it and its associated case file documentation remains so for future independent investigation.
6. I will of course, acting on your personal advice, 'escalate' this matter.
7. The avenues I may use will include, but not limited to, the Parliamentary Select Committee, the Minister of State for the DWP, the Pensions Minister, the Cabinet Secretary and Head of the Civil Service Sir Jeremy Heywood and not least the Parliamentary Ombudsman.
8. I regret on a purely human level that you have not seen fit to treat Mr. B■■■■'s Pension Complaint, which affects his already limited income, with the dignity, and as we all know, the common humanity it deserves.
9. You have wilfully chosen, rather than correct several error of professional judgement, to harm the credibility of an organisation which it is the Parliamentary cross party desire that its previously tarnished reputation be rebuilt and upon which Mr. Arter is surely engaged.
10. Once more I ask you to ensure, and confirm, that Mr.Arter has read the contents of this letter and has instructed you to respond formally to me.

Yours Sincerely,



Paul P. Burns. GIFireE

Divisional Fire Officer (Rtd)

CC Rt Hon Mr. Frank Field DL M.P. Chair Parliamentary Work & Pension Select Committee.

Parliamentary Under~Secretary of State DWP(Pensions Minister)

Mr. G.Opperman M.P.

Pension Regulator ~ Ms.L. Titcomb.

Mr. John Merlin Coplestone Bruce (Life Member-Inner Temple Bar).

The Editor 'The Morning Bugler' ~ For publication in the Public Interest.

From: [Fiona Nicol](#)
To: ["Paul P Burns"](#)
Cc: [Jordana Joshua](#); [REDACTED]
Subject: RE: Mr. Berry PO-7523
Date: 22 November 2017 17:44:21

Dear Mr Burns

Thank you for your email and attached letter which has indeed been seen by Mr Arter.

There is nothing further for us to add. In my letter of 11 October 2017, I explained the step to take if you remained dissatisfied. I said:

“This is our final response to your complaint about our service. If you remain dissatisfied you may be able to raise your complaint with the Parliamentary and Health Service Ombudsman. The contact details are:
Website: www.ombudsman.org.uk/make-a-complaint
Helpline: 0345 015 4033”

I therefore recommend you escalate this matter in line with the usual procedure.

Incidentally, if you do write to, or about, me again, I would be extremely grateful if you would refer to me by my correct name: Fiona Nicol.

Thank you

Regards

Fiona Nicol | Casework Director | 020 7630 2233

The Pensions Ombudsman