

The complaint

Mr O's complained that he's not heard from Match Me Legal Ltd ("MML") since February 2021 – so he's concerned about the security of the personal information he provided to them.

What happened

Mr O says he was approached by MML in 2020, who told him they had evidence he had a claim for a mis-sold mortgage and offered to deal with the claim for him. MML requested various pieces of personal information to help them do this, which Mr O provided.

Mr O heard nothing from MML and contacted them in February 2021 to find out what was happening. MML told him they were trying to secure funding for a solicitor to pursue his claim on a "no win, no fee" basis and they'd let him know when that was in place.

Mr O has heard nothing since, so contacted our service in March 2022. He said he was less concerned about pursuing the claim than about the personal information he'd given MML and wanted assurances from them that was secure.

We contacted MML and asked them to address Mr O's complaint directly with him. But Mr O told us he never heard from them. So the matter was passed to one of our investigators to consider.

The investigator contacted MML to ask them to send their file. But, despite being chased, MML never supplied this. So the investigator based his conclusions on the information provided by Mr O and what was publicly available on MML's website.

He said MML's website explains why they collect personal data and how it's stored, and he was satisfied the data had been requested appropriately. And, while he acknowledged Mr O's concern, he noted Mr O hadn't seen anything which led him to suspect his personal information had been compromised.

But the investigator did conclude it was unreasonable for MML not to have replied to Mr O's requests for updates for over 18 months and that this caused Mr O some stress and inconvenience. He said Mr O should be paid £150 compensation for this.

Because MML didn't respond to the investigator's view, I've been asked to make a decision.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having done that, I'm upholding Mr O's complaint. I'll explain why.

As MML haven't responded to our investigator's view on Mr O's complaint, I have – like him – relied on the information and testimony Mr O's provided.

Mr O contacted us because he was concerned about the security of his data. But, as our investigator explained during his investigation, issues about the management of data are investigated by the Information Commissioner's Office (ICO). So, while I understand Mr O's concern, he'll need to contact the ICO if he wants to pursue that issue, because I can't say whether a data breach has occurred.

But I have considered whether MML kept Mr O informed as they should have done. Paragraph 6.1.9 of the Claims Management: Conduct of Business sourcebook (CMCOB) requires claims management companies to update their customers at least once every six months. Mr O says this wasn't done.

In the absence of any evidence to contradict that, and based on the email threads I've seen, I think it's fair to conclude MML haven't adhered to this. I agree with our investigator that MML should compensate Mr O for the stress and inconvenience this caused him. And I agree £150 is a reasonable amount to do that.

My final decision

For the reasons I've explained above, I'm upholding Mr O's complaint about Match Me Legal Ltd and directing them to pay Mr O £150 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 8 December 2022.

Helen Stacey
Ombudsman