

## **The complaint**

Miss H complains that Aviva Insurance Limited (Aviva) sent information to an incorrect email address and provided a poor standard of service relating to her motor insurance policy.

## **What happened**

Miss H contacted Aviva in May 2022 to set up her car insurance. She says she provided her correct email address. Miss H says she received a text message about a telematics box, but no policy documentation by email or post. A few days later she phoned Aviva and was told documentation had been sent by email. This had been sent to an incorrect email address. Miss H says Aviva's agent expressed very little remorse, which upset her.

Miss H says she tried to speak with a manager. When this eventually happened after lengthy periods on hold. She says she was very upset by this point and feared for her personal safety as her personal data had been breached. Miss H says she submitted a complaint to Aviva. She contacted it shortly after for an update without success. Miss H says this happened several times.

Miss H asked for a copy of the call recording when she agreed her policy. The wrong recording was provided, which meant more time contacting Aviva. Miss H says this incident and the subsequent poor service has impacted on her mental health. She has failed an exam as a result of the stress this caused.

In its complaint response Aviva apologised for its poor standard of service. It says Miss H's email address has been updated to the correct one. It also says the email address it originally sent documents to is showing as "*not valid*" and its emails haven't been opened. Aviva accepts this email address could potentially be accessed in the future. But there is no indication of this currently.

Aviva paid Miss H £25 to cover two years registration with the Credit Industry Fraud Avoidance System (CIFAS). It also acknowledged the impact on Miss H's mental health and the poor service it provided. It paid her £275 compensation as a result.

Miss H didn't think this represented a fair outcome given the impact this had on her. She asked our service to look into the matter. Our investigator didn't uphold her complaint. He says Aviva's agent made the error when initially recording the wrong email address. The agent did later read out the wrong address, giving Miss H the opportunity to correct this. But he says Aviva's agent was responsible for the initial error.

Our investigator acknowledged the emails hadn't been opened. But that this had been a stressful experience for Miss H, which had impacted on her mental health. He thought the compensation Aviva had paid was fair.

Miss H disagreed and asked for an ombudsman to consider her complaint.

It has been passed to me to decide.

## **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 so I've decided not to uphold Miss H's complaint. I'm sorry to disappoint her but I will explain why I think my decision is fair.

I've listened to the call recording when Miss H contacted Aviva to set up her motor insurance policy. Early on in this call she's asked to provide her telephone number and email address, which she does. The call is quite lengthy around 50 minutes long in total. Around 42 minutes in Aviva's agent repeats Miss H's email address back to her. The email the agent confirms is incorrect. Miss H responds to say "*uh huh*" twice. This was an opportunity for her to correct Aviva's agent, but she didn't.

The call was fairly long. I understand Miss H told our investigator that she was "*going through the motions*" at this point. However, there was an opportunity here for her to correct the agent and ensure the right email address had been added to her account. That said, if the agent had recorded the correct email address in the first place – this wouldn't have been necessary.

Miss H explains that she suffers from anxiety and this matter has caused her a great deal of stress and upset. She's been worried about possible fraud and other issues as a result of her personal information being accessed. She also describes a negative experience when discussing the matter with Aviva after the error was known.

I'm sorry that Miss H has been upset by this experience. I can understand why she was worried about possible fraud and frustrated with the service she received when dealing with this matter. I acknowledge her concerns that it took some time to speak to a manager and misleading information was provided by Aviva's agents in this respect. It was also disappointing for her that updates and call backs she requested weren't acted upon.

I've seen screen prints from Aviva's records that show the emails it sent to the incorrect address haven't been opened. I also acknowledge what it says about this address showing as invalid. Meaning this isn't currently accessible by anyone. Hopefully this is of some comfort to Miss H, although I understand the email address could possibly be accessed in future. I think it's fair that Aviva confirms it will consider any future impact this might should Miss H send it proof of this.

Aviva has paid £25 to cover the cost of CIFAS membership for two years. I think this is reasonable and will provide Miss H with some protection from fraud going forwards. It has also paid £275 for the impact this has had on Miss H's mental health. And for the poor service it provided, including sending the wrong call recording – which I note it has since corrected.

I think it's fair that Aviva acknowledges the impact all of this had on Miss H. By no means is my intention to diminish the upset she experienced, but I think Aviva has been fair in the compensation it provided, and in the apology it gave when responding to Miss H's complaint. So, I can't reasonably ask it to do anymore.

## **My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss H to accept

or reject my decision before 13 February 2023.

Mike Waldron  
**Ombudsman**