

The complaint

Mr and Mrs B are unhappy Royal & Sun Alliance Insurance Limited (RSA) sent correspondence to an incorrect address following a claim they made on their legal expenses insurance policy.

Although the policy is in joint names, as this complaint has been made by Mr B, I've referred to him in this decision.

What happened

In September 2023 Mr B made a claim on his legal expenses insurance policy with RSA. He raised concerns about the handling of his claim in November 2023. Those issues have been considered as part of a separate complaint to our service. However, Mr B subsequently raised concerns that RSA had incorrectly addressed three letters to him. He was concerned his private data had been sent to the wrong address.

RSA accepted Mr B's address had been incorrectly recorded when data was input into a different system. And that meant Mr B hadn't received the letters in a timely manner. In order to address the inconvenience that had caused it made a payment of £100.

Our investigator thought that was fair but Mr B didn't agree. In summary he said:

- It wasn't just his house number that was wrong but his street was also mis-spelt. The letters contained his personal data and said he was insured with RSA and had raised a complaint with them. These were private matters which he considered sensitive and that information had been disclosed in three letters. And as the letters had been pushed through his letterbox opened they had clearly been received and read by someone else.
- He thought RSA should have internal controls to prevent incorrect addresses being recorded including picking up on an address that didn't exist which was the case here. And he shared a response the Information Commissioner's Office (ICO) had provided in response to the complaint he made to that organisation. He thought the compensation should be higher than the £100 RSA had offered.

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.

I don't think there's any dispute RSA has been at fault in relation to this matter. The three letters sent to Mr B were clearly wrongly addressed and I agree that was in relation to both his house number and the name of his street. And I accept it will have been inconvenient for Mr B not to receive this correspondence when it was sent. I also agree it will have caused him some distress to realise that the information it contained had been shared with a neighbour (which seems likely given Mr B says the correspondence was put through his letterbox opened).

However, in considering what the right level of compensation is, I'm mindful of the fact that the personal information the letters contained was limited. I appreciate Mr B nevertheless considers it sensitive and I understand why he wouldn't want others to be aware of the content. But the ICO provides guidance on special category data which would need more protection because it's sensitive. I don't think the information in Mr B's letters would fall into any of the categories set out on its website. And I think the impact on him of the disclosure of the information in these letters is more limited than it would be if, for example, it contained specific details about his health.

Taking all of that into account I do accept there has been an impact on Mr B as a result of what RSA got wrong. But I think the £100 it has already offered (and paid) is enough to recognise this. I don't think it needs to do anything more.

I appreciate Mr B also feels RSA should make changes to its systems so these would automatically identify an address that didn't exist. However, our role is to consider the individual complaints that are brought to us, identify whether a business has been at fault and, if it has, decide what the impact on a complainant has been and what needs to be done to put that right. That's what I've done in this case. It's not my role to direct RSA as to what systems and processes it should have in place. But I can see Mr B has raised his concerns with it so no doubt that's something RSA can take into account in any future review of its requirements.

My final decision

I've decided not to uphold this complaint Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs B and Mr B to accept or reject my decision before 14 June 2024.

James Park
Ombudsman