

## **The complaint**

Mr M complains about Saga Services Limited (Saga”) and the customer service it provided in connection to a motor insurance quote.

## **What happened**

The background of this complaint is well known between parties, so I’ve summarised events.

- In July 2023 Mr M called Saga regarding an insurance quote. During this call Saga’s agent made reference to Mr M’s late wife’s (Mrs M) date of birth. A further reference was also made regarding an alleged telephone call from 2017.
- Mr M complained about what was said as he found this upsetting. And he asked for Saga to remove Mrs M’s details from its system. He also raised other customer service issues about the call and correspondence that followed.
- Saga acknowledged the service it provided within the call was not acceptable and apologised. Saga said it had updated its records to reflect Mrs M had passed away which would ensure her details were never used for marketing purposes.

But Saga said it was unable to access the 2017 telephone call, nor was it able to remove her details fully from its system. It also acknowledged other service issues including misspelling Mr M’s surname and referring incorrect dates within its letters.

Saga sent a hamper to Mr M together with its apology. It said it did so in lieu of compensation as it said Mr M had been clear within a call, he did not want money.

- The complaint came to this Service. One of our Investigators looked at what happened and said Saga’s apology and hamper were sufficient to put things right in the circumstances. She directed Mr M to the Information Commissioner’s Office (“ICO”) as best placed to answer data retention concerns.
- Mr M disagreed with the outcome. He said he wanted a guarantee from Saga that no such mistakes would happen again – and that it should simply delete Mrs M’s data. So, he asked for the matter to be passed to an Ombudsman.
- The Investigator looked again, stating she was unable to interfere with data protection laws and so again referred Mr M to the ICO. As the matter could not be resolved the complaint has been passed to me for an Ombudsman’s final 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.

The subject matter of this complaint is very clear. Mr M’s late wife and her data was brought up with Mr M for no good reason during a call that was meant to be about an insurance quote. Since then, Saga has made various other mistakes including (but not limited to) incorrect dates in letters, spelling mistakes and typographical errors.

Saga has been clear it has made mistakes. It has apologised for all of the above issues.

I'm very sympathetic to Mr M and I don't doubt that Saga's agent referencing Mrs M out of the blue was upsetting for him.

I understand Mr M had been clear with Saga that he did not want financial compensation for these errors – which is why Saga said it sent Mr M a gift hamper. Mr M hasn't said anything to refute this within his correspondence with this Service, and in the circumstances, I wouldn't want to interfere with his wishes on this matter. For this reason, I haven't made any compensatory award in this case.

Mr M has asked for Saga to provide a guarantee Mrs M's details would never be used by Saga again. I have seen Saga has said it updated its system to reflect her passing and provided assurances her details would not be used by Saga again.

This Service wouldn't look to interfere with a company's commercial data protection policies. And in the circumstances, I'm satisfied the above assurance it has now given Mr M – given the context and its apologies – was sufficient.

Mr M has made reference to various historic alleged calls and notes on Saga's system concerning calls either from Mrs M or about her. Given the time that has passed and lack of available evidence, it would be difficult to be certain exactly what happened previously. So, in light of this, I'm not going to direct Saga to update or remove notes or records regarding any alleged historic calls – particularly as I'm satisfied these should have no impact going forward.

For all of the above reasons, I'm satisfied Saga's gift, apology and assurances are fair and reasonable in the circumstances.

### **My final decision**

I'm not upholding this complaint as I'm satisfied Saga has already taken sufficient steps to put things right.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 29 May 2024.

Jack Baldry  
**Ombudsman**