

## **The complaint**

Mr C has complained about a data breach by Personal Assurance Plc, and the service provided when he reported the breach.

## **What happened**

The details of this complaint are well known to the parties so I won't repeat them here. Instead I'll focus on the reasons for my 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 so, and although I recognise that Mr C will be disappointed by my decision, I agree with the conclusions reached by the investigator, I'll explain why.

Firstly though, I've focused on what I find are the key issues here. Our rules allow me to take this approach. It simply reflects the informal nature of our service as a free alternative to the courts. If there's something I haven't mentioned, it isn't because I've ignored it. I've fully reviewed the complete file. My reasons are as follows:

- Mr C took the time to report a data breach to Personal Assurance. It wasn't aware that when sending calls relating to him a call with another customer had been included. Personal Assurance thanked Mr C and its evidence is that it then took steps to rectify the situation. It immediately reported the matter as a reportable event under its internal procedure. Personal Assurance recommended that Mr C delete the email he had been sent in error and revoked his access to the recording. I'm not persuaded that Personal Assurance failed to take accountability and I find that its actions following the breach were correct and fair.
- Personal Assurance advised Mr C that it had contacted the other customer to make them aware of the breach and resolved the matter with them separately. It also assured Mr C that its data holding systems are secure and that it was regulated company having audits and checks throughout the year. I can understand that Mr C was worried by this incident, but I am satisfied that Personal Assurance took steps to assure Mr C that his data was safe.
- Personal Assurance apologised to Mr C and offered £20 in compensation. I note that Mr C has requested a higher sum in compensation, but I'm satisfied that the apology and offer of compensation is fair. I say this because whilst I understand that Mr C experienced some inconvenience, I've taken into account that it wasn't his data that was breached. I've seen no evidence that he was caused financial loss or risk to his personal data.
- I haven't ignored Mr C's feeling that he was been lied to throughout this process by Personal Assurance. For example I note that he was sent a blank email – Personal

Assurance say this was an encryption error, but Mr C feels this is an insufficient excuse. On the basis of the evidence before me in support of that submission, I don't find that Mr C has been lied to or otherwise treated unfairly or unreasonably.

- However I should point out that this service doesn't regulate financial firms, that is the role of the Financial Conduct Authority. The regulator's rules do set down duties and standards that Personal Assurance must adhere to, but I've seen no evidence that it hasn't complied with those duties or standards here.

### **My final decision**

For the reasons given, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 8 July 2024.

Lindsey Woloski  
**Ombudsman**