

## **The complaint**

Mrs D complains about the level of service provided by Hastings Insurance Services Limited in administering her commercial motor insurance policy. She said she wants compensation for its errors.

## **What happened**

Mrs D made a claim on her policy and Hastings, acting as an agent for the insurer, dealt with her claim. But Mrs D was unhappy as she thought there had been a breach of her personal data and she was also unhappy with Hastings' complaints handling. Hastings said there hadn't been a data breach but that its complaints handling could have been better. It paid Mrs D £350 in total compensation for the trouble and upset caused.

Our Investigator didn't recommend that the complaint should be upheld. She didn't see any evidence of a data breach and she couldn't consider the complaints handling issue as this wasn't a regulated activity. But she thought Hastings' payment of compensation was fair and reasonable for the impact of its errors.

Mrs D said she had destroyed Hastings' compensation cheques. Mrs D asked for an Ombudsman's review, so her complaint has come to me for a 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.

I can understand that Mrs D felt frustrated with the level of customer service provided by Hastings following her claim. She calculated 13 separate errors that Hastings had admitted it made in its service to her. And I'll consider here those which were most significant for her as explained in her submissions.

The valuation of Mrs D's car and errors in calculating this is being treated as a separate complaint against her insurer. So I can't consider that here as it's a separate business to Hastings.

Mrs D called Hastings to discuss her concerns about her claim. Mrs D was concerned that other call handlers could hear her call with Hastings, and this was a breach of her personal data. She was also unhappy that Hastings didn't escalate her complaints, and that it paid her compensation after she had refused it.

Hastings agreed that it hadn't followed its process correctly when responding to Mrs D's complaints. It paid her £250 compensation for the trouble and upset this caused which it later increased by a further £100. But, as our Investigator has explained, a complaint about complaint handling is not a complaint about a "financial service", and so falls outside of our jurisdiction. So I can't consider this further here.

Mrs D raised concerns that her personal data could be overheard during a call. Hastings investigated this and explained that Mrs D could hear other voices due to a technical issue with its noise cancelling headphones. But it checked that her personal data wasn't shared and couldn't be overheard. I think this response and its apology was fair and reasonable in

the circumstances. As I haven't seen evidence that there was any breach of Mrs D's data, I don't require Hastings to do anything further.

Mrs D said she had rejected Hastings' offers of compensation. She explained that some had been sent by cheques, which she had destroyed, and others were paid into her account. If Mrs D wants to accept any payments she has so far declined, then she should contact Hastings to ask for these to be reissued.

### **My final decision**

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

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs D to accept or reject my decision before 27 November 2024.

Phillip Berechree  
**Ombudsman**