DRN-5628196

The complaint

Mr B complains that following his online enquiry for a secured loan on a comparison website, he received several unsolicited calls and emails from Aro Finance Limited.

What happened

On 30 July 2024 Mr B used a comparison website (which I'll refer to as "T") to search for loan options. He saw a quote with Aro and clicked on the link which said "Go to Site" thinking this would lead him to its website where he could browse further. The link took Mr B to a screen that said Aro would contact him shortly, which he clicked out of as he did not wish to proceed.

Mr B was sent an email later that day which said that Aro would call him soon. The email provided the telephone number that Mr B should expect a call from, along with a link to Aro's privacy policy.

Aro tried to call Mr B that afternoon and it says it made a further seven call attempts between 30 July 2024 and 5 August 2024. Mr B didn't answer any of the calls.

Mr B complained to T. He said that no consent was given for his details to be passed on to a third party.

Mr B said that as a result of his complaint, the wording on T's comparison website has changed. The link he clicked on has changed from saying "go to site" to "arrange a call back". He says this is an admission of guilt as T knows the initial wording was misleading.

T passed part of Mr B's complaint to Aro about the unsolicited calls and emails.

Mr B was unhappy that part of his complaint had been passed to Aro and considered this to be a further data breach. He said his complaint was against T and should be considered by it in full.

Aro explained why it was the correct respondent to answer *part* of Mr B's complaint about the contact it made to him. Aro answered that complaint on 3 October 2024 which it didn't uphold.

In its response to the complaint Aro said that following Mr B's visit to T's website, it contacted him in line with its partnership with T. Mr B was provided with Aro's privacy policy which detailed how his data would be used, and he was informed that Aro would be calling to discuss his enquiry and the telephone number that would be used to reach him.

Unhappy with Aro's response Mr B came to our Service. He said that as a resolution to his complaint he wants compensation for the distress and inconvenience caused – including the loss of time spent having to make the complaint.

An investigator looked into things and didn't recommend that the complaint be upheld. He didn't think that Aro had acted unfairly or unreasonably in the way it communicated with Mr B. A large part of Mr B's complaint about how his details were passed over to Aro is the responsibility of T and not something that he could consider as part of this complaint.

Mr B disagreed and asked for his complaint to be decided by an Ombudsman. Whilst he remained of the opinion that responsibility for his complaint lied with T, as it had been passed on to Aro – he said we should at the very least look at the complaint in its entirety against Aro.

Our investigator received information that T had upheld part of Mr B's complaint. Mr B said he never got a response and that's why he referred his complaint about Aro to our Service. Our investigator obtained a copy of T's final response letter dated 4 October 2024 and provided a copy to Mr B. T accepts that it could have made it clearer on its website that Aro would be calling Mr B. It offered Mr B £50 as an apology. It also said that it has made changes to its website to make it clearer to users that by clicking on a link the customer can expect a call from the third party. T later increased its compensation award to £200. Mr B accepted this as a resolution to his complaint against T.

Mr B said that having now received a copy of T's final response letter, his complaint against Aro has taken a new direction. He says that his complaint was only ever about T passing his details over to Aro. If Aro had closed his complaint as requested and re-directed him back to T, he would not have wasted all this time making a complaint with our Service.

Our investigator said that our service could only look into the complaint initially raised about the journey during Mr B's online loan enquiry – and the part that Aro played in that. He said Mr B had not yet complained to Aro about its complaint handling process and so that was not something that our service could consider further.

Mr B confirmed he still wanted an Ombudsman to consider his complaint against Aro. The case has now 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.

Although I've read and considered the whole file, I'll keep my comments to what I think is relevant. If I don't comment on any specific point, it's not because I've not considered it but because I don't think I need to comment on it in order to reach a fair outcome.

I understand the core of Mr B's complaint is about T passing on his details to a third party (in this case Aro) without his consent and the misleading information on its website. T has answered this complaint which Mr B accepts.

The complaint to our Service is solely about the actions of Aro. Mr B says that his complaint should never have been passed to Aro from the outset, and he was misled into thinking that it was dealing with the complaint in its entirety.

Whilst our investigator has explained that no complaint has yet been raised about Aro's handling of Mr B's complaint, Aro has since given our service consent to consider this point as part of this complaint. And our investigator, in his communication with Mr B, has answered his concerns already. In his email on 30 May 2025 our investigator wrote:

> *"As I mentioned earlier, it doesn't appear to me that Aro accepted full responsibility for your complaint. What they told you in their 6 September email was that ("T") was entitled to forward the "relevant part" of your complaint to Aro – which was about what Aro did with your information…This suggests that ("T") still held on to the part of your complaint*

about the forwarding of your details to Aro.”

The final response letter issued by Aro on 3 October 2025 says:

> *“I am aware that you have raised your complaint with (“T”), and there are aspects of your complaint that they will be responding to. For clarity, I will be responding to aspects concerning Aro, namely that you were contacted by Aro when you had not consented to this.”*

As a general rule, we can only consider complaints about activities regulated by the Financial Conduct Authority (FCA) – such as complaints about the administration of a regulated mortgage contract. Complaint handling is not, in and of itself, a regulated activity. Sometimes it is part and parcel of the regulated activity complained about. In any event I think I have enough information to provide Mr B with a response to this point, following on from our investigator’s explanation.

I’m satisfied that Aro made it clear that it was only looking into part of Mr B’s complaint and that the complaint with T was ongoing. I don’t agree that Aro misled Mr B into thinking that it had taken responsibility for the whole complaint.

Why Mr B’s complaint was referred to Aro is not something that I can consider as part of this complaint. T passed the complaint to Aro. This complaint is not about T, so I can’t consider its actions here.

In its final response letter Aro addressed the fact that following Mr B’s enquiry on T’s website he received several calls and emails. I don’t think it was unreasonable for Aro to answer this complaint. Mr B has described Aro’s level of contact as the impact suffered as a result of T passing his details over. Once T passed Mr B’s details over to Aro, Aro became responsible for the level of contact made. So this is the complaint Aro has answered – namely whether it acted fairly when it received Mr B’s information.

Mr B remains unhappy with the response given by our investigator to this complaint and has asked for a decision by an Ombudsman on this point. Having considered this complaint, I don’t think it should be upheld.

Once Mr B clicked on the link on T’s website, he was sent an email the same day at 3pm saying that someone from Aro would call him to discuss his enquiry. The number that Mr B could expect a call from was provided, along with a link to Aro’s privacy policy. The privacy policy said:

> *“3. Where do we collect your data from…*
>
> > *3.3 We may also receive personal information indirectly from third party firms you may have contacted directly and provided your consent to share your data with. For example, from a comparison site such as our sister company, Aro or another mortgage broker.”*

So, I’m satisfied that Mr B was given prior warning that Aro would be contacting him, and he was given enough information to know how Aro would use his personal data.

Aro tried to call Mr B later that afternoon and then a further seven times between 30 July 2024 and 5 August 2024.

I can understand why Mr B was concerned about the contact he received given that he felt he’d not shared consent with T to pass his details to a third party. As I’ve explained the matter of consent shared with T is not something that I can consider as part of this complaint. But given that Aro received a lead that a potential customer was interested in obtaining a loan through it, I don’t think it acted unreasonably by trying to reach Mr B to fulfil a service. And having considered the number of times it tried to reach Mr B I don’t consider this to be excessive in the circumstances. It follows that I don’t find that Aro has acted unfairly or unreasonably in the circumstances of this case.

My final decision

My final decision is that I don’t uphold Mr B’s complaint against Aro Finance Limited.

This final decision concludes the Financial Ombudsman Service’s review of this complaint. This means that we are unable to consider the complaint any further, nor enter into any correspondence about the merits of it.

Under the rules of the Financial Ombudsman Service, I’m required to ask Mr B to accept or reject my decision before 18 August 2025.

Arazu Eid
Ombudsman