DRN-5750561

The complaint

Mr H complains Atlanta Insurance Intermediaries Limited (Atlanta) failed to progress his subject access request (SAR) after he made a claim on his motor insurance policy.

What happened

Mr H made a claim on his motor insurance policy after his car was damaged by a third-party. After his claim was declined by the insurer he made a complaint. As part of this complaint, he made a SAR to obtain data from the telematics device that was in his car. This request was dealt with by Atlanta who are an intermediary working on behalf of the insurer to process and handle the insurance policy.

Atlanta didn't progress the request as it should have.

Because Mr H was not happy, he brought the complaint to our service.

Our investigator looked into the case and said Atlanta didn't action the SAR as expected, and this caused inconvenience to Mr H when trying to resolve his complaint with his insurer because he wasn't able to fully understand how the information it held related to his claim. They upheld the complaint and felt compensation was due from Atlanta and £75 was fair and reasonable.

Atlanta agreed with our investigator's view, but as Mr H was unhappy with it, the complaint has been brought to me for a final decision to be made.

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.

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In this case I am only able to consider the complaint point regarding the delay in the SAR by Atlanta. All other complaints points have been considered as a separate complaint against the insurer. In addition, and to be clear, I am only able to consider this complaint up to the date of the last correspondence from Atlanta in reference to the SAR which was 24 July 2024.

Our service's role is to consider if a financial business has made a mistake and if there has been an impact on the consumer. We are able to look at complaints about SAR requests if they're sufficiently connected as part of a complaint about other financial services activity. In this case as part of Mr H's complaint to his insurer, he wanted to understand the information it had relied on to decide to decline his claim on his motor insurance policy, so he made a SAR.

Mr H made the SAR request on15 May 2024. However, the data wasn't provided within the one-month time limit that is defined by the Information Commissioner's Office (ICO).

I saw on 22 July 2024 Atlanta confirmed an additional SAR had been forwarded to the appropriate team to process and that he should receive it in due course. And on 24 July 2024 it explained SAR requests should be processed within 30 days of the request received, but that unfortunately his original request for the telematics data was not forwarded to the appropriate team at the time and so it had requested this to be dealt with as a priority. I saw it also provided him with details of how he could complain to the ICO.

Although Atlanta tried to provide clarification on information relevant to the claim to Mr H, it didn't action his SAR as expected. This meant he wasn't able to fully understand how the telematics information it held related to his declined claim.

Therefore, I uphold Mr H's complaint.

Putting things right

I require Atlanta to pay him £75 compensation for the avoidable delay caused when he made a SAR.

My final decision

For the reasons I have given I uphold this complaint.

I require Atlanta Insurance Intermediaries Limited to pay Mr H £75 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 9 September 2025.

Sally-Ann Harding
Ombudsman