

## **complaint**

Mr H complains about the way The Prudential Assurance Company Limited has dealt with his complaint.

In short he says:

- The business has failed to comply with its regulatory obligations towards him.
- It failed to properly investigate and resolve his complaint.
- It spelt his surname incorrectly and provided documentation in a poor condition.

Mr H would like the business to acknowledge and correct all of its failings and compensate him for the inconvenience caused.

## **background**

This case arises from a separate complaint by Mr H from 28 June 2018. Our service found that the business had failed to respond to his request for information, and recommended that the business provide an apology and the information requested in a timely manner.

In this instance the business upheld Mr H's complaint. In summary it said:

- It had misspelt his surname, which showed a lack of care and professionalism, but feedback had been given to the individual concerned.
- It also apologised for any documentation that wasn't received in a perfect condition.

One of our investigators considered the complaint but didn't think it should be upheld. In summary he said the business had dealt with Mr H's complaint fairly. Although mistakes had been made, the business acknowledged this and apologised. The investigator didn't recommend the business do anything further.

Mr H disagreed with the investigator's conclusions. He's asked for an ombudsman's decision. In short, he feels his complaint points have been misunderstood and not appropriately dealt with.

As no agreement has been reached the matter has been passed to me for review.

## **my findings**

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, I agree with the investigator's conclusions for much the same reasons. On the face of the evidence, and on balance, despite what Mr H says I'm satisfied that the business has dealt with his complaint fairly.

Having dealt with some of Mr H's previous complaints I'm sure he will be aware of what I'm about to say. Nevertheless it's important to remind him, in the event that he feels I've not considered his complaint properly.

The purpose of my decision isn't to address every single point raised. My role is to consider the evidence presented by Mr H and the business, and reach what I think is an independent, fair and reasonable decision based on the facts of the case.

In deciding what's fair and reasonable, I must take into account the relevant law, regulation and best industry practice, but I'm not bound by this. It's for me to decide, based on the information I've been given, what's more likely than not to have happened.

I've also considered if I need more information, but having done so I'm satisfied that I don't.

In my opinion the business quite rightly accepts that it made a mistake by misspelling Mr H's surname. It apologised for the error and has undertaken to speak to the individual concerned, rather than seek to excuse its actions.

I don't think Mr H's name was deliberately mis-spelt to upset or frustrate him, rather it was a typo/oversight and the business is taking appropriate steps to ensure that the error doesn't happen again.

I appreciate Mr H is unhappy, but in the circumstances I don't think the business is required to do anymore. It appears to be an isolated mistake, for which a single individual was responsible. The situation might have been different if the error had been ongoing, over a long period of time, and the business had repeatedly failed to rectify it, despite Mr H's efforts.

In response to further questions by Mr H about the involvement of external parties with the policy, I'm satisfied the business provided open and honest answers to his questions.

Despite what Mr H says, on the face of the evidence, and on balance, overall I'm satisfied that the business has fulfilled its obligations towards him – as set out in DISP rule 1.6.

I'm satisfied that the business has generally provided early assurances that it was dealing with his complaint and kept him up to date with the progress, and measures taken to resolve it.

Whilst I appreciate Mr H will be disappointed with the outcome of my decision, on the face of the evidence, and on balance I'm unable to uphold the complaint and give him what he wants.

### **my final decision**

For the reasons set out above I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 27 March 2019.

Dara Islam  
**ombudsman**