

## **complaint**

Mr M has complained that Brightside Insurance Services Limited renewed a car insurance policy he asked it not to. Brightside passed Mr M's details to a debt collection agent.

## **background**

Mr M bought a car insurance policy through Brightside in 2017. In 2018 it wrote to Mr M to invite him to renew his policy. Mr M contacted Brightside before the renewal date to cancel the renewal.

A few weeks later Mr M received a message from a debt collection agent. It said he owed money due under a cancelled policy. Mr M was very upset about this as he was worried any adverse credit record would impact on his job. He told his manager about the issue and complained to Brightside.

Brightside apologised. It hadn't cancelled the renewal as Mr M had requested. It had incorrectly passed Mr M's details to a debt collection agent. Brightside said it contacted the debt collection agent to remove Mr M from their records. It paid Mr M £30 compensation.

Mr M asked us to look at his complaint. He was concerned that Brightside had breached data protection rules by passing his information on incorrectly to a debt collection agent. He didn't think the compensation it had paid fairly reflected the distress and inconvenience it had caused him.

Our investigator explained that we don't investigate complaints about a breach of GDPR – but we can decide if an insurer has breached confidentiality. She thought it had. She didn't think Brightside should have forwarded Mr M's details to the debt collection agent.

The investigator recommended Brightside increase the compensation it paid Mr M by £70, making a total of £100.

Mr M accepted the investigator's view. Brightside didn't agree. It hasn't said why. So the case has been passed to me to decide.

## **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 intend to uphold it.

I think Mr M was caused worry and inconvenience by Brightside's failure to carry out his request to cancel the renewal of his car insurance policy. Mr M explained that he felt obliged to report the issue to his manager. His job required Mr M to have a clean credit record. So he was very worried about the impact the referral to a debt collection agent would have on his credit record – and therefore his job.

The letter sent by the debt collection agent is strongly worded – which might be reasonable if Mr M owed the debt. But he didn't.

Mr M has checked his credit record and told us there's no reference on there in relation to the incorrect referral by Brightside. This is good news. But I don't think £30 compensation is enough to compensate Mr M. Brightside passed Mr M's details to a third party because it failed to correctly carry out his instructions.

So I think its fair and reasonable for Brightside to increase the compensation it paid Mr M by £70, making the total sum £100 to resolve Mr M's complaint.

**my final decision**

For the reasons I've given above, my final decision is that I uphold this complaint. I require Brightside Insurance Services Limited to pay Mr M £70 compensation in addition to the £30 it's already paid him.

Brightside Insurance Services Limited must pay the compensation within 28 days of the date on which we tell it Mr M accepts my final decision. If it pays later than this it must also pay interest on the compensation from the date of my final decision to the date of payment at a simple rate of 8% a year

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 4 November 2019.

Geraldine Newbold  
**ombudsman**