

complaint

Mr M's complaint is against The Prudential Assurance Company Limited. He says because of its errors his annuity was delayed. He says Prudential also lost his and his wife's original birth and marriage certificates which caused considerable distress and upset.

background

Prudential has agreed that it was responsible for the delays in setting up the annuity. And that it lost the documents. What remains to be decided is what compensation is appropriate in the circumstances of the case.

Prudential has made an offer to Mr M; to pay £331.86 for the financial losses that resulted from the delay; £75 for the cost of replacing the lost documents and £150 for the trouble and upset caused by the matter. Mr M didn't accept that offer.

Mr M's complaint was considered by one of our investigators after he referred it to us. The investigator didn't think Prudential's offer reflected the degree of upset and disappointment caused by the loss of the documents. She explained that Mr M had told her about the impact the matter had had on him. She thought that as well as compensating Mr M for his financial loss and the cost of replacing the lost documents, Prudential should pay Mr M:

- £150 for the delay in setting up the annuity; the inconvenience of Mr M contacting Prudential for updates, and the worry he had when trying to re-plan his finances.
- £300 for the upset and disappointment caused by Prudential losing the birth and marriage certificates.

Prudential didn't agree with the investigator's recommendations. In brief, it said it thought the compensation for the financial loss suffered and the £150 for the trouble and upset caused by what had happened was reasonable. It said it was in line with what it thought we would usually award in similar cases.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Prudential offered Mr M £150 for the delays in arranging his annuity and for the lost documents (as well as the compensation for the actual financial losses and cost of replacing the lost certificates). The degree of distress and inconvenience caused when something goes wrong will depend on the particular circumstances of the case. And quantifying that in monetary terms isn't an exact science and is a matter of judgement.

I think £150 is reasonable for the inconvenience caused by the delays in setting up Mr M's income. However, like the investigator, I'm satisfied that Mr M did find the loss of his marriage and birth certificates particularly distressing. He has said they had the signatures of his own and his wife's father and that he considers them a piece of his personal history. He described the particular efforts he went to in trying to obtain exact replacements - but that wasn't possible. I have carefully considered what Mr M has said and I have found it persuasive. So overall I think £300 is fair and reasonable and reflects the distress and inconvenience caused in the particular circumstances of this case.

my final decision

My final decision is that The Prudential Assurance Company Limited should pay Mr M an additional £300. That is as well as the £556.86 it had also offered (if it hasn't already done so) for the distress and inconvenience caused by the loss of the birth and marriage certificates.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 2 January 2018

David Ashley
ombudsman