

summary of complaint

Mrs K is unhappy with the customer service that she received from Prudential Assurance Company Limited when enquiring, through her representative, as to the possibility of placing an investment in trust. Mrs K is of the view that she was repeatedly given incorrect information which caused significant inconvenience.

background to complaint

The adjudicator who considered the matter was of the view that the complaint should be upheld. It was noted that the business had conceded that the standard of service provided to Mrs K had fallen short of that to which she was entitled, but that it had offered no compensatory gesture in that regard.

The adjudicator stated that, having taken into account the actual level of service provided and the repeated incorrect information and documentation issued to Mrs K, she had been caused significant inconvenience and had also needed to make several visits to her accountant, which incurred additional costs. It was therefore recommended that the amount of £400 be paid to Mrs K in respect of this.

The business disagreed, however, stating that, whilst it was of the view that the matter should have been handled better, the published guidance for this type of complaint was a lower payment. The business considered that a payment of £200 was a more reasonable amount.

The matter has subsequently been reviewed by a different adjudicator, who was of the view that the business' offer was in fact reasonable. It was noted that, whilst it was undeniable that inconvenience had been caused to Mrs K due to the quality of the information provided to her, Mrs K had not in fact proceeded with the planned trust arrangement for other reasons. The incorrect information provided by the business had not, therefore, ultimately impacted upon Mrs K's trust planning.

As agreement has not been reached on the matter, it has been referred to me for review.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

Having done so, I have reached similar conclusions as the adjudicator who reviewed this matter, and for broadly the same reasons. Whilst it is clear that the quality of the information provided by the business, on repeated occasions, was not of a standard Mrs K was entitled to expect, it is nevertheless the case that this did not disrupt or prevent any trust arrangement which Mrs K might have subsequently have put in place.

As such, the payment from the business would be strictly in respect of the distress and inconvenience caused to Mrs K and, although I am mindful of the degree to which this occurred, I must also have regard for our usual awards in such circumstances. In light of this, I am of the view that a payment of £200 would be fair and reasonable in this instance.

my final decision

My final decision is that Prudential Assurance Company Limited should pay to Mrs K the sum of £200. I simply leave it to Mrs K to decide whether to accept this.

Philip Miller
ombudsman