

The complaint

Mrs L complains that when she took out a motor insurance policy with Sainsbury's Bank Plc, she and her husband didn't receive the double nectar points on their joint Nectar account she was offered on all shopping and fuel purchased from Sainsbury's stores for 12 months. She's also unhappy about the time taken to resolve this.

What happened

Mrs L took out a motor insurance policy with Sainsbury's which started on 26 JNectar of their entitlement to double points. And her husband, Mr L, spent a lot of time calling Sainsbury's and Nectar trying to sort this out.

Sainsbury's have told us that during the initial call to take out the policy Mr L was told if there was any issue with the points, and these weren't reflected on their account within 60 days of the start of the policy, to call them rather than Nectar. They've also confirmed that they accept their agent wrongly recorded Mr and Mrs L's nectar card number during the call, so this was the reason their double nectar points weren't added to their account.

Mr L says that he checked their joint nectar account on 10 April 2022 and no double points had been added. He called Nectar and they were unable to help him and he was told the issue would be escalated, and he'd have a response in 14 days. He waited three weeks and then called again and was told to call Sainsbury's. He spoke to them on 9 May 2022 and was again told the matter needed to be escalated, and he'd receive a response within five days.

He didn't receive that response so raised a formal complaint on 13 May 2022. One of the complaint points was about the time it took for calls to be answered. Sainsbury's replied to Mrs L on 7 June 2022. They said wait times could be longer than expected on certain days, depending on service levels. And that they'd listened to the call of 5 January 2022. They said she'd been given the correct information in relation to her nectar points, but their agent hadn't recorded their nectar card number correctly. They'd contacted Nectar who'd said 1811 backdated points would be added to their card. And they offered £25 compensation for the upset caused.

Mrs L wasn't happy with Sainsbury's response. Mr L replied to them saying it had taken them over four months to notify Nectar of their entitlement to double points. He said that in response to his complaint Sainsbury's initially said that the policy was taken out via a comparison website. Which wasn't correct as he called them on 5 January 2022 and the entitlement to double points was confirmed during that call. So he felt the matter hadn't been fully investigated and a correct response issued.

And he wasn't happy that they hadn't confirmed the period the backdated 1811 points related to. Based on his own calculations he wanted a further 503 points added to their nectar card, or a detailed statement breaking down the 1811 points. He also wasn't happy with the £25 compensation Sainsbury's had offered. He said he spent five hours on the matter and was self-employed charging £50 an hour. So he suggested a compromise to resolve the matter would be the 503 points he'd calculated were missing and £125 in

compensation.

Sainsbury's replied saying they'd issued their final response and if Mrs L wasn't happy, she could complain to our service. Which she did.

Our investigator considered the case and upheld the complaint. She said that even though Sainsbury's resolved the issue with Nectar and Mr and Mrs L received some of the double points they should have received, they didn't provide the breakdown of the points they'd requested, or explained why, based on Mr L's calculation, 503 points were missing. So she recommended Sainsbury's should provide the statement Mr L had requested and pay a further £75 compensation for the time he'd spent trying to resolve the matter.

Sainsbury's didn't accept our investigator's opinion. They said that Nectar is a separate company to them. So they've only been able to provide us with the information they'd been provided by Nectar about the eligible points and what points have been paid as part of their investigations. Their relationship with Nectar involved them sending a card number to them and confirming the account was eligible for the promotion. But they have no access to data regarding the customer's points and cannot issue statements.

Sainsbury's accept that they keyed in the Mr and Mrs L's card number incorrectly, so they didn't tell Nectar that they were eligible for the double point promotion. But they said they'd dealt with this promptly and apologised for the error. They understood that Mr and Mrs L said they'd lost out on 503 points worth £2.51. But they didn't have any details of Mr L's calculation to check if this was correct. And when they'd contacted Nectar, they'd updated the points Mr and Mrs L were due quickly.

In relation to the time Mr L had spent on the phone with Nectar, Sainsbury's said there was no record of this time, and when he contacted Nectar, he should just have been referred back to them, to check why they hadn't received the points from a promotion. So they asked our investigator to review her opinion.

The case was then reviewed by another investigator, as the original investigator had left our service. She didn't recommend that the complaint was upheld. She accepted that Sainsbury's had made an error and recorded Mr and Mrs L's nectar card number incorrectly. And this had led to them not receiving their double nectar points.

But she felt Sainsbury's couldn't be held responsible for the time Mr L had spent calling Nectar, as when he did, they should have referred him back to them. And once he'd been told to contact them, they contacted Nectar, the correct card details were provided, and Mr and Mrs L's nectar account was credited with their double points.

So she felt the £25 compensation Mrs L had been offered by Sainsbury's was reasonable. And she accepted that Sainsbury's couldn't provide a statement of Mr and Mrs L's nectar points, as they're a separate company and this needed to be requested from Nectar.

Mrs L wasn't happy with our investigator's further opinion as she felt Sainsbury's should be responsible for the actions of Nectar and the time her husband spent trying to contact them.

Since our investigator provided their opinion we've asked Sainsbury's to request a statement of the Nectar points Mr and Mrs L have been awarded under the double points promotion from Nectar. They've provided this statement and our investigator sent a copy to Mr and Mrs L asking them to confirm if the points the statement showed they'd been awarded were correct. Mr L replied saying that it would be too time consuming to review the Nectar points awarded over 12 months ago. But he still wanted to pursue a claim for compensation for the time he'd spent on the matter.

The case has now come to me for a decision.

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.

It was Mrs L who took out the motor insurance policy linked to the double nectar points promotion. So even though the nectar card was in the joint names of her and her husband, she's the one who's an eligible complainant and can raise a complaint about Sainsbury's.

Sainsbury's accept that when Mrs L took out her motor insurance policy with them they wrongly recorded the card number for the joint Nectar card she holds with her husband. So they didn't initially receive the double nectar points the promotion entitled them to.

Sainsbury's have told us that when the policy was taken out Mrs L was told if there was any problem with the double points being awarded, she should contact them. But Mr L contacted Nectar about the missing points in April 2022, and only spoke to Sainsbury's in May 2022.

Sainsbury's and Nectar are separate companies and Sainsbury's don't have any access to Nectar's systems. So once Mr L had spoken to Sainsbury's they had to contact Nectar to provide the correct card details and confirm the double points offer Mr and Mrs L were entitled to.

Mr L has told us that he thinks Sainsbury's should be held responsible for the time he spent contacting and speaking to Nectar. But as they're separate companies I can't do this. When Mr L called Nectar about the promotion they should have referred him to Sainsbury's. It doesn't appear that they did this, but I can't say that Sainsbury's are responsible for this.

When Mr L did contact Sainsbury's they didn't get back to him within the five-day timescale he was given. And I think they should have done, or at least have updated him on when he was likely to receive a reply. As they didn't he raised a complaint on behalf of his wife and Sainsbury's responded to this on 7 June 2022 confirming that 1811 Nectar points had been added to Mr and Mrs L's joint Nectar account. They also offered £25 compensation.

Sainsbury's couldn't provide the Nectar points statement Mr and Mrs L wanted. But they've now obtained a statement from Nectar of the double points awarded to Mr and Mrs L under the promotion. Mr L has told us it's too onerous for him to now check this to confirm if the points awarded are correct.

Nectar have advised Sainsbury's that they've correctly backdated the double points that Mr and Mrs L were entitled to under the 12-month promotion. Nectar have now provided a full statement of the points awarded over this period.

I don't have any evidence that the double points have been awarded incorrectly, or evidence that there are further points due to Mr and Mrs L. In the absence of such evidence I think Sainsbury's resolved the problem within a reasonable timeframe, and I think this would have been quicker if Mr and Mrs L had contacted them initially instead of Nectar. And as I've said I can't say Sainsbury's are responsible for the actions of Nectar.

I appreciate that Mr L has spent time speaking to Sainsbury's about this matter. But as it's Mrs L who is the complainant I can't say that he should receive compensation for his time. While there were some delays in Sainsbury's responding to Mrs L, I think the £25 compensation they offered for this is reasonable in the circumstances. So I won't be asking them to do anything more.

My final decision

For the reasons set out above my final decision is that I don't uphold Mrs L's complaint about Sainsbury's Bank Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L to accept or reject my decision before 17 August 2023.

Patricia O'Leary
Ombudsman