

## **The complaint**

Mr W complains that The National Farmers' Union Mutual Insurance Society Limited, trading as NFU Mutual ('NFU') insists on taking personal details to identify him each time he calls to discuss an investment matter.

## **What happened**

Mr W called NFU to discuss the progress of an investment matter. NFU asked Mr W to answer security questions to identify him before proceeding with the call. Mr W provided the relevant information and NFU told Mr W it needed to find out from a third-party what the up-to-date position. NFU told Mr W it would call him back. After couple of missed calls and a message left for Mr W, NFU called Mr W to provide an update. In this call NFU asked Mr W to complete security checks again and Mr W provided the details requested. In the same call Mr W complained that NFU should only ask for security information when discussing personal information which could identify the person on the call – and that NFU wasn't acting in the scope of General Data Protection Regulation ('GDPR') regulations.

NFU didn't uphold the crux of Mr W's complaint but apologised that it had initially misunderstood the complaint he'd made.

Mr W brought the complaint to the Financial Ombudsman Service and one of our Investigators looked into things. The Investigator didn't think that NFU had done anything significantly wrong. Mr W asked that an Ombudsman decides the complaint.

## **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.

Mr W has strong feelings that the processes NFU follows encourages consumers to give sensitive information to unknown people. Mr W feels that this helps people to be 'scammed' and that NFU should change its processes. This is the crux of Mr W's complaint. I understand Mr W will be disappointed but for very much the same reasons as our Investigator I've decided not to uphold this complaint. I will now explain why.

NFU has a legal duty to protect the personal data it holds. Data protection laws, including the General Data Protection Regulation (GDPR), say NFU has to process and hold personal information lawfully and must protect it from unauthorised or unlawful use, and against accidental loss, destruction, or damage. I can't tell NFU what it must do to ensure it complies with its responsibilities in this regard, that's for its regulator - the Financial Conduct Authority (FCA) – but I can consider whether the steps NFU takes to protect data is unfair to Mr W.

Mr W has a strong belief that he doesn't need to provide answers to security questions unless NFU or himself intend to discuss personal data. I've thought carefully about this and the process NFU follows, and I can't say that it's unfair or unreasonable for NFU to verify it's speaking with the account holder. The information requested is not intrusive and it wouldn't be onerous for a customer to provide this information. I'm satisfied that by asking these

questions of Mr W, NFU took reasonable steps to protect Mr W's personal information from unlawful use or accidental loss. In this particular case, as Mr W and NFU were likely to discuss the transfer of an investment, I don't think it was unreasonable for NFU to confirm it was Mr W it was speaking to before entering into any discussions about the matter.

Mr W says NFU doesn't identify itself before asking him to provide personal information that may assist scammers. In the specific series of calls Mr W complained about it was Mr W who called NFU in the first instance. Subsequent calls in the series were call-backs on the same day. Mr W says he has concerns that NFU didn't identify itself in these calls, but I'm satisfied from the transcripts of the calls that NFU did make it clear who Mr W was talking to. If Mr W has a doubt that he isn't speaking with a member of staff from NFU – at any time - I think it would be reasonable for him to raise concerns or satisfy himself that it's NFU that he's speaking to before providing any personal information.

I've noted Mr W's concerns about how NFU initially dealt with his complaint. I can't consider how NFU dealt with the complaint as complaint handling is not a regulated activity. However, the FCA expects NFU to signpost customers to the Financial Ombudsman Service if they aren't happy with the NFU's final response to the complaint. In this case, I'm satisfied it was reasonable for NFU to signpost Mr W to the Financial Ombudsman Service as the crux of the complaint was in respect of the service NFU provided to him when it was administering his regulated investment account.

### **My final decision**

For the reasons I've outlined above, I've decided that The National Farmers' Union Mutual Insurance Society Limited, trading as NFU Mutual didn't do anything significantly wrong and I haven't upheld Mr W's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 9 February 2024.

Paul Lawton  
**Ombudsman**