

The complaint

Mr M has complained that Aviva Life & Pensions UK Limited sent life and critical illness quotes to a wrong email address.

What happened

Mr M obtained life and critical illness quotes for himself and his wife. He was understandably very unhappy when these quotes were sent to a group email address of work colleagues.

Our investigator didn't find that Aviva had done anything wrong. Mr M appealed.

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.

Firstly I'm aware I've summarised the background to this complaint. No discourtesy is intended by this. Instead, I've focused on what I find is key issue here. Our rules allow me to take this approach. It simply reflects the informal nature of our service as a free alternative to the courts. Having done so I agree with the conclusion reached by our investigator for the following reasons:

- I appreciate that Mr M feels it is clear that there has been a data breach here – an email was received by colleagues containing an insurance quote with personal data included. However, this service can't determine whether there has been a data breach, that is the role of The Information Commissioner's Office (ICO). I understand that Mr M has referred the matter there but hasn't yet heard back.
- I've looked at what happened, and the issue Mr M raised with Aviva. Aviva investigated but found no evidence that it had sent any email to an address other than the one Mr M provided. Aviva confirmed it doesn't have the group email address registered on its system. I'm pleased to note that it investigated Mr M's concerns. I appreciate that Mr M has information from Microsoft which he believes confirms that the email was sent by Aviva – but as indicated above this is a matter for the ICO to look into.
- As I'm not able to determine whether Aviva was responsible for a data breach, I can't require it to take any action to remedy the situation, nor can I require it to provide financial compensation. I'm sorry this decision doesn't bring Mr M more welcome news.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 21 November 2023.

Lindsey Woloski
Ombudsman