

complaint

Mr M complains that Europa Group Limited didn't follow his requests after he took out a motorcycle insurance policy through it.

background

In 2016 Mr M told Europa he didn't want his policy automatically renewed in 2017. He also said he required it to remove his credit card details from its records. Europa said his instructions had been noted. But in February 2017 Mr M got an auto-renewal letter from it saying Europa would shortly take the payment from the card details it held for him.

After Mr M complained, Europa said he should've been told in 2016 that the auto-renewal system was standard, as set out in its terms of business. It said it keeps card details to collect payments or to process refunds. Europa offered to match an online quote Mr M had found. It also waived its credit card payment charge. Mr M then renewed his policy.

Our investigator didn't think Europa gave Mr M the right advice in 2016. But she thought it had since recognised that. It had tried to compensate Mr M, so no further compensation was necessary. Mr M said he wasn't looking for that. He wanted Europa to change its business processes and systems. And he thought it had breached data protection ("DPA") rules. Our investigator said we couldn't look at DPA issues. Nor could we ask a business to change its processes. Mr M asked for a review of his complaint by an ombudsman.

my findings

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

I think it's clear from the policy documents that auto-renewal is Europa's standard process. A consumer can choose not to renew their policy after being told of an upcoming renewal. I don't think there's anything wrong with auto-renewal in itself. Many consumers benefit from it, as they may otherwise find themselves without insurance. But I think the arrangement should be made clear. I think it was clear from Europa's terms and conditions, which Mr M signed up to. And he was given the option of not renewing the policy in good time.

When Mr M complained to Europa it accepted its advisor had made an error. He should've responded differently when Mr M tried to opt-out of auto-renewal in March 2016. That wasn't possible, but Mr M was given the impression that it was, and also that his credit card details wouldn't be kept.

I think Europa made a fair effort to make up for its advisor's error by matching a cheaper online quote and by waiving its credit card charge. Mr M wants Europa to change its systems and processes. But as the investigator pointed out, we aren't able to ask businesses to do that. It's an issue for the financial services regulator, details of which she gave to Mr M.

As we can't look into potential DPA breaches either, Mr M's raised that issue with the *Information Commissioner*. We look at what seems to be fair and reasonable in a given set of circumstances. I don't think it's unreasonable to hold credit card details securely when an auto-renewal system's in place and a consumer's been told about it from the outset.

I appreciate that Mr M's very upset by what's happened. But as I don't think Europa acted unreasonably, I can't uphold his complaint.

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 13 November 2017.

Susan Ewins
ombudsman