

The complaint

Mr B's complaint is that he believes Nationwide Building Society has lost copies of his passport and bank statement which were taken when he applied for a mortgage. Mr B is concerned that these copy documents, if found, could be used to steal his identity. Mr B is also unhappy about the way Nationwide dealt with a Subject Access Request (SAR).

Mr B wants Nationwide to pay compensation for the distress and inconvenience he has suffered.

What happened

The evidence in the case is detailed, running to several hundred pages of documents and numerous call recordings. I've read everything and listened to the call recordings, and it's apparent that some parts of the evidence are less relevant to the underlying case than others. In what follows, I have, by necessity, summarised events in rather less detail than has been presented.

No discourtesy's intended by that. It's a reflection of the informal service we provide, and if I don't mention something, it won't be because I've ignored it. It'll be because I didn't think it was material to the outcome of the complaint. This approach is consistent with what our enabling legislation requires of me. It allows me to focus on the issues on which I consider a fair outcome will turn, and not be side-tracked by matters which, although presented as material, are, in my opinion peripheral or, in some instances, have little or no impact on the broader outcome.

I've read the two letters sent by the investigators on 7 January 2020 and 21 February 2020. Those letters set out in detail the events leading up to the complaint. Both parties have had copies of those letters so I don't need to repeat all the detail here.

Briefly, what happened is this: in July 2018 Mr B wanted to apply for a mortgage. He went into a branch of Nationwide, taking with him his passport, bank statements and pay slip. These were taken away by Nationwide and then returned to Mr B. He believes that Nationwide took copies of all of three documents.

In November 2018 Mr B made a SAR to Nationwide. Mr B says this wasn't completed within the specified time limits and although a copy of his payslip was included, there was no copy of his passport or bank statement.

Mr B complained. He is worried that Nationwide might have lost his copy passport and bank statement, leaving him open to the risk of identity theft.

Nationwide looked into what had happened. Although Nationwide initially thought it might have taken a copy of those documents, it explained later that it had only photocopied the payslip. Nationwide said the passport and bank statement were used to verify Mr B's identity but copies of those weren't taken.

Dissatisfied with Nationwide's response, Mr B complained to us. The complaint was looked at by two investigators, neither of whom thought the complaint should be upheld. They were both satisfied that Nationwide had not photocopied Mr B's passport or bank statement.

Mr B asked for an ombudsman to review the complaint. He said that his SAR has still not been completed by Nationwide. Mr B also said that he had a call recording where Nationwide had told him his passport had been photocopied.

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, including the call recordings.

First, I note Mr B says Nationwide hasn't responded adequately to his SAR. That's something Mr B will need to take up with the Information Commissioner's Office, which is the body responsible for enforcing compliance with data protection legislation.

Turning to Mr B's concerns about identity theft, I know Mr B is adamant that Nationwide took away his passport, bank statement and payslip to photocopy them. But the available evidence satisfies me that it was only the payslip which was photocopied and retained in Nationwide's file. The other documents were used to verify Mr B's identity but I do not believe Nationwide photocopied or scanned them, or retained copies of them.

I say this because Nationwide's records state, in relation to Mr B's membership:

"Member Document Manager only holds ID uploaded since September 2018 for members who have presented paper documents. No documents for member ID."

Nationwide's records confirm Mr B's passport details were recorded in July 2018, but there is no evidence to suggest a photocopy was taken of it, or a scan uploaded onto Nationwide's system.

I'm also persuaded by the available evidence that Mr B's bank statement wasn't photocopied. Nationwide did photocopy Mr B's payslip, but as he was applying for a mortgage, this was information Nationwide would need on file. The payslip was provided when Mr B made his SAR. I think if the bank statement had been copied, that too would have been included in the SAR.

Although Mr B says he has a call recording where Nationwide told him it had photocopied his passport, this has not been provided to me.

In all the circumstances, and after considering the evidence, I'm not persuaded Nationwide has done anything wrong. This means that I'm not upholding the complaint or ordering Nationwide to pay Mr B any compensation.

If Mr B is concerned about identity theft, he can if he wishes contact Cifas (the Credit Industry Fraud Avoidance System) which operates a Protective Registration system. For a small fee (currently £25 for two years' cover) Cifas Protective Registration will place a warning flag against Mr B's name that will let other organisations know to pay close attention if his details are used to purchase products or services. So that is an option open to Mr B (at his own expense) if he is still concerned that his identity is at risk of being stolen.

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 B to accept or reject my decision before 23 June 2020.

Jan O'Leary
Ombudsman