

The complaint

Mr M on behalf of M complains that Revolut Ltd is sending confidential information by non-encrypted e-mail.

What happened

Mr M says Revolut is sending him confidential information by e-mail. He says he has asked it to stop doing so and use encrypted e-mail but Revolut says it is unable to do so. Mr M says Revolut has breached General Data Protection Regulation (GDPR) and says he has spent some time bringing this complaint and would like Revolut to take steps to avoid the sending of confidential information in this way.

Revolut says Mr M is able to block all communications from it but it can't stop sending the e-mails. It says the information contained within the e-mails doesn't contain information that could be used to compromise M's account.

Mr M brought the complaint to us and our investigator didn't uphold it. The investigator thought there was no evidence of loss caused to M or that its account had been compromised. The investigator thought it wasn't our role to decide if there was a GDPR breach and not our role to tell a business to change its business practice.

Mr M says he has made a complaint to the Information Commissioner's Office (ICO) and says the investigator hasn't disputed the information is confidential or was sent using an unsecure method. He says Revolut has breached its own privacy policy and we should not wait until M's account is compromised before taking action.

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.

Having done so I have come to the overall view that Revolut has dealt fairly with this complaint.

I appreciate Mr M says the information contained in the e-mails is confidential and that Revolut says the information couldn't be used to compromise the account. I make clear that neither side as provided me with a copy of the e-mails, but I don't think I need to see them for the reasons I will explain.

It is not our role to decide if there has been a GDPR breach but the role of the ICO. I can see that Mr M has brought a complaint to the ICO and I think that is the correct venue for such a complaint. I make clear to Mr M that we are not Revolut's regulator and so we can't order it to change the way in which it runs its business and in particular we can't order it to use encrypted e-mails and or to stop sending M any form of e-mails that Mr M considers are confidential.

I'm satisfied that Mr M would like Revolut to stop sending the e-mails but that is not something I can order and whilst I appreciate what Mr M says- that we ought not to wait for a breach of data before we act – I find that it would be for other organisations to decide upon the issues Mr M raises.

I hope Mr M appreciates that it is not for us to decide if Revolut has breached its own privacy policy or if the e-mails are sent in a way that was not secure.

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 M to accept or reject my decision before 26 January 2021.

David Singh
Ombudsman