

The complaint

Mr R complains that Clear Score Technology Limited (Clear Score) won't delete some data it holds about him without him providing additional identification – something Mr R says he's unwilling to do.

What happened

I previously issued a provisional decision on this case because I intended to come to a different outcome to our Investigator. I wanted to give both parties the chance to respond with any additional information they wanted me to consider before I came to my final decision on the matter.

I have copied my provisional decision below, which also forms part of this final decision.

“Mr R initially contacted Clear Score because he was unable to log into his account, and the password resets weren't being sent to his email inbox. It later transpired that there were two different accounts in Mr R's name, with his personal details, but they had different email addresses associated with them. Mr R says that he wants both of the accounts deleted.

Clear Score deleted one of the accounts for Mr R – the one with the email address associated with it that matched the email address Mr R was contacting it from. But it said it wouldn't delete the other account without photographic ID from Mr R – the ID it requested needed to be a passport or driving license. Mr R didn't want to provide either of these things and so Clear Score said it had marked the open account as 'inactive' which meant it couldn't be accessed.

In order to settle this complaint, Mr R would like Clear Score to delete the data it holds about him.

Clear Score responded to Mr R's complaint, but it didn't uphold it. It reiterated that it wouldn't delete the other account that had been set up using a different email address before Mr R had provided ID, so that it could be satisfied that the request had come from the genuine individual. It confirmed that this is the security procedure it must follow when there is more than one account in a person's name.

Our investigator looked into things for Mr R too. But they didn't find that Clear Score had done anything wrong. They said that they didn't think that Clear Score's request to get identification before agreeing to delete the other account was unreasonable – and it had done so to follow its security procedures.

Mr R didn't agree. He felt that Clear Score was trying to keep hold of his personal details for the benefit of its own use. He said that Clear Score has also refused a subject access request he made for the same reason. And that it wasn't fair that Clear Score wasn't agreeing to delete his personal information.

Because Mr R didn't agree, the complaint has been passed to me to make a decision on the matter.

What I've provisionally 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, it is my current intention to uphold Mr R's complaint.

It isn't the role of this service to ask a business, like Clear Score to change its policies and procedures. But I can look to see if Mr R has been treated fairly in line with those procedures.

I've asked Clear Score to show me its internal guidance about what it would do in situations like the one Mr R is in. But despite numerous requests for this information, it hasn't sent me anything. What this means is that I can't be satisfied that Clear Score has treated Mr R the same as it would its other customers in the same or similar circumstances. And I don't know if Clear Score has followed its own processes.

Overall, though, I don't find it unreasonable that Clear Score would need to check photographic ID to satisfy itself that it was deleting the data for the correct individual. Clear Score has a responsibility to all of its customers to ensure that it protects their accounts and personal data. It is likely that it has policies and procedure in place to do this – although as I mentioned previously, I haven't seen these.

While I can understand Mr R's frustration that it won't delete his personal data without more information, I can't agree it would be fair of Clear Score to go against its procedures in this situation.

Mr R has made reference to Clear Score refusing to delete his personal data. But I don't agree Clear Score are refusing this, it's just that it needs more information from Mr R before it will proceed to delete the data.

Given that I can't be satisfied that Clear Score has followed its own processes, I currently think it should pay Mr R £75. I haven't seen anything that satisfies me that its requests for information are in line with its process. However, if Clear Score can provide me with this information by 4 May 2022 then I may reconsider the compensation award.

I don't though, find that the information Clear Score has requested before agreeing to delete the account is unreasonable. And so, I won't be asking Clear Score to delete Mr R's account without him providing the photographic identification it has asked for."

Clear Score didn't respond to my provisional decision.

Mr R responded to say that the provisional decision had upset him and caused him additional stress. He said that he was concerned that someone, possibly familiar with Clear Scores internal processes, were attempting to steal his identity and this is the reason why he doesn't want to provide it with any additional identification.

He reiterated that he wants Clear Score to delete all the information it holds about him. And that he believes Clear Score are causing him financial harm – but he said he can't check this as Clear Score won't allow him to access his own information.

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 considered everything again, it is still my decision to uphold Mr R's complaint for much of the same reason as I stated in my provisional decision.

I'm sorry to have read that my provisional decision had upset Mr R and caused him distress. This certainly wasn't my intention.

I haven't seen anything to persuade me that someone at Clear Score, or someone with knowledge of Clear Score's internal processes has attempted to steal Mr R's identity as he's suggested. It isn't uncommon practice for a business, like Clear Score, to request additional identification. Clear Score have previously communicated with this service to let us know that requesting this type of information is its normal process in these circumstances – and so I don't find it likely that the information is being requested as an attempt to steal Mr R's identity. For the reasons I've already explained in my provisional decision, I don't find that it was unreasonable of Clear Score to have requested further identification from Mr R before agreeing to delete the additional account in his name.

If Mr R doesn't want to provide this information to Clear Score then he doesn't have to. However, I won't be asking Clear Score to delete the account if he chooses not to provide this information. Clear Score have already explained that it has marked Mr R's account as 'inactive' so it can't be accessed by anyone outside of Clear Score – so this will prevent anyone from accessing the account if this is something Mr R is concerned about.

Given that Clear Score didn't respond to the provisional decision or provide me with information about its internal security processes, then I'm still of the view that I can't be satisfied that Clear Score has followed its own internal processes.

Putting things right

Clear Score needs to pay Mr R £75 because I can't be satisfied that it has followed its own processes, so I can't be sure it has treated Mr R the same as it would other customers in similar circumstances.

My final decision

For the reasons set out above, I uphold Mr R's complaint. I order Clear Score Technology Limited to put things right for Mr R by doing what I've said above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 6 June 2022.

Sophie Wilkinson
Ombudsman