

The complaint

Mr U complains that The Royal Bank of Scotland Plc (RBS) have revoked his registration as a financial advisor, provided poor customer service and have sent details of his accounts to a wrong address.

What happened

Mr U says he's a mortgage advisor, but RBS rejected his registration which has impacted his livelihood. He said they wouldn't provide a reason for this, so he made a subject access request (SAR) for the information they held about him. When he called to chase up the response to his SAR, he said the agent was rude and hung up on him. Also, when RBS responded to his SAR they sent the details to a previous address that he lived at. He complained to RBS.

RBS accepted their customer service provided when Mr U called about his SAR wasn't to their standard and paid £50 by cheque to compensate Mr U for this. They said the SAR had been sent to the email Mr U had given to them. They also said there wasn't any evidence to show they'd sent this information to a wrong address. But explained that any documents related to Mr U's mortgage account would be sent to the address RBS held for that account.

Mr U wasn't happy with RBS' response and referred his complaint to us.

Our investigator said that the de-registration wasn't an activity that this service could consider. And said while Mr U had shown that he'd correspondence sent by RBS to an address he said he no longer lived at, she accepted that RBS had corresponded with the address they held on their records.

Mr U didn't agree he said RBS had sent the response to his SAR to his current address and to a previous address. He argued that by sending to his current address showed RBS knew where he lived. Mr U asked for an ombudsman to decide.

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'm not upholding this complaint. I'll explain why.

Part of Mr U's complaint is about his registration with RBS as a mortgage advisor. As this is about a business to business relationship its not a complaint that this service can consider. As Mr U has accepted our investigator's view about this, I won't comment further.

Its the role of the Information Commissioner's Office (the relevant regulator) to determine if there has been a breach of specific data protection regulation. Our role is to decide on a fair and reasonable basis, whilst having regard for relevant regulations, whether a business has

made an error. So, for me to say RBS must do something different I must first be satisfied that they've done something wrong.

Mr U has sent evidence of RBS correspondence sent to an address he no longer lives at – although from the information I've seen this address is connected to Mr U as its his parents address. He said the envelopes contained all the statements for his accounts with RBS up to when the accounts were closed. The pictures sent by Mr U show RBS envelopes addressed to him but not with the address he says he currently lives. But he hasn't showed the content of the envelopes or the date of issue or receipt. So, I've considered the evidence RBS has sent to us.

In December 2021, I can see a letter in response to Mr U's SAR was sent to the address Mr U gave to RBS when he made his SAR. The SAR response provided the personal information for each of his accounts. But from what I can see no statements were sent as part of the SAR. I can see the SAR letter explains how Mr U can make an email request for copies of his account(s) statements. As Mr U's accounts were closed there wasn't the option for him to obtain the statements digitally.

And I think this is the crux of the complaint. All of Mr U's accounts were closed some years before. And so, the information held by RBS for these accounts wouldn't have been updated from when they were closed. I can see Mr U's mortgage account was closed in 2018, and the address held at that time is the one seen on the envelopes he's showed to us. So, the statement request generated copies for the address held on record.

While I don't doubt that this was upsetting for Mr U, I don't think the information I've seen suggests confidential information relating to him was disclosed to someone else in error. The address the envelopes were sent to was the one RBS had on record for the account, so I can't say they did anything wrong. And as the address also has a family connection the correspondence has been given to Mr U. So, I don't think there has been any impact beyond Mr U being unhappy.

I can see RBS has accepted that they fell short of their customer service when Mr U called to check on the status of his SAR. And they have paid Mr U £50 to compensate him for this which I think is fair and reasonable. So, I won't be asking RBS to do anything more.

My final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr U to accept or reject my decision before 27 October 2022.

Anne Scarr
Ombudsman