

## **The complaint**

Mrs H is unhappy Bank of Scotland plc ("BOS") disclosed information about her current account to her husband without her consent.

## **What happened**

In May 2022, Mrs H and her husband went into a BOS branch to make a payment towards their credit cards. Mrs H advised she was seen by the cashier first. As Mrs H wanted to make the payment using cash, Mrs H says she was told by the cashier that she had to make the cash payment into her current account and then transfer the amount she deposited from her current account to her credit card account.

Once this transaction was completed, Mrs H waited outside the branch until her husband finished his banking. Unfortunately, an error was made and Mrs H's current account was debited to make a payment to her husband's credit card account. Also, the BOS cashier provided Mrs H's husband with a copy of Mrs H's bank account statement and not his own. Mrs H feels this is a serious breach of her information as her husband was able to see transactions he wasn't aware of and this caused a disagreement between them.

BOS explained the reason the payment was debited from Mrs H's account in error was likely because the cashier didn't end the session with Mrs H on her system, before starting a new session with Mrs H's husband. And this was also why a statement was printed for Mrs H's account instead of her husband's. In recognition of the distress and inconvenience caused, BOS apologised and offered to pay Mrs H £80 compensation.

Our Investigator looked into Mrs H's concerns. In summary, she recognised that when Mrs H and her husband went back into the branch once they realised the error that had been made, the cashier apologised about what had happened and another staff member was able to rectify the mistake – the money was re-debited back into Mrs H's current account from her husband's account on the same day. However, our Investigator felt it was fairer for BOS to pay £150 compensation for the distress caused.

Mrs H initially agreed with our Investigator's recommendation of £150. But then Mrs H changed her mind as she didn't feel £150 adequately compensated her for what went wrong. Mrs H also says she has concerns that a third party was able to access her current account and take money from it. So instead, Mrs H asked for £500 compensation. As a result, the complaint has been passed to me for a decision on the matter.

## **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.

It's not in dispute that something went wrong here – BOS have acknowledged the error was likely caused on their end and this was likely down to the cashier not ending the session on their system with Mrs H, before starting a new session with Mrs H's husband as it seems he was seen by the same cashier.

I appreciate Mrs H has concerns that a third party was able to access her account and take money from it. And Mrs H says anyone could have been given her information. But I don't believe this was done on any other basis other than it being an error. And I don't have any reason to disbelieve what BOS have told us – that it was down to the cashier's error. It seems once BOS were made aware of this error from Mrs H and her husband, things were rectified by another staff member and I can see from the information provided by BOS that the money was re-debited to Mrs H's account from her husband's account on the same day. So, what's left for me to decide is the impact this has had on Miss H and what fair compensation is to resolve the matter.

Mrs H has confirmed she doesn't hold a joint account with her husband, and he was able to see transactions she'd made when he got a copy of her bank account statement without her consent. As a result, this caused a disagreement, which I can imagine wasn't very pleasant for Mrs H. I'm sorry to read of the stress this caused Mrs H and I can appreciate it would have been frustrating for her to find out that her husband had been given a copy of her bank account statement in error.

Mrs H also had to spend more time than she was expecting in the BOS branch getting things unwound and rectified which I understand would have been inconvenient for her. However, it seems BOS helped Mrs H promptly when she told them about this issue – they were able to transfer the money out of her husband's account and back into her own account. Having thought about all of the distress and inconvenience caused, I think £150 compensation is fair in the circumstances.

Mrs H has also raised concerns that BOS have severely breached data protection. But if Mrs H remains concerned about this, she'll need to raise this with the Information Commissioners Office (ICO).

### **My final decision**

For reasons explained above, I uphold this complaint and I require Bank of Scotland plc to pay Mrs H a total of £150 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 7 November 2022.

Leanne McEvoy  
**Ombudsman**