

## **The complaint**

Mr L is unhappy that PayPal (Europe) Sarl et Cie SCA continue to share his personal data with a third-party company without his permission.

## **What happened**

Mr L logged into his online PayPal account and removed his consent for PayPal to share his data with third-party companies. However, Mr L then noticed that PayPal continued to share his data with a specific third-party company, despite his withdrawing his consent for them to do so. Mr L wasn't happy about this, so he raised a complaint.

PayPal looked at Mr L's complaint. They felt that they had taken the steps necessary, following Mr L's withdrawal of consent, to stop sharing Mr L's data with the third-party company. So, they didn't uphold the complaint. Mr L wasn't satisfied with PayPal's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they felt that PayPal had been able to demonstrate that they had stopped sharing Mr L's data with the third-party company, and so they also didn't uphold the complaint.

Mr L remained dissatisfied, especially as he continued to see his PayPal data being shared with the third-party company. So, the matter was escalated to an ombudsman for a final decision.

## **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.

I issued a provisional decision on this complaint on 27 September 2022 as follows:

*It seems apparent from the screenshots that Mr L has provided this service from his online PayPal account that PayPal are continuing to share Mr L's data with the third-party company in question and that when Mr L attempts to remove his consent for PayPal to do so that an error message appears and that the consent to share information remains in place.*

*In consideration of the screenshots provided to this service by Mr L, it's difficult to conclude anything other than that PayPal are continuing to share Mr L's data with a third-party company, despite Mr L's express instruction to them to not do so – in the form of both Mr L's attempts to remove the consent from his PayPal profile and his subsequent complaint about the matter to PayPal.*

*Several months ago, this service asked for PayPal's comments on Mr L's being unable to remove the data sharing consent from his online account profile. But unfortunately, since that time, and despite several further requests, PayPal haven't responded to that request in any meaningful way.*

*As such, in consideration of the evidence provided by Mr L, I feel that I'm left with no reasonable option here other than to issue a provisional decision upholding this complaint in Mr L's favour and instructing PayPal to take whatever steps are necessary to ensure that Mr L's wishes in regard to the non-sharing of his data are honoured. PayPal must take such steps within 28-days of the date of any final decision subsequently issued on this complaint.*

*Additionally, my provisional decision also includes that PayPal must make a payment of £250 to Mr L as compensation for the trouble and upset that he's incurred while attempting to resolve this issue.*

In my provisional decision letter, I gave both Mr L and PayPal the opportunity to provide any response to that provisional decision that they might wish me to consider before I moved to issue a final decision. Mr L confirmed that he was happy to accept my provisional decision, whereas PayPal did not respond.

As such, I see no reason not to issue a final decision upholding this complaint in Mr L's favour on the basis outlined above. And I can confirm that my final decision is that I do uphold this complaint in Mr L's favour on that basis accordingly.

### **Putting things right**

PayPal must ensure that, within 28-day from the date of this letter, Mr L's wishes in regard to the non-sharing of his data are honoured.

PayPal must also make a payment of £250 to Mr L as compensation for the trouble and upset that he's incurred here thus far.

### **My final decision**

My final decision is that I uphold this complaint against PayPal (Europe) Sarl et Cie SCA on the basis explained above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr L to accept or reject my decision before 23 November 2022.

Paul Cooper  
**Ombudsman**