

The complaint

Mr and Mrs B's complaint arises out of a mortgage they hold with Barclays Bank UK PLC. They say that Barclays:

- failed to supply them with mortgage documentation;
- failed to respond to their Data Subject Access Requests (DSARs).

On 17 January 2023 I issued a decision in which I explained that our jurisdiction to consider the complaint about failure to supply documentation runs from 5 January 2016 onwards.

What happened

On 23 August 1999 Mr and Mrs B took out an OpenPlan mortgage with Woolwich plc, a lender which was later taken over by Barclays, secured on their home. For simplicity's sake, I'll refer to Barclays throughout this decision.

On 5 January 2022 Mr B, who has dealt with the complaint throughout, complained to Barclays about various issues relating to the mortgage, including a failure to supply documentation and failure to respond to DSARs. Barclays didn't uphold the complaint so it was referred to our service where an investigator looked at what had happened.

The investigator was satisfied that Barclays had sent annual statements and had contacted Mr and Mrs B in 2018 about the end of the mortgage term. However, she didn't think Barclays had responded properly to Mr and Mrs B's DSARs. She asked Barclays to provide Mr and Mrs B with the information they were entitled to and, where information might no longer be available, to explain why. The investigator thought Barclays should pay compensation of £200 for its customer service failures here, which the bank agreed to do.

Mr and Mrs B didn't accept the investigator's findings, so it falls to me to issue 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.

Failure to provide information: As I explained above, I am only looking at this part of the complaint from 5 January 2016 onwards. I'm satisfied that Barclays sent annual mortgage statements to Mr and Mrs B.

Barclays also wrote to Mr and Mrs B on 21 May 2018 confirming that the mortgage term was due to end in about six years' time and reminding them of the need to have a repayment vehicle in place. I'm therefore not persuaded that Barclays failed to provide information to Mr and Mrs B about their mortgage. I'm not upholding this part of the complaint.

Failure to respond to DSARs: I can see that, from October 2016 onwards, Mr B was asking Barclays to provide him with documentation about the mortgage. He had to chase this with

the bank, which didn't respond within the prescribed timescales. When a response was finally made, Mr B wasn't happy with it.

I wouldn't expect, given the passage of time, for Barclays to hold all historic data; the original lender, Woolwich plc, was taken over by Barclays in about 2000, and over the years, with migration onto new computer systems, it's likely that some data is no longer in existence. But Barclays should conduct as thorough a search as possible and, if there is data that is no longer available, the bank should provide Mr and Mrs B with an explanation.

I think Mr and Mrs B were put to some inconvenience in having to chase this with Barclays, and so I agree with the investigator that the bank should pay compensation of £200.

Putting things right

I direct Barclays Bank UK PLC to pay Mr and Mrs B compensation of £200 for any distress and inconvenience caused by the bank's failure to respond to the DSARs. I make no other order or award.

My final decision

My final decision is that I partly uphold this complaint. I direct Barclays Bank UK PLC to settle the complaint as detailed above.

This final decision concludes the Financial Ombudsman Service's review of this complaint. This means that we are unable to consider the complaint any further, nor enter into any correspondence about the merits of it.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B and Mrs B to accept or reject my decision before 15 February 2023.

Jan O'Leary
Ombudsman