

The complaint

Ms D complains that The Co-operative Bank Plc didn't send her direct debit and standing order information on her current account despite repeated requests.

What happened

In early August 2022, Ms D requested Co-op Bank provide details of current and historic direct debit and standing orders on her current account. Co-op Bank dealt with the request as a data subject access request (DSAR) and emailed Ms D with a link to the response later the same month. Ms D told Co-op Bank that she'd not received the information and Co-op Bank re-sent it by email and post.

Ms D complained to Co-op Bank that it hadn't sent the information, and that she was now unable to see her bank statements on-line. Co-op Bank didn't provide a final response but told Ms D that she could refer her complaint to the Financial Ombudsman Service. When Ms D brought her complaint to the Financial Ombudsman one of our Investigators looked into things. The Investigator thought that Co-op Bank had provided the information Ms D requested on a number of occasions and, in respect of Ms D not being able to access her bank statements on-line, that Co-op had sent paper copy statements.

Ms D told us that she hadn't received any of the information Co-op Bank says it had sent and believes that Co-op Bank hadn't sent the information by secure email or post. Ms D asked that an Ombudsman decides the complaint.

As I reached a significantly different outcome to the Investigator, I issued a provisional decision. I thought Co-op Bank had sent the DSAR to a secure email address, but that I couldn't be sure Ms D was receiving all of the emails on this account. So, I said intended asking Co-op Bank to send the copy statements for the period August 2015 to August 2022 to the home address of Ms D by recorded delivery and to provide Ms D with a tracking number to allow her to track and trace the correspondence.

Ms D chased Co-op for information several times and had to make a number of telephone calls trying to clarify why Co-op Bank was unable to provide historical information. So, I thought Co-op Bank should pay Ms D £100 for the distress and inconvenience this caused.

I asked Ms D and Co-op Bank for any further comments. Co-op Bank has told me it accepts my provisional and that it's since sent out a further copy statements to Ms D after she contacted its customer services department. Ms D didn't respond to my provisional decision. In view of the comments I've received, I've decided to adopt my provisional decision as my 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.

Ms D initially asked Co-op Bank to send her details of the current and historical standing

orders and direct debits on her current account. Ms D asked Co-op Bank to send the information be sent by email and post. Co-op Bank decided to treat Ms D's request as a DSAR and agreed to send the information requested by encrypted email and post. At the time of the request Co-op Bank confirmed the correct email address for Ms D so that it could send an encrypted email. I'm satisfied that on 25 August Co-op Bank sent the information to a correct email address for Ms D, but unfortunately Co-op Bank didn't send the information by post. Ms D told Co-op Bank of this in a further call in September, but Co-op Bank didn't send it by post until mid-October.

I can't say why Ms D didn't receive the emails sent by Co-op Bank or provide an explanation why the information wasn't received by Ms D in the post after mid-October. However, I think it's more likely than not Co-op Bank sent the information to Ms D in both formats she requested by mid-October – albeit the request to send information by post had initially been missed by Co-op Bank.

The information Co-op Bank provided to Ms D would only refer to the current standing orders and direct debits. I think Co-op Bank should have had made this clearer to Ms D much earlier than it did as Ms D's request was for historical information and not just current information. Co-op Bank did tell Ms D in a subsequent call that cancelled or expired standing orders and direct debits may not be visible on their current system - and went on to explain this information would be included on historical statements. I'm persuaded that if Ms D had been told this earlier, it's more likely than not that she would have requested copies of her statements rather than wait for a DSAR.

Ms D says that when she tried to access her bank statements on-line, she encountered more challenges. Co-op Bank says Ms D had changed the on-line settings for her current account to be paperless and bank statements before 2017 weren't available on-line. Co-op Bank wrote to Ms D and provided statements from 2015 to 2017, but Ms D has told us that she hasn't received these statements and that she's now not able to access any bank statements on-line.

I've decided that Co-op Bank should have dealt with Ms D's request for historical account information better than it did. The DSAR didn't appear to be able to provide the information Ms D wanted, but Co-op Bank didn't tell her this until more than two months later. It seems to me that what is needed to resolve this complaint is a pragmatic approach. Therefore, I've decided Co-op Bank should send Ms D paper copies of her bank statements from August 2015 to August 2022 – seven years of statements. I intend asking Co-op Bank to do this without charge to Ms D. I think this is fair and reasonable as it will enable Ms D to identify historical information for the direct debits and standing orders on the account during this time, which was always her aim. It's reasonable to conclude Ms D would have kept paper copies of her statements from before August 2015 to refer to, but if she didn't, I don't think it's fair that Co-op Bank should provide any statements from before August 2015 at no cost if Ms D requests them.

Although I'm satisfied Co-op Bank sent the DSAR to Ms D by secure email, I can't be sure Ms D is receiving all of the emails on this account. So, I think it would be fair and reasonable for Co-op Bank to send the copy statements for the period August 2015 to August 2022 to Ms D's home address by recorded delivery and then to provide Ms D with a tracking number to allow her to track and trace the correspondence. I understand that Co-op Bank says it's since sent out further statements requested by Ms D, but I feel that Co-op Bank should send out the specific statements I've referred to by recorded delivery so that both parties have confirmation these have been delivered and received.

Ms D had to chase Co-op several times for information and made a number of telephone calls trying to clarify why Co-op Bank was unable to provide historical information. Therefore,

I've decided Co-op Bank should pay Ms D £100 for the distress and inconvenience this caused.

My final decision

I've decided that The Co-operative Bank Plc should:

- Provide Ms D with copy statements for her current account from August 2015 to August 2022 at no cost. The statements should be sent recorded delivery to Ms D's home address and Ms D should be provided with the tracking number so she can track the delivery.
- Pay Ms D £100 for the distress and inconvenience it has caused her.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms D to accept or reject my decision before 24 May 2023.

Paul Lawton
Ombudsman