

The complaint

Ms H complains Lloyds Bank plc (Lloyds) have repeatedly sent her notifications regarding her ex- husband's bank account causing her emotional stress.

What happened

Ms H says following a separation from her husband in December 2021, she opened a new bank account with Lloyds in her sole name and their existing joint account was converted back to her husband's sole name. Ms H says despite several branch visits and numerous lengthy telephone calls with Lloyds, it continued to send her notifications regarding her ex-husband's bank account which caused her severe stress and worry. Ms H says despite her carrying out the actions on her banking app as she was told to by Lloyds, she continued to receive notifications regarding her ex-husband's account activity.

Ms H says her ex-husband complained to Lloyds about breach of data and was awarded £500 for this and she feels given the upset she has gone through, without the matter being dealt with by Lloyds, she deserves the same level of compensation, not the £100 it originally offered her.

Lloyds says it upheld Ms H's complaint and after checking with its technical department it suggested to her that she needed to delete and reinstall the app. Lloyds believed it was Ms H's device malware issues that was causing the issues. Lloyds says it offered Ms H £100 for the trouble and upset caused. Ms H wasn't happy with Lloyds' response and referred the matter to this service.

The investigator looked at all the available information and initially didn't uphold the complaint. However, following further information provided by Ms H which proved the problems were still occurring, the investigator felt Lloyds hadn't correctly identified the root cause of the problem and recommended it increase the compensation payment to £300, given the time that had passed. Lloyds agreed to pay the increased offer, but Ms H didn't agree with the amount of compensation offered and asked for the matter to be referred 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.

Having done so, I will also be upholding this complaint and I will explain how I have come to my decision.

I was sorry to learn of the personal issues Ms H is facing and this must be a difficult time for her. I understand that receiving unwelcome notifications regarding her ex-husband's account would have been upsetting for her, so when looking at this complaint I will consider if the amount of compensation the investigator has recommended is sufficient here.

The first thing to say here is Lloyds have now accepted it hasn't resolved the matter of the

notifications to Ms H's mobile phone, in a timely manner. It's also worth saying, while Ms H may not agree, the delays and customer service issues she experienced wasn't a breach of her personal data, more of her ex-husband's who has been compensated for that. That's not to say Ms H hasn't experienced poor service here she has, but I can't look at this in the same way as if her own personal data had been compromised in anyway, as there's no evidence to suggest it has.

It's fair to say Ms H has had to visit local Lloyds branches and make numerous telephone calls before Lloyds were able to identify the cause of the problem regarding the text notifications she had and is still receiving. So, without trying to minimise the frustration this would have undoubtedly caused Ms H here, Lloyds have tried to make attempts to resolve the problem, albeit it took longer than would be reasonable to expect.

So, when looking at this complaint I am left to consider whether the offer of compensation Lloyds initially made to Ms H was sufficient, given the issues she faced, rather than this being a matter of breach of her data – as it wasn't. It's worth saying it's not my role to penalise businesses when service issues arise but more that it works with its customers to put matters right, and also offer a proportionate level of compensation. While that wasn't forthcoming originally, I am satisfied the increased level of compensation by three-fold to £300, recommended by the investigator and subsequently accepted by Lloyds, is fair and reasonable.

It's important Lloyds and Ms H now work together to ensure this issue doesn't reoccur going forward. While Ms H will be disappointed with my decision, I am satisfied this is a fair outcome here.

Putting things right

I instruct Lloyds Bank plc to pay Ms H £300 for the trouble and upset caused.

My final decision

My final decision is that I uphold this complaint. I instruct Lloyds Bank plc to pay Ms H £300 for the trouble and upset caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms H to accept or reject my decision before 8 June 2023.

Barry White
Ombudsman