

The complaint

Mr R complains that HSBC UK Bank Plc failed to correctly update his phone number which led to private information being shared with a third party.

What happened

Mr R has an account with HSBC and was set up to receive account information, like weekly mini statements, via text messages. In May 2021 Mr R contacted HSBC and updated his phone number. But HSBC has since explained that due to human error not all its systems were updated which meant text messages, including weekly mini statements, was sent to Mr R's old phone number.

In December 2021 Mr R contacted HSBC to notify it that the phone was now being used by a colleague and was continuing to receive his HSBC text messages. HSBC advised Mr R that the number on file was correct.

In September 2022 Mr R contacted HSBC again as his colleague was continuing to receive its text messages and raised a complaint. HSBC issued a final response on 26 September 2022 and apologised for what had happened. HSBC confirmed it had stopped the weekly mini statement text message it had been sending to Mr R's old number and offered him £100 for the distress and inconvenience caused.

Mr R referred his complaint to this service and it was passed to an investigator. The investigator upheld Mr R's complaint and asked HSBC to pay him an additional £150, taking the total award to £250 for the distress and inconvenience caused. HSBC agreed but Mr R asked to appeal and said he didn't feel the increased settlement was a fair way to resolve his complaint. As Mr R asked to appeal, his complaint has been passed to me to make a 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'm aware I've summarised the events surrounding this complaint in less detail than the parties involved. No discourtesy is intended by my approach which reflects the informal nature of this service. I want to assure all parties I've read and considered everything on file. I'm satisfied I don't need to comment on every point raised to fairly reach my decision. And if I don't comment on something, it's not because I haven't considered it. It's because I've focused on what I think are the key issues. My approach is in line with the rules we operate under.

HSBC accepts that it made a number of mistakes in this case. When Mr R first updated his phone number it wasn't changed on all HSBC's systems. And when Mr R revisited the problem with HSBC in May 2022 it failed to take the necessary steps to ensure the phone number on file was correct. I can understand why Mr R is upset, especially as private information including his mini statements were sent via text message to a number that had

been given to a colleague. I've taken the impact on Mr R into account when deciding how to resolve his complaint.

In its submissions to us, HSBC has confirmed it reported the data breach – in line with its obligations. And whilst I understand HSBC failed to initially correct its error, the correct number was ultimately added to Mr R's profile in September 2022 which appears to have resolved the situation.

Our investigator didn't think HSBC's existing offer of £100 fairly reflected the levels of distress and inconvenience caused to Mr R and increased the award by a further £150, taking the total settlement to £250.

In his response to the investigator, Mr R explained that HSBC had assured him there was no way the third party would continue to receive its text messages. And I can understand why Mr R was annoyed to find the issue hadn't been fixed, despite HSBC's assurances. I've taken Mr R's comments into account when deciding how to fairly resolve his complaint.

In my view, an increase in the total settlement to £250 is a fair reflection of the issues raised by Mr R and the levels of distress and inconvenience caused. I don't seek to minimise Mr R's experiences, but my view is that the increased award is a fair way to resolve his complaint that recognises the trouble and upset caused. As I'm satisfied £250 is a fair and reasonable way to resolve Mr R's case, I'm going to proceed on that basis and uphold his complaint.

My final decision

My decision is that I uphold Mr R's complaint and direct HSBC UK Bank Plc to pay him a total of £250 (less any compensation already paid).

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr R to accept or reject my decision before 2 October 2023.

Marco Manente
Ombudsman