

## **The complaint**

Miss B is unhappy Santander UK Plc shared her bank statements with a third party without her authorisation.

## **What happened**

In September 2022 a third party requested copies of Miss B's account statements. Initially Santander rejected the request but later after a further request was made, they sent Miss B's statements to a third party when they shouldn't have.

When Miss B became aware she complained to Santander. They acknowledged they'd made a mistake, apologised and offered £250, later increasing this to £500. Miss B remained unhappy and brought her concerns to this service.

Our investigator looked into it and upheld the complaint. She felt given the significant impact on Miss B, in particular the fact that the third party had used the information they'd obtained to support their case to bring civil proceedings against Miss B, that an additional £350 was due bringing the total compensation to £850. Santander agreed but Miss B felt this wasn't sufficient to cover the impact of their actions and didn't compensate her for out of pocket expenses in relation to a police interview. As a resolution wasn't reached it has been passed to me to decide.

## **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.

Santander have accepted they made a mistake, so the only thing for me to consider is if they've done enough to put things right. Miss B doesn't feel £850 compensation sufficiently compensates for the distress and inconvenience and out of pocket expenses she's incurred.

I'm aware Miss B has been in dispute with the third party for some time. And I recognise Miss B was undoubtedly put to extra distress due to the error and that it had added fuel to what appears to have been a delicate situation. Whilst I don't underestimate the distress Santander's error has caused, particularly as this has escalated in a serious way. I can't fairly hold Santander responsible for the distress caused by the dispute itself. Taking account of the impact overall, I think £850 reflects the seriousness of the situation and recognises the substantial distress the error caused.

I know that Miss B has had out of pocket expenses in relation to solicitors' costs which she feels is a result of Santander's error. I don't doubt the statements have supported the third party's cause. However, from what I've seen I'm not persuaded the police interview was solely as a result of Santander's error. And it's possible the interview would've taken place with or without the statements if an allegation was made. Given this I don't think it would be fair or reasonable to ask Santander to cover the solicitors' fees.

Based on this, I think the apology along with £850 compensation is a fair and reasonable resolution to the complaint.

### **My final decision**

My final decision is that Santander UK Plc should pay Miss B £850 in total, taking account of anything they may have already paid, for the distress and inconvenience it caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss B to accept or reject my decision before 20 October 2023.

Karin Hutchinson  
**Ombudsman**