

The complaint

Mr S complains that Metro Bank PLC sent personal information and his account details to an incorrect address. He also says Metro Bank is reporting incorrect information to his credit file.

What happened

In October 2022, Mr S applied for – and opened – a cash account with Metro Bank. He'd previously held other accounts with Metro Bank, all of which had been closed some years earlier.

Unfortunately, something happened during the account opening process which caused Mr S's old customer profile, with outdated personal information, to be linked to his new application. This, in turn, meant the particulars for Mr S's new account were sent to the wrong address. A text message was also sent to an incorrect mobile phone number.

Around five months later, in March 2023, Mr S complained about what had happened. He said, in summary, that Metro Bank had failed to safeguard his personal data and breached data protection rules, which had caused him serious distress and inconvenience.

Metro Bank sent Mr S its final response letter on 23 March. The bank upheld the complaint; it said it couldn't now determine why Mr S's old customer profile had overridden his new application but, nonetheless, it accepted that this would've caused some distress and inconvenience. So, it offered to pay Mr S £75 in compensation.

After some further correspondence with Mr S, Metro Bank issued another letter on 11 April. This letter addressed Mr S's concerns about a financial association on his credit file. It said, in brief, that Metro Bank wasn't responsible for removing such an association. Only Mr S could arrange for that to happen by liaising directly with the Credit Reference Agencies (CRAs).

Mr S remained unhappy with Metro Bank's response, so he contacted this Service for an independent review. An Investigator here looked at what had happened, and he didn't think Metro Bank had done enough to put things right. He said:

- There's no dispute that something went wrong with Mr S's new account application, and that he'd suffered distress and inconvenience because of Metro Bank's error.
- In the circumstances, given Mr S's personal information had been sent to an incorrect address, and that he'd then had to spend some time correcting things, increasing the compensation to £150 was more appropriate.
- It isn't for our Service to determine if any data protection regulation had been breached. That's something for the Information Commissioner's Office to decide.
- Nothing suggested that Metro Bank was reporting incorrect information to CRAs.

Rather, if Mr S wanted a financial association removed, he would need to contact CRAs himself.

Metro Bank accepted our Investigator's findings, but Mr S disagreed. He said he'd spoken with CRAs and had been told that Metro Bank did have the ability to amend his credit file. Additionally, having read some of our published final decisions regarding other cases, he felt the compensation award should be increased to £450.

Our Investigator reiterated that, to his knowledge, CRAs were responsible for reviewing and amending financial associations; and the customer concerned had to raise such requests directly. The Investigator also explained that each complaint is determined on its own specific circumstances. So, while other cases may have seen higher compensation awards, it didn't inevitably follow that a similar award should apply here.

Mr S still disagreed, and he asked for an Ombudsman's decision. So, as no agreement has been reached, the complaint 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.

I'll say first that I hope Mr S won't take it as a discourtesy that I haven't commented on each and every point he's made. Instead, I've kept things deliberately concise. That's because our role is to be informal, and my approach here is simply to align with that purpose.

If there's something I've not mentioned, it isn't because I've ignored it. I haven't. I'm satisfied I don't need to comment on every individual point or argument to be able to reach what I think is a fair outcome. Our rules allow me to do this. Again, this just reflects the informal nature of our Service as a free alternative to the Courts.

Turning first to Mr S's new account application; there's no dispute that Metro Bank did something wrong. Mr S's old customer profile shouldn't have overruled the new details he provided when completing his account application in October 2022, but it did. I can understand why that would've caused some distress and inconvenience to Mr S, and I am truly sorry to hear of the impact he's said it had on him.

I do, though, think that Metro Bank has now agreed to do enough to put things right. I was pleased to note that it acted quickly to correct Mr S's details when it was made aware of what had happened, so the underlying issue was ultimately addressed and fixed. Moreover, I've not seen anything to suggest that Mr S suffered a financial loss as a result of Metro Bank's error.

I understand Mr S feels more compensation is fitting here; he's drawn parallels between his complaint and other cases put before this Service. But just as our Investigator said, each complaint is determined on its own individual merit. Outcomes can be different across what, on the face of it, appear to be similar if not identical complaints. This is often down to the nuances and individual circumstances of a particular case.

I'll add, as a final point here, that I'm not bound by what colleagues may have decided on other cases. So, with all of that in mind, I'm satisfied that Metro Bank has now agreed to pay Mr S an appropriate amount of compensation in the circumstances.

I'll also echo what our Investigator said about a breach of data protection rules; and reiterate that it's not for this Service to determine if a breach has occurred. If Mr S wants to follow that up separately, he should contact the ICO directly to do so.

Aside from the above, I've looked at what Mr S has said about his credit file. I can appreciate why he wants to make sure any reporting is accurate, that's entirely understandable. But I don't think Metro Bank is responsible for taking any further action to remove or amend a financial association.

To explain, CRAs hold and report information that is obtained from several sources – both public and private: such as local authorities, the Courts, or banks and credit card companies. That generally means that if an individual believes something is being reported incorrectly, they can raise the issue to the relevant business or organisation. So, broadly, Mr S isn't wrong when he says Metro Bank does have the ability to influence his credit file.

Some information, though, like financial associations, is something Mr S must raise with CRAs directly. I know our Investigator has already pointed Mr S to some material set out on CRA websites which explains this in more detail. So, while I appreciate that he says he's already done so, I'd suggest Mr S contact the CRAs directly to discuss this further.

In any event, I don't know exactly what's reported on Mr S's credit file; he's said he's unable to provide a copy of it. But from the information I have available, there's nothing which leads me to conclude that Metro Bank should take further action in this regard.

In closing then, to sum up, I can surely understand why Mr S has lost some trust and confidence in Metro Bank. That said, for the reasons I've explained above, I think Metro Bank has now agreed to do enough to put things right. So, it should arrange to pay Mr S £150 in resolution to this complaint.

My final decision

My final decision is that I uphold this complaint. Metro Bank PLC should now pay Mr S £150 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 12 December 2023.

Simon Louth
Ombudsman