

The complaint

Mr M complains Bank of Scotland plc trading as Halifax (Halifax) failed to provide sufficient privacy in branch when he was speaking about his personal bank details.

What happened

Mr M visited his branch of Halifax in early May 2023, to make a cash withdrawal and was told his bank account had been blocked and he needed to speak with the banks' fraud department. Mr M says he was kept on the phone for a long period of time and passed to different departments and was left to answer personal details in the banking hall where others could overhear.

Mr M is unhappy and feels stressed with the way he was treated and feels his personal data has been breached and his details are no longer safe with Halifax. Mr M says he no longer wishes to use Halifax.

Halifax says it understands Mr M would be frustrated by the fact he had to answer security questions when he attended its branch in May 2023, but this was a protective measure with best intentions, as it has seen a recent increase in frauds and scams on customer's accounts. Halifax says the branch staff acted in line with its procedures and do not feel it has breached any data, as it's normal for customers to discuss their banking details in branch. Halifax says going forward if Mr M requires more privacy, he can ask if a private room is available.

Mr M wasn't happy with Halifax's response and referred the matter to this service.

The investigator looked at all the available information but didn't uphold the complaint. The investigator felt under its duty of care, Halifax need to ensure the safety of its customers accounts, so it was reasonable of them to ask the questions it did when Mr M visited the branch in May 2023.

The investigator says he couldn't see that Mr M was asked to confirm personal or confidential information in a public area of the branch, as he was shown a more private area to complete the phone call.

Mr M didn't agree with the investigator's view 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 won't be upholding this complaint and I will explain how I have come to my decision.

I can understand it would have been frustrating for Mr M to be asked to speak to the banks fraud team when visiting the branch in May 2023, and for that telephone call to be conducted

in an area he didn't feel provided the privacy he wanted. When looking at this complaint I will consider if the actions Halifax took were reasonable and if the steps it took resulted in a breach of Mr M's personal data.

The first thing to say here, and as explained by Halifax, banks from time to time need to ensure its customers accounts are properly protected, given the rise in fraud and customer account scams, and it has a duty to do so. So, while I can see that would have been frustrating for Mr M, I am satisfied Halifax acted reasonably when it asked Mr M to answer security questions to ensure his account wasn't being subject to any fraudulent activity.

Mr M's main issue surrounds the fact he was asked to deal with this issue over the phone in the branch area, which concerned him that his personal information could be overheard and as a result, breached his data. Mr M has made the point he doesn't feel his details are safe with Halifax.

Halifax says there has been no breach of Mr M's personal data and it's normal for customers to discuss bank affairs in branch. Halifax have told this service Mr M was taken to a private area of the branch to make the call and going forward if he wants to use a private room they will try to accommodate that – but this wasn't requested at the time of his visit in May 2023.

Given this, while I understand Mr M's point about data breaches I can find no evidence to suggest Mr M's data has been breached and given it seems he was taken away from the till area to make the call, these were reasonable steps for Halifax to take here. If Mr M was concerned at the time regarding his privacy, he could have asked to be put into a private room, but I can't see that was ever asked by him.

I understand Mr M doesn't feel his personal data is safe with Halifax but again I can see no evidence to support that point and Halifax have offered going forward, subject to availability, to provide a room for him to use if he needs to discuss his private matters – I can't ask much more of Halifax than that.

Obviously, if Mr M no longer wants to bank with Halifax as he says, that is a decision for him to take, if he feels Halifax's reassurances about his personal data aren't sufficient. That said I can't see that Halifax acted unreasonably when he visited the branch in May 2023 for the reasons I have already stated.

While Mr M will be disappointed with my decision, I won't be asking anymore of Halifax.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 16 February 2024.

Barry White
Ombudsman