

The complaint

Mr M complains that Bank of Scotland plc trading as Halifax provided him with poor customer service.

What happened

Mr M had an account with Halifax which was closed in 2020. In May 2023 he contacted Halifax to request a Data Subject Access Request (DSAR) so he could be provided proof that the account was closed, but Mr M says he received nothing from Halifax. Mr M then made a complaint to Halifax in June 2023.

Halifax said they previously paid Mr M £58 and £40 to him for call costs and an apology for the inconvenience he had. Mr M communicated further with Halifax which prompted another response from Halifax. They said a complaint he made was raised with a different brand in their wider banking group and that is why the response was sent with the other brands letterhead.

Halifax said Mr M's DSAR was received on 22 May 2023, and it was a duplicate of a DSAR they previously sent him on 14 December 2022. They contacted Mr M to check his current address and to clarify what information he was looking for. They said as Mr M told them he never received the information that had been sent to him in December, they re-sent the DSAR on 24 May 2023. Mr M brought his complaint to our service. He said he didn't receive letters sent by Halifax and they closed complaints that he wanted to keep open.

Our investigator did not uphold Mr M's complaint. He said on Halifax's 2 August 2023 letter they sent Mr M, that they covered off all of the points he raised, and they provided an explanation as to what had happened with each of his complaints including the relevant complaint reference. He said the letter detailed the date an acknowledgement was sent with the incorrect letterhead and a timeline for his DSAR's including which were acknowledged, actioned and/or were superseded. Our investigator also said that this letter told Mr M that Halifax won't cover further call costs, and Halifax voided a complaint at Mr M's request. Mr M asked for an ombudsman to review his complaint.

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.

Firstly, I'm aware that I've only summarised Mr M's complaint points. And I'm not going to respond to every single point made by him. No discourtesy is intended by this. It simply reflects the informal nature of our service as a free alternative to the courts. If there's something I haven't 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 to be able to reach what I think is a fair outcome.

While Mr M says Halifax branch staff were unable to raise a DSAR for him, he called Halifax on 15 May 2023 to explain what happened in the branch and to raise complaints. But I am satisfied that Mr M did receive a DSAR from Halifax. I say this because the call notes I've

seen show that on 14 June 2023 that Mr M contacted Halifax to say there were no call recordings with the DSAR. So Mr M must have got the DSAR that Halifax said they sent him on 24 May 2023, which would be within the relevant 30 day timeframe.

Mr M spoke to a call handler at a different bank which is part of Halifax's wider group, so that is why Mr M was sent correspondence with their branding. Halifax have apologised for this, and I'm satisfied that an apology is proportionate for what happened here.

I've looked at the call notes for the calls Mr M had on 15 May 2023. There are a number of calls which were disconnected, and Mr M rang them back. I can see that Mr M was paid £58 for call costs and £40 for distress and inconvenience regarding the service issues with the branch/him having to ring them back. I'm satisfied that Halifax have paid this to Mr M as the evidence shows Mr M provided them with his external bank details on the 15 May 2023 call he had with them at 18:08, and the call notes show he checked his account while he was on the phone with them, and he could see the money had been credited.

Mr M had further calls in June/July 2023 with Halifax where he raised further complaints. Some of these calls were ended by Halifax staff due to Mr M's conduct. And I'm persuaded the staff were not unreasonable to do this based on the call notes I've seen. And I can see a complaint in May was voided at Mr M's request before he raised further complaints.

I've considered what would be a fair outcome for this complaint. Halifax have already paid Mr M £58 for calls he's had, and I'm not persuaded that this should be increased. Halifax have a freephone telephone number available, but if Mr M is charged for calls there may be cheaper alternatives he may wish to use, such as sending Halifax a letter

I'm satisfied that the £40 for distress and inconvenience that Mr M was paid in May 2023 was proportionate for his customer service issues that he had regarding his branch issue and his calls, and it is in line with our awards for what happened here. So as the notes show this was paid to Mr M, it follows I don't require Halifax to do anything further.

My final decision

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 29 February 2024.

Gregory Sloanes
Ombudsman