

The complaint

Mr P and Mrs S are unhappy with HSBC t/a First Direct. Mr P and Mrs S said First Direct had leaked their private information to third parties and they want compensation for this dating back over the past few years.

What happened

Mr P and Mrs S said they updated their account details and records with First Direct back in 2019. But for some reason (and First Direct do accept responsibility for this) only Mr P's records were updated. First Direct apologised and offered £150 compensation. Mr P and Mrs S turned this amount down. Mr P and Mrs S maintain that third parties had access to their personal and transaction details. Mr P and Mrs S brought their complaint to this service.

Once the complaint was with this service First Direct said it hadn't been made aware of any actual consequences. But it did accept Mr P and Mrs S's details being sent to an incorrect address would have been a worry and upsetting for Mr P and Mrs S. In view of this First Direct agreed to increase the compensation offer to a total of £300.

Our investigator thought that was a fair and reasonable amount and contacted Mr P and Mrs S to make that offer. It was declined, but during the discussion about the offer our investigator thought Mr P and Mrs S had given her the impression they would accept £600.

Our investigator went back to First Direct to ask them to consider making a further and higher offer of £600 in total. First Direct did come back and said it was willing to increase the offer to this amount.

Our investigator made the further offer to Mr P and Mrs S. But they came back and said this wasn't what they wanted. Mr P and Mrs S said they wanted £600 each rather than £600 in total. First Direct wasn't willing to increase its offer any further.

Our investigator upheld the complaint. She upheld it on the basis of the increased offer of £600 in total. She accepted that First Direct's mistakes had caused Mr P and Mrs S worry and upset. But in line with what she thought Mr P and Mrs S had asked for our investigator said the £600 in total was fair and reasonable compensation.

As Mr P and Mrs S didn't accept this their complaint was passed on for a final decision from an ombudsman.

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.

Mr P and Mrs S have no evidence to suggest their personal information has been used or corrupted in anyway. But it's clear that First Direct accept Mr P and Mrs S would have been worried and upset by the mistakes it made. I agree this would still be a worry for them. First Direct increased the offer to £300 once the complaint had reached this service and then

when asked to double the award to £600 it agreed. In fairness to First Direct it may only have agreed to the £600 as it was given the impression by our investigator that Mr P and Mrs S would accept that amount to conclude their complaint.

For me to look to make a higher award I'd need to see evidence showing me the problems Mr P and Mrs S faced. I've not seen any further details to show this. First Direct have apologised and made the offer of £600 in total. Based on the worry, upset and impact on Mr P and Mrs S I think that's a fair and reasonable offer in the circumstances of this complaint.

Putting things right

- pay Mr S and Mrs P a total amount of £600 compensation.

My final decision

I uphold this complaint.

I require HSBC t/a First Direct to:

- pay Mr S and Mrs P a total amount of £600 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P and Mrs S to accept or reject my decision before 29 December 2023.

John Quinlan
Ombudsman