

The complaint

Mr M complains that Bank of Scotland plc trading as Halifax sent a text message about his credit card account to a third party.

What happened

Mr M made an online purchase using his credit card which he authorised using his banking app. Following this, the fraud department at Halifax attempted to contact Mr M to confirm the validity of the transaction. The fraud department sent a text message to the mobile number held on file for Mr M. The text message quoted the details of the transaction and the last four digits of Mr M's credit card number.

Mr M contacted Halifax and complained that his partner also received the text from the fraud department. He was unhappy that his financial activity and information had been divulged to a third party. Mr M sought an explanation of how this had happened and a guarantee that it wouldn't happen again.

Halifax investigated Mr M's complaint. It said it had no record of a message being sent to a different number and said it was unsure of how this could happen. Halifax said it appreciated Mr M's concerns about this and said it had reported it as a Data Privacy Breach within Halifax Credit Cards. Halifax said it was sorry that a text was sent to a mobile number which wasn't listed on Mr M's account and paid compensation of £150 to Mr M.

Mr M remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. They said that Halifax had accepted that an error was made and had logged a data protection breach. The investigator said the compensation paid to Mr M was fair and in line with what this service would award.

Mr M didn't agree. He said he remained concerned that the cause of the issue hadn't been identified. He said he had lost confidence in the bank's ability to keep his financial information secure and was worried that it might happen again. Mr M said he was considering moving bank as a result and had concerns that doing so might impact his credit score. Mr M said he believed he was entitled to more compensation than he had been offered.

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've reviewed the information provided by Halifax. The telephone number history document shows that Halifax has never held Mr M's partner's number on his account profile, and it can't explain how she came to receive the same text as Mr M.

The information provided by Halifax shows that the text message from the fraud team was successfully sent to Mr M's mobile number.

Mr M has told this service that he received the text message. He's also provided a screen

shot of his partner's mobile phone screen showing the same message. Mr M says that both he and his partner received phone calls in relation to the transaction.

I've reviewed the telephone call log provided by Halifax and it doesn't show any calls being made to Mr M's partner's number.

Halifax has said it doesn't know how this happened. Despite there being no evidence that Halifax had made an error, Halifax has accepted full responsibility and logged a data breach. It has also paid compensation of £150.

I understand why Mr M is so concerned about what happened, and about the fact that Halifax can't explain why it happened. I also understand Mr M's concerns that this might happen again. That said, I'm only able to look at what has actually happened, not at what might happen in the future.

I've looked at the steps Halifax took here to put things right for Mr M. It carried out a full investigation and checked all the numbers it held for Mr M on its systems. It accepted responsibility for the error and logged a data breach. It also paid compensation.

I've thought about whether Halifax has done enough here. On balance, I'm satisfied that it has. I think the steps that Halifax took in response to Mr M's complaint were reasonable and I'm of the view that the compensation paid is a fair amount.

I appreciate that Mr M feels very strongly that the compensation isn't enough. He's referred to the maximum fine for a data breach but as the investigator explained, this isn't a sanction which this service is able to impose. Only the ICO has the power to fine Halifax in this way. I understand that Mr M intends to take the issue up with the ICO in any event.

Mr M has told this service that he is so concerned that this might happen again that he is looking into changing his bank. He's said that this could impact his credit file and his ability to get a mortgage. As I've said above, I can only investigate things which have actually happened, not things which might happen in the future. So, I can't comment on this.

I appreciate that this has caused Mr M significant worry and distress but as I've explained, I'm satisfied that Halifax has done enough to resolve the complaint and that the compensation paid is a fair amount. Therefore, I won't be asking Halifax to do anything further.

My final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 15 April 2024.

Emma Davy
Ombudsman