

The complaint

Mr M complains that the branch manager at Lloyds Bank PLC unfairly recorded him using a body camera. Mr M's told us it left him feeling anxious and that his privacy was invaded.

What happened

In August 2023 Mr M visited a Lloyds branch to make an application for a new credit card. Mr M's told us the branch manager took over his application without any reason and started to record him using a body worn camera. Mr M's told us that being recorded by the branch manager made him feel victimised and intimidated. Mr M's also told us he is concerned that the branch manager's recording contains his personal information.

At the beginning of September 2023, Mr M's representative wrote to Lloyds and complained about the branch visit. They also asked Lloyds to provide a copy of the video that was taken in branch. Lloyds didn't respond to the complaint letter and Mr M's case was referred to this service.

Lloyds issued a final response to Mr M's complaint on 7 February 2024. Lloyds paid Mr M £30 to apologise for the delay in responding to his complaint. But Lloyds didn't agree its branch manager had made a mistake or treated Mr M unfairly by using a body camera during his visit. Lloyds said Mr M's behaviour in branch had previously been concerning. Lloyds said branch staff are allowed to wear body cameras to record customers if they're concerned about abusive or inappropriate behaviour. Lloyds also said it wouldn't talk to Mr M's representative as they didn't have authority.

An investigator at this service reviewed Mr M's complaint. Lloyds provided a statement from the branch manager Mr M dealt with during his visit. They said Mr M's previous behaviour in branch had been concerning and was abusive at times. As a result, the branch manager said they started recording Mr M's visit using their body camera. Lloyds also said it wouldn't provide footage of Mr M's visit following his Data Subject Access Request (DSAR).

Our investigator thought Lloyds' decision to record Mr M's branch visit was reasonable and didn't agree it had treated him unfairly. The investigator didn't ask Lloyds to do anything else.

Mr M's representative asked to appeal and said they felt it was unreasonable to rely on the statement provided by Lloyds' branch manager. The representative said Lloyds had failed to provide evidence of wrongdoing by Mr M. Mr M's representative also said they didn't think it was fair for Lloyds to use past branch visits to justify the use of a body camera to record him. As Mr M asked to appeal, his complaint has been passed to me to make a 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.

I've been quite brief in setting out the timeline above as all parties broadly agree about the key events and issues for Mr M's case. I want to assure all parties that I've read and

considered all the points and evidence provided when making my decision. And I want to assure Mr M in particular that I've taken what he said about how the branch visit made him feel into consideration when reviewing his complaint.

Mr M's provided us with the details of how his branch visit was handled. But we have to consider both sides of a complaint and request evidence from all the parties involved. As a result, the branch manager who dealt with Mr M in August 2023 provided a statement to explain why they started using a body camera. I'm satisfied that's relevant to the issues Mr M has asked us to consider.

The branch manager's statement says that Mr M's behaviour in branch has caused concern over time. They said branch visits were often difficult and that Mr M's behaviour was sometimes threatening and hard for staff to deal with. The branch manager said they'd decided to start recording all Mr M's branch visits due to his previous behaviour. And Lloyds has told us that it has a duty to ensure its staff are treated fairly and with respect whilst at work. I'm satisfied that Lloyds has reasonably explained why its branch manager decided to record Mr M's visit.

I can understand why Mr M thought the use of the body camera in branch was excessive. But Lloyds has given us details of its policy in terms of recording customers in branch. And I'm satisfied Lloyds is able to record customers' visits, including the use of body cameras where staff feel it's necessary. Whilst I understand why Mr M was unhappy with being recorded using a body camera, I think it's fair to remember that the branch will have had fixed CCTV in place recording all customers during his visit. I'm satisfied the use of a body camera was in line with Lloyds' policy. And, as noted above, I'm satisfied that there were reasonable grounds for Lloyds' branch manager to take the decision to use a body camera to record Mr M's visit. I'm very sorry to disappoint Mr M but I haven't been persuaded that Lloyds treated him unfairly.

Mr M asked for a copy of the footage from his branch visit to be provided. But Lloyds has said the video isn't available and doesn't get provided as part of the DSAR he made. Lloyds says it only provides videos from its branches to the Police if a crime has occurred. I understand why Mr M asked to view the video, but I'm satisfied Lloyds has fairly explained why it won't be provided. The Financial Ombudsman Service doesn't regulate how businesses use or store information. So I'm not going to make a finding on whether Lloyds has breached the relevant regulations – that's a matter for the Information Commissioner's Office. I'm satisfied Lloyds has fairly explained why it hasn't sent Mr M a copy of the video he asked for.

I'm very sorry to disappoint Mr M but as I haven't been persuaded that Lloyds treated him unfairly, I'm not telling it to do anything else. Lloyds paid Mr M £30 for the delay in responding to his complaint and I'm satisfied that's fair and reasonable in all the circumstances.

My final decision

My decision is that I don't uphold Mr M's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 30 October 2024.

Marco Manente
Ombudsman