

The complaint

Mr D complains about the service provided to him by Barclays Bank UK PLC ('Barclays') in connection with a Data Subject Access Request ('DSAR').

What happened

In brief, in response to Mr D's DSAR request, Barclays provided data to Mr D in various different formats, none of which Mr D was able to view. During the course of this matter, Barclays addressed correspondence to a third party, for whom Mr D holds Power of Attorney (but who wasn't involved in the DSAR request) and also disclosed information he hadn't requested. A call transcript provided was illegible and throughout, Mr D found it difficult to engage Barclays' support in trying to resolve the difficulties he was having obtaining his data and the issues he was encountering.

When Mr D complained, Barclays agreed there were bank errors identified within his complaint and paid him £100 to reflect the distress and inconvenience he'd been caused. Following further correspondence, and ongoing difficulties Mr D was still experiencing when trying to access the data Barclays sent him, Barclays offered him a further £100 for the poor service he'd received.

Mr D didn't feel this went far enough to resolve things and he brought his complaint to us.

Our investigator thought that Barclays' offer was fair in all the circumstances and that Barclays should send the data Mr D was waiting for via secure email and pay him the additional £100 it had offered to resolve the complaint.

Mr D asked for an ombudsman review, saying: '...I do not feel the gravity of the situation has been covered by your summary of the case. I fear that Barclays will not make any changes to their flawed system unless the ombudsman makes a ruling.'

So the complaint has come to me for 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.

Having thought about everything I've seen and been told, I've independently reached the same overall conclusions as our investigator. I'll explain why I say this.

Whilst I appreciate how strongly Mr D feels about everything that happened, the way we approach complaints reflects the informal service we provide. My role is to consider the evidence presented by the parties and reach an independent, fair, and reasonable decision based on the facts of the case and the evidence provided by both sides. In doing so, I might not need to address every single point or question raised but I'll focus on the key points. It's fair to say I've summarised much of what Mr D said in my own words. But it doesn't mean I haven't considered all the evidence and what's been said – it just means I haven't needed to specifically refer to everything in the same detail as Mr D in order to reach a decision in this case.

Our investigator tried unsuccessfully to facilitate a resolution with Barclays. I understand that Mr D has continued to have difficulty accessing the information Barclays has provided in response to his DSAR. I appreciate that Mr D is concerned about Barclays' having a '...flawed system' and aware that Mr D has also involved the Information Commissioner's Office ('ICO'). I'm sorry that this matter is proving so problematic. But to be clear, we can't tell Barclays how to operate or what systems it needs to put in place.

And the fact alone that Mr D can't access the information provided in response to his DSAR request isn't enough for me to be able to tell Barclays that it needs to do more here. The issue I must decide is whether Barclays has taken fair and reasonable steps to try and resolve Mr D's complaint.

Barclays told us that the correct data, in a format that should have been readable, was issued to Mr D around 6 months ago, and said: '...we have exhausted all avenues for Mr D that work for all other customers. The digital medium that we provided him is the way we send it digitally for all our customers and there is nothing to suggest that Mr D shouldn't be able to access this information. This issue Mr D is reporting is not something our data team has seen before. We have tried alternative methods which have again proved unsuccessful. We have attempted to provide Mr D the requested information in various ways and have exhausted all options.'

On balance, I am satisfied that I've seen and been told enough to persuade me that Barclays has now taken fair and reasonable steps to try and resolve the complaint. I would encourage Barclays to be open to continuing to explore ways to find a resolution for Mr D. But I am satisfied that there are no further specific actions I can usefully require Barclays to take when it says it has already done everything it can do to resolve the problems Mr D has accessing the data it has sent him.

Barclays accepted that it made errors in the way it dealt with Mr D's DSAR. So as there's no dispute about that, and Barclays has upheld the complaint, I've thought carefully about the question of fair redress.

Our approach to redress is to aim to look at what's fair and reasonable in all the circumstances of a complaint. One way we would try and do this impartially here is to put Mr D in the position he'd be in if Barclays hadn't been responsible for the poor service issues it has admitted. So my starting point is to think about the impact on Mr D of what happened.

I haven't been provided with anything to show that Mr D is out of pocket as a result of any poor service on the part of Barclays, but fair compensation needs to properly reflect the wider impact on Mr D of Barclays' service failings.

The catalogue of problems Mr D faced owing to Barclays' admitted poor service would've been very frustrating and inconvenient for Mr D. I've summarised these only very briefly in my decision because I don't need to say more about what happened when Barclays accepts it provided a poor customer experience to Mr D. But I've taken carefully into account the extent and impact on Mr D of the poor service issues he's had to contend with.

Overall, I think the £200 total compensation offered by Barclays is fair and reasonable in all the circumstances. It reflects the distress and inconvenience Mr D was caused. It matches the level of award I would make in these circumstances had it not already been proposed. It is in line with the amount this service would award in similar cases, and it is fair compensation for Mr D in his particular situation.

I have set out below the steps I require Barclays to take.

Putting things right

Barclays should pay Mr D £200 compensation in total, as it has already offered to do, to reflect the impact on him of its admitted poor service.

For the avoidance of doubt, Barclays can offset against this total sum the £100 already paid, and any further sums paid, and should pay him any balance owing to bring the total compensation amount to £200.

My final decision

My final decision is that I uphold this complaint and direct Barclays Bank UK PLC to take the steps set out to put things right for Mr D, as it has offered and agreed to do.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 10 October 2024.

Susan Webb
Ombudsman