

The complaint

Mr F complains that when Monzo Bank Ltd processed his subject access request ('SAR') it omitted to send some information.

What happened

On 17 March 2023, Mr F made a request to Monzo for a SAR through a representative. When Mr F realised that some information was missing, he complained to Monzo.

Monzo addressed Mr F's complaint in a final response letter dated in May 2024. This response also dealt with other separate complaints Mr F has with Monzo, but in respect of the SAR issues Monzo offered to pay Mr F £25. Monzo has since offered to pay Mr F a further £175, a total of £200, to resolve this complaint.

Mr F, who is represented by his mother and a professional representative, brought the complaint to the Financial Ombudsman Service and one of our Investigators looked into things. The Investigator thought Monzo had made a fair and reasonable offer to resolve the complaint. Mr F asked that an Ombudsman decides the 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.

I want to be clear with Mr F and his representative that my decision will only address the complaints Mr F has raised with Monzo about how it dealt with his SAR. I'm aware Mr F has other complaints with Monzo, but my decision will not deal with these as they are being dealt with separately.

The Financial Ombudsman Service does not regulate compliance to data protection laws in the UK. That is the role of the Information Commissioners Office ('ICO'). The ICO has a number of powers including the power to order businesses to comply with data protection laws and to fine them. But, unlike the Financial Ombudsman Service, it doesn't have the power to award compensation to consumers who've suffered monetary loss or have been caused distress and inconvenience by the way a financial business has managed their personal information.

There may be instances where it's appropriate for the ICO to also look into a consumer's concerns. For example, if the consumer is raising concerns that may have wider implications or the consumer wants the business to conduct wider changes, like changing the way a business markets its customers. In these circumstances, it would be appropriate for a consumer to refer the matter to the ICO as well. I'm aware that Mr F has raised such issues with the ICO so I will not comment any further on those issues. But that doesn't mean I can't also look at the complaint Mr F has brought to us about the poor service Monzo provided to him when it dealt with his SAR.

Mr F's representative has explained that when Monzo responded to the SAR it failed to

supply two specific items; an email response to Mr F's complaint dated 20 March 2023 and an email dated 26 January 2023.

I've seen the SAR that Mr F's professional representative sent to Monzo, and this was dated 17 March 2023. Monzo has explained that it used this date as the date of the SAR and therefore it only sent Mr F information about what it held at this date. This doesn't seem an unreasonable position for Monzo to take, and from a service perspective I don't think it would be fair and reasonable for me to decide Monzo withheld the email it sent Mr F after the 17 March if this was the date of the SAR. Of course, this may fall within the remit of the ICO to consider, and if it feels Monzo has not followed the processes it should have, the ICO can make that finding – but it isn't one that I can reasonably make.

Monzo has already accepted that it missed an email dated 26 January 2023 when it initially responded to the SAR. Monzo has since apologised for this and provided a copy of the email direct to Mr F.

I'm satisfied that the service Monzo provided Mr F when dealing with his SAR was below what I would expect. However, taking into account the circumstances of this case, I'm persuaded that the offer Monzo has made to resolve the complaint about how it dealt with the SAR is a fair and reasonable one.

My final decision

For the reasons above, I've decided that Monzo Bank Ltd has already made an offer to pay £200 to settle the complaint and this offer is fair in all the circumstances.

So, my decision is that Monzo Bank Ltd should pay Mr F £200.

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

Paul Lawton
Ombudsman