

## The complaint

Mr P complains that Bank of Scotland plc trading as Halifax changed his address without permission twice on his account to an incorrect address.

## What happened

Mr P says that during the first week of May 2024, he noticed his address was different to his actual address on his Halifax statement. He says he visited a Halifax branch and asked a member of staff to check who had changed his address without his permission. Mr P says he was told they don't have any evidence or information in their system about the address change. Mr P says he has been impacted by the unauthorised change of address which caused him stress and trauma, Halifax had breached his security, and he couldn't start a new job because of the error. Mr P made a complaint to Halifax.

Halifax upheld Mr P's complaint, and they paid him £200 compensation. They said they shouldn't have amended Mr P's address without his permission. They said a system glitch caused Mr P's address to be changed on 24 April 2024. Halifax said a member of staff then tried to amend the error, but she changed the address to another incorrect address. Halifax said Mr P confirmed he did receive the May 2024 statement, which was addressed incorrectly, and this was sent via his digital inbox. Halifax said Mr P then updated his address via internet banking to his correct address. Mr P brought his complaint to our service.

Our investigator did not uphold Mr P's complaint. He said the member of branch staff acknowledged that a mistake had been made, which was due to a human error in not closing off Mr P's records before dealing with the next customer in the branch queue. He said as the statement was sent to Mr P online only, Halifax didn't send any account information to an unauthorised address before the address was corrected.

Our investigator said that Mr P told Halifax that he needed to provide his new employer with a bank statement for one month only as proof of address, but he'd given them statements for three months, which included one with the incorrect address, so he couldn't hold Halifax responsible for Mr P's decision to include the statement with the incorrect address.

Mr P asked for an ombudsman to review his complaint. He made a number of points. In summary, he said he was the one who identified the mistake, and he visited a Halifax branch, and he informed them about it, but they didn't help him, so he felt racially discriminated against. He said he should be compensated with at least £1,000 for the huge mistake by the staff member, which he said was a clear data breach and a criminal offence that she committed. Mr P said his Halifax account had been hacked not long after the address change error.

As my findings differed in some respects from our investigator's, I issued a provisional decision to give both parties the opportunity to consider things further. This is set out below:

*"I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint."*

*Mr P has made a number of points to this service, and I've considered and read everything he's said and sent us. But, in line with this service's role as a quick and informal body I'll be focusing on the crux of his complaint in deciding what's fair and reasonable here.*

*I must make Mr P aware that I'm only able to look into the original complaint he made with Halifax. Mr P has told us about his account being hacked, but as he hasn't raised this with Halifax as part of his complaint, I do not have the power to look into this. Mr P may want to contact Halifax to make a complaint about this, and if he isn't satisfied with their response, then he may be able to bring this separate complaint to our service.*

*Mr P believes that Halifax have racially discriminated against him. So they may have breached the Equality Act 2010. I've taken the Equality Act 2010 into account when deciding this complaint – given that it's relevant law – but I've ultimately decided this complaint based on what's fair and reasonable. If Mr P wants a decision that Halifax has breached the Equality Act 2010, then he'd need to go to Court. If Mr P believes the Halifax staff member has committed a criminal offence, then he may wish to contact the police.*

*I asked Halifax for Closed-Circuit Television (CCTV) footage so I could get an understanding of the events that happened in the branch. While this would be unlikely to contain audio, it may be possible to see body language, and who was where in the branch. But due to the time that's passed, Halifax does not have the CCTV footage available.*

*It's not in dispute that Halifax changed Mr P's address on his customer profile twice without his consent. Halifax have explained this occurred because they had a system issue, where the customer who was being served after Mr P had requested a change of address, but this was added to Mr P's account in error. Halifax have said that when the staff member noticed the error and they tried to correct it, they made a human error and added an incorrect address.*

*So it would be distressing for Mr P to find out that not only had his address been changed to an incorrect address not once, but twice without his permission. Although the staff member had incorrectly changed Mr P's address, she didn't ensure it was changed back to the correct address. This meant that Mr P only discovered the issue weeks later when he saw his statement displaying an incorrect address, so he needed to inform Halifax of this, and he changed his address to the correct address.*

*I've considered what Mr P has said about him being racially discriminated against. I asked Mr P for more information about this. He told me that when he visited the branch to complain about their error, the staff weren't willing to hear his concerns. He said the staff were very rude, and they shouted at him, telling him to complain to the complaints department. He said the staff should have listened to his complaint, and no help or advice was offered by the staff.*

*Mr P told me that he was watching the staff member serving other customers. He said that she behaved well to some customers whom she liked, and she listened to them, and she offered help to them, which wasn't fair as she should have treated all customers equally. He said something similar happened at the same branch years prior when a member of staff shouted at him, and he was awarded £200 compensation.*

*As I've already mentioned, CCTV footage isn't available, so I asked Halifax if they have had any similar complaints about the staff member in question. They told me that they are not aware of any concerns regarding the staff member who dealt with Mr P. They also said that there are no notes about Mr P making them aware of any concerns about the way in which he was treated in the branch throughout the complaint journey. Halifax said they found no previous complaints where Mr P complained about the branch service or him being paid*

£200 compensation.

*So I asked Halifax for the call recording when Mr P made his complaint. I've listened to this call. Mr P tells the call handler that when he visited the branch, a member of staff told him there was no such request of him changing the address on their system. Mr P tells the complaint handler he is in the branch "now". He tells the complaint handler that two weeks ago he requested a statement to be sent out by post by the branch, and he got the statement with the correct address, so it must have been changed after the statement was sent.*

*After placing Mr P on hold so she could speak to a colleague, the complaint handler asks if there was a member of staff she can speak to as Mr P was in branch. Mr P gets a member of staff. I couldn't hear a member of staff shouting at Mr P, and a lady came to the phone relatively quickly. When Mr P returns on the phone, he tells the complaint handler that the branch weren't able to tell him how the address change happened, even though they have looked on the system, and that's why they put him on the phone to the complaints team. Mr P tells the complaint handler that he gets personal service at the branch, and Halifax is more convenient for him than other banks, indicating that Mr P was happy with the service provided.*

*So I'm unable to conclude Mr P was given poor service in the branch when he raised the complaint. I say this as he told the complaint handler that the branch staff weren't able to tell him how the address change happened despite them looking on the system. So it does appear the branch staff did try and look into this for him, but they weren't able to determine how this happened so they urged him to ring the complaints team while he was in the branch to see if they could access this information.*

*At no point did Mr P on his complaint call raise any dissatisfaction about how the branch staff treated him, and he had talked about the personal service he got from Halifax at the branch in a positive light. So, if Mr P had been treated unfairly by the branch staff, it would be reasonable to expect him to tell the complaint handler about any poor experience he had in the branch.*

*So I've considered what would be a fair outcome for this complaint. Thankfully, Mr P's statement was not physically sent to the incorrect address. So, I can't fairly say his data was seen by an unauthorised person. I'm aware that he showed the statement with the incorrect address to his new employer, which caused him embarrassment as they questioned this with him, however, Halifax's complaint notes show Mr P told them he only needed to provide one bank statement, not three, so he could have provided them one bank statement with the correct address.*

*Halifax paid Mr P £200 for what happened here. I've seen no evidence which persuades me that a human error didn't happen when the staff member tried to change the address back to Mr P's address (albeit unsuccessfully) after a computer glitch caused the staff member to update Mr P's address instead of the customer after him.*

*Mr P feels like Halifax should pay him at least £1,000 for the impact of what happened here. But I must explain to him that our awards are not designed to punish a business or to make them change the way they act in order to protect other customers in the future. That is the role of the regulator. We sometimes award compensation if we feel that a business has acted wrongfully and therefore caused distress and inconvenience to their customer over and above that which naturally flows from the event.*

*I'm persuaded that £200 is fair for what happened here. It would have been distressing for Mr P to have seen an incorrect address on his statement that he received digitally without*

*him authorising a change of address. He would have been further distressed to find out that the address had been changed again after this to an address which he didn't reside at. He was inconvenienced to change the address himself. But as Halifax have already paid this to Mr P, I don't intend to ask them to do anything further."*

I invited both parties to let me have any further submissions before I reached a final decision. Halifax said they had nothing to add. Mr P did not respond to the provisional 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.

As neither party have provided me with any further information to consider, then my decision and reasoning remains the same as in my provisional decision.

### **My final decision**

I do not uphold this complaint.

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

Gregory Sloanes  
**Ombudsman**