

The complaint

Mrs T is unhappy that her country of residence and birth are pre-populated in Bank of Scotland plc's ("BOS") system as United Kingdom ("UK") and she is unable to enter her actual country as Scotland.

What happened

Under Mrs T's personal details held with BOS her residence and birthplace is listed as the UK - being the only option BOS's systems provide for countries within the UK. Mrs T wants BOS to change this and give the option to select Scotland – her actual country of birth and residence.

Mrs T raised this with BOS and requested it amend its systems so she can do this. BOS didn't uphold Mrs T's complaint. It explained that its policy for customers such as Mrs T was to use the UK when updating their personal details but agreed to escalate her suggestions that when updating details, customers are given the option to select their country.

Mrs T was dissatisfied with this and so brought her complaint to this service. Mrs T says BOS has failed to recognise her cultural identity under the European Convention of Human Rights. Mrs T says as the bank is called the bank of 'Scotland' it should allow customers to choose Scotland as their birthplace.

One of our investigators looked into Mrs T's concerns but didn't think BOS had treated Mrs T unfairly. They explained that it is not the role of this service to determine whether BOS had acted unlawfully as that was a matter for the courts. Their role rather was to decide whether BOS had treated Mrs T unfairly which they didn't think it had.

They thought that the options available for selecting a birthplace or residence was a business decision that BOS was entitled to make and didn't think it was unreasonable that the BOS grouped together the countries that make up the UK and provided that as an option as Scotland is part of the UK.

Mrs T remained dissatisfied. She says her main grievance is that the UK is not a country but rather a collective name for four countries and other important documents make no mention of the UK on them. Mrs T has asked for an ombudsman's 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.

And having done so I'm in agreement with our investigator and I don't think there is anything much more of use I can add.

It might be helpful for me to say here that as we are not the regulator, I cannot make BOS change its IT systems or processes – such as how it describes places of residence or birth

or the options available for a customer to select. These are commercial decisions and not something for me to get involved with.

And while we do take relevant law and regulation into account when arriving at our decisions, our remit is focused on whether we feel a fair and reasonable outcome has occurred – from an impartial perspective - after taking all the factors and circumstances of a complaint into consideration. Only a court could make a finding as to whether a business breached its duty under the relevant act.

In this case Mrs T is unhappy that BOS won't give her the option to list her birthplace or residence as Scotland and that she is forced into having descriptor as the UK. While I appreciate how strongly Mrs T feels about this, I don't think the description BOS's system allows for is unreasonable or it has treated Mrs T unfairly as an individual.

While what Mrs T says is true that the UK isn't a country in its own right - but rather made up of a collective of countries – it isn't wrong either to describe Mrs T as being from the UK as Scotland falls into that collective. And I think most people would understand when someone is being described as being from the UK that means they are from one of the four countries held within it.

And although I wouldn't tell a business how it needs to run its systems – including what information a customer can record about their birthplace – I think it is understandable where it can, that BOS has grouped categories of countries together as this allows for less inputting errors while still being able to identify the individual. I accept other businesses might well do things differently, but BOS is under no obligation to adopt other practices if it doesn't want to.

In any case BOS hasn't ignored Mrs T and has fed back her suggestion to provide customers with the option to select which country they are from in their personal details. I think this is fair and so I don't think there is anything more BOS needs to do. So it follows that I don't uphold this complaint as I don't think BOS has treated Mrs T unfairly.

My final decision

For the reasons I've explained, I've decided not to uphold Mrs T's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs T to accept or reject my decision before 9 April 2025.

Caroline Davies
Ombudsman