

## **The complaint**

Mr W is unhappy that Bank of Scotland plc, trading as Halifax, ask him to confirm his date of birth as part of their security process when he speaks with them on the telephone.

## **What happened**

Mr W, who suffers with severe anxiety and depression, raised a complaint with Halifax as he was unhappy that Halifax's telephony agents asked him to confirm his date of birth as part of their call opening security process. Additionally, Mr W was also unhappy with the length of time it took one of Halifax's agents to call him back after the initial call that he was on with that agent disconnected.

Halifax responded to Mr W and explained that asking a caller to confirm their date of birth is part of their security process and not something that they would be willing to change. Halifax also noted that when Mr W's call with their agent had disconnected, that their agent had called Mr W back roughly three minutes later, which they didn't feel was unreasonable. Mr W wasn't satisfied with Halifax's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they didn't feel that Halifax were treating Mr W unfairly by asking him to confirm his date of birth as part of their account security process. And they also felt that Halifax's agent calling Mr W back three minutes after the initial call had disconnected didn't represent bad service. Mr W didn't agree, and so the matter was escalated to an ombudsman for a final 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.

Mr W has explained that by refusing to comply with his request to not be asked to confirm his date of birth, that Halifax have failed to make reasonable adjustments for him as per the Equality Act 2010.

It must be noted that this service is not a Court of Law, and doesn't operate as such. Instead, this service is an informal and impartial dispute resolution service, with a remit focussed on fairness of outcome. Accordingly, while I've taken the Equality Act 2010 into account when deciding this complaint – given that it's relevant law – I've ultimately decided this complaint based on what I feel is fair and reasonable. If Mr W would like a decision about whether Halifax has breached the Equality Act 2010, he would need to go to Court.

Mr W has said that he doesn't like being asked to confirm his date of birth as part of a security process and has explained that this is because of a prior experience where call centre operatives obtained his date of birth from him and used that and other personal information that they obtained to commit fraud.

I can appreciate how Mr W's past experience might continue to be impactful for him, especially in consideration of Mr W's anxiety. I've therefore thought about whether I feel

Halifax should fairly be instructed to not ask Mr W to confirm his date of birth as part of their security process, and also whether I feel it's reasonable for Mr W to ask them not to do so.

A person's date of birth is a key piece of personal information that is widely used as a security question by telephone operatives to verify the legitimacy of a caller. As such, I don't feel that it's unreasonable for Halifax to include date of birth in their security process.

Additionally, I think it's important here to note that Halifax, as part of their security process, aren't asking Mr W to provide his date of birth to them. Rather, Halifax are asking Mr W to confirm his date of birth to them. This means that it isn't the case that Halifax are requesting Mr W's date of birth from him as new information, but that they are asking Mr W to confirm information that they already hold.

This point is important in consideration of Mr W's stated objection to providing his date of birth, being that he doesn't want to give his date of birth to Halifax's telephone agents. But in asking Mr W to provide his date of birth, Halifax are asking Mr W to confirm information they already hold, which means that all of Halifax's agents that Mr W speaks with already have his date of birth as information that's available to them. And as explained, Halifax's agents are asking Mr W for his date of birth to confirm to the agent's satisfaction that they are speaking with Mr W and so can disclose account information to him.

Because of this, I don't feel that it is reasonable, even in consideration of Mr W's anxiety, for Mr W to request that Halifax don't ask him to confirm his date of birth to them – which as explained is information that Halifax already hold. And while I appreciate Mr W's strength of feeling on this point, I feel that the purpose of Halifax asking Mr W for this information, which ultimately relates to the security of Mr W's accounts, outweighs any discomfort Mr W might experience in confirming his date of birth to satisfy Halifax's security processes.

Mr W may note that specific departments within Halifax have agreed at his request to not ask him his date of birth. But security requirements differ depending on the nature of an interaction and whether Mr W is calling Halifax or being called by Halifax. And because of this I don't feel that because one department has been able to comply with Mr W's requests that all other departments within Halifax should be instructed to follow suit.

All of which means that I won't be instructing Halifax to not ask Mr W to confirm his date of birth as he would like. However, I note that Halifax have explained that Mr W can follow certain processes which will reduce the likelihood that Halifax will need to ask Mr W to confirm his date of birth.

These processes have already been explained to Mr W by our investigator and include that Mr W can set up VoicelD or request a Telephone Banking Security Number. However, it must be noted that even if Mr W avails of these options, Halifax may still require him to confirm his date of birth on occasion dependent on circumstance.

Finally, regarding the callback that Mr W received from Halifax's agent when the initial call disconnected, I note that Halifax's agent called Mr W back after approximately three minutes. This doesn't seem unreasonable or unfair to me, and I don't feel that it constitutes an act of poor service or that Halifax need to take any further action in this regard.

I realise this won't be the outcome that Mr W was wanting, but it follows from all that I've explained that I won't be upholding this complaint against Halifax. I hope that Mr W will understand, given all the above, why I've made the final decision that I have.

**My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 24 April 2025.

Paul Cooper  
**Ombudsman**