

## **The complaint**

Ms G complains that Santander UK Plc was responsible for her personal data being left in an unsecured location, which resulted in it going missing.

## **What happened**

Ms G made a Data Subject Access Request (DSAR) with Santander. Santander processed the request, and it arranged for the information to be sent to Ms G using a courier service in February 2025. Unfortunately, the package was left outside Ms G's front door, without being signed for, and subsequently went missing. Ms G complained to Santander about what had happened.

The following month, Ms G says a driver from the courier service came to discuss matters with her. She says she was concerned that the driver knew she had made a complaint and also knew where she lived, which was a breach of confidentiality. Overall, Ms G says the matter has caused her significant stress, anxiety and has exacerbated her pre-existing health condition.

Santander reviewed matters and said that it wouldn't be able to confirm what had happened to the package. It also explained that it wasn't responsible for what had happened, and it had to rely on third parties to deliver packages securely. However, it issued a cheque for £280 compensation – £250 to acknowledge the impact matters had and £30 to cover the cost of a protective registration service.

Ms G remained unhappy and brought her complaint to this service. In summary, she didn't think the offer of compensation reflected the impact caused, or the potential risks she could face in the future. She explained that there were several years of financial information included in the documents.

An Investigator here reviewed matters. Whilst she acknowledged what had gone wrong, she didn't think she could hold Santander liable for the failings of a third-party who wasn't acting as an agent of Santander. Ultimately, she thought the offer Santander made was fair and reasonable.

Ms G disagreed with the opinion. In summary, she said the compensation offered didn't reflect the severity of what happened. She also thought Santander was responsible for the courier's actions with regards to keeping her data safe, in line with data protection regulations.

As an agreement couldn't be reached, the case has come to me to decide.

## **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.

A number of issues have been raised in relation to this complaint, however this decision will only focus on what I consider to be the crux of the complaint – ultimately, whether Santander treated Ms G unfairly here. I note some of Ms G's complaint makes reference to Santander breaching data protection laws and regulations, including General Data Protection Regulation (GDPR). It's important I explain that this Service is unable to make a finding on whether there has been a breach of GDPR. Ms G can contact the Information Commissioner's Office (ICO) about this further which, as I understand it, she has done already.

Santander's responsibility was to process Ms G's DSAR and provide the courier service with the correct delivery address – I'm satisfied it did this because Santander provided photo evidence of the package outside Ms G's front door. Santander says it sent the item via tracked delivery, and its expectation is that post is delivered directly to the consumer.

Unfortunately, the package was then left outside Ms G's front door unattended and subsequently went missing. I can understand why Ms G would be very troubled by this – as she rightly points out, there was lots of personal information in the package. However, whilst I appreciate the upset caused here, I can only uphold this complaint if I find that Santander has done something wrong. Having considered what happened, I'm not persuaded this was the case.

Once the package left Santander, having been handed to the courier, I consider it was the responsibility of the courier to ensure safe delivery. So, whilst I can surely appreciate that the package being left outside the front door would have caused Ms G upset; and, for that matter, no doubt caused distress by subsequently going missing, I can't fairly say this is because of something Santander did wrong. Broadly speaking, I think Santander's actions, in processing Ms G's DSAR and dispatching it for delivery, aren't unreasonable. While I know Ms G thinks Santander should be held responsible for what happened, given that it made the decision to use the courier service, I don't think it could have reasonably or practically foreseen what happened on the day in question.

Ms G was also unhappy that a driver from the courier service came to discuss matters with her the following month. I've considered that Santander did make further enquiries with the courier services to find out what had happened when it became aware the parcel wasn't received – I think that's reasonable in the circumstances. However, I can't see that it had any input in the decision to ask a courier driver to visit Ms G after the event. Instead, that's something the courier service determined appropriate; I can't make any comment on that here.

Therefore, in closing, whilst I'm sorry to disappoint Ms G, I'm not persuaded Santander has treated her unfairly here. In response to Ms G's complaint, Santander offered compensation of £280 in total. I'll leave it to Ms G to decide whether she wants to accept Santander's offer, and the parties can discuss this further if they wish. However, overall, I won't be upholding Ms G's complaint.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms G to accept or reject my decision before 25 June 2025.

Hana Yousef  
**Ombudsman**

