

The complaint

Mrs P complains that Bank of Scotland plc trading as Halifax didn't reply to her request for a Data Subject Access Request (DSAR) within the prescribed timescale and omitted key information when it was supplied. Mrs P wanted the key information sent to her as well as compensation of £2950.

What happened

Mrs P had referred a previous complaint to the Financial Ombudsman Service. But she didn't feel Halifax had presented all the evidence. So, she asked Halifax for a DSAR which covered from 1 December 2023 to 17 January 2024. This request was made on 24 February 2025.

Mrs P didn't receive the DSAR from Halifax until 25 March 2025. The timescale for receipt of a DSAR is one calendar month from the date of receipt by the respondent organisation. This means the DSAR was received one day late. She also discovered a key contact note wasn't in the pack – one from 9 January 2024. She asked for this to be sent as a matter of urgency.

Mrs P raised a complaint on 24 March 2025. Her complaint points were:

- She hadn't received all the information she'd asked for
- Information Commissioner Office (ICO) deadlines have been missed
- She didn't think the Financial Ombudsman Service had been given all the pertinent information when reviewing her previous complaint

Mrs P wanted the correct information to be sent; the previous complaint to be looked at again and compensation for the delays

A further complaint was raised in May 2025 but I am not dealing with that as this complaint was received on 26 May 2025 and the final response to the second complaint wasn't issued until 2 June 2025. I can only review a complaint once the business has had the opportunity to review it and send its final response. In this case, Halifax hadn't given its final response and the complaint brought related only to the first complaint. The second complaint therefore falls outside of my scope to review.

Halifax sent its final response to the first complaint on 19 May 2025. It said the DSAR due date was 25 March 2025 and that the data was sent on 14 March 2025 and the calls on 25 March 2025. Mrs P said that she still hadn't been given a call note made in respect of a telephone call on 9 January 2025. She had the call but wanted the call note.

Mrs P referred her complaint to the Financial Ombudsman Service where one of our investigators considered the merits of the complaint. The investigator said Halifax had delivered the DSAR late – because it should have been with Mrs P by 24 March 2025. The investigator also provided a copy of the call note Mrs P had been trying to obtain. They said compensation of £100 was warranted because the DSAR was late and a piece of information hadn't been received. They believed Mrs P had been caused distress and inconvenience.

Mrs P responded to our investigator's opinion. She said she agreed with the findings but not the compensation. She said Halifax's delays had prevented her from contesting a previous complaint and therefore sought a refund of the amount in question from the previous complaint and further compensation. She said she'd accept £400.

Halifax agreed to the investigator's opinion but not to paying £400 compensation. As no agreement was reached, Mrs P asked for an ombudsman's decision. Whilst waiting to be assigned to an ombudsman, Halifax came back with an increased offer of £250 which the investigator put to Mrs P. She didn't accept. She continued to say that the offer didn't compensate her for the time spent on this complaint and the loss from the previous complaint. So, the complaint has been passed 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.

I feel I need to be clear about what I'm looking at when considering compensation.

Mrs P continues to refer to a sum she says she has lost, and which was the subject of a previous complaint to the Financial Ombudsman Service. That complaint was reviewed by an ombudsman, and a final decision was issued. That means our work on that complaint is ended. I'm not sure what six-month period Mrs P is speaking of, but the previous complaint cannot and will not be re-opened. A final decision cannot be contested within the Financial Ombudsman Service. As she didn't accept the ombudsman's decision, she can take that complaint to court if she chooses. But it cannot be brought back to this service. This means that the loss she refers to is not being considered as part of the award to be made in this case.

Mrs P and Halifax have both agreed that the DSAR was late and information was missing. So, I don't need to make a finding on that. What I do need to decide is what compensation is appropriate.

The DSAR was one day late – I don't fine or punish a business for getting something wrong. I award compensation for the impact it had. I don't think a 24-hour delay would warrant payment of compensation. But Mrs P did have to request a copy of the call note several times and it was only provided after this service became involved. I think the £100 awarded by the investigator would have been sufficient. But as Halifax offered an increased amount of £250, I don't feel it would be right to reduce the compensation it offered.

Putting things right

Halifax failed to deliver the DSAR on time and all the required information. Mrs P also had to chase for the information and only received it much later. So, compensation is payable.

If Halifax hadn't increased its offer, I consider that the award made by our investigator of £100 would be sufficient. But, as Halifax has offered an increased amount, I'll award that.

My final decision

My final decision is that I uphold this complaint and direct Bank of Scotland plc trading as Halifax to pay Mrs P £250 as compensation for the distress and inconvenience she's been caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs P to accept or

reject my decision before 14 January 2026.

Stephen Farmer
Ombudsman