

The complaint

Mrs S complains about Bank of Scotland plc (BOS) after she reported an unrecognised transaction on her bank account. As a result, Mrs S says BOS caused prolonged anxiety, distress and inconvenience.

What happened

In March 2025, Mrs S noticed a credit of £25 on her statement which she did not recognise and was not expecting. Mrs S quickly queried this with BOS who could not immediately provide the information required about the payment, but did subsequently explain that her account had been credited when a complaint of another customer was mistakenly logged on Mrs S' account. Concerned about her data, Mrs S logged a complaint with BOS but despite chasing it on a number of occasions and being promised callbacks, she did not receive BOS's final response letter until after the regulatory eight-week complaint timescale.

In their final response letter, BOS apologised for their error explaining that whilst there was unauthorised access to Mrs S' data, none of her personal information was shared with the other customer. BOS went on to apologise for the delay in responding to the complaint, then they addressed compensation. Mrs S asked for £3,000 compensation but after consideration, BOS credited Mrs S's account with £300.

Remaining unhappy, Mrs S referred her complaint to our service detailing what she considered to be the significant impact of BOS's error and delay, mainly how it made worse her anxiety and depression, including how it prevented her from starting a new job.

Our investigator looked into the complaint and issued their view in which they did not uphold the complaint. Our investigator explained that it was not fair to say that all impacts were directly caused by BOS's error and delay and so they regarded the £300 as fair.

Mrs S disagreed with our investigator's view saying she was constantly worried about whether a third party has had her private data for months. Accordingly, Mrs S asked for an Ombudsman to review her case.

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 have looked at the information BOS has supplied to see if it has acted within its terms and conditions and to see if it has treated Mrs S fairly.

If I don't mention any specific point, it's not because I failed to take it on board and think about it, but because I don't think I need to comment on it to reach what I think is a fair and reasonable outcome. No discourtesy is intended by me in taking this approach.

I was sorry to learn that what started as a simple query about an unrecognised transaction, has turned into a drawn-out complaint with the consequences that Mrs S has mentioned.

Part of my role is to determine whether what took place was reasonable and whether BOS followed the processes correctly.

What's not in question is that errors were made here. BOS have been transparent that a complaint of another customer was incorrectly logged on Mrs S' account and £25 credited in error. And, they did not respond to Mrs S when they should have. I'm glad to see this ownership and that feedback has been provided to the staff members responsible.

I can fully understand Mrs S' concern when she noticed activity on her account that she was not expecting. And to make matters worse, not receiving a prompt and clear explanation to put her mind at rest. In terms of what happened, I know Mrs S regards this incident as a data breach and was very concerned for a prolonged period of time that her data may be in the hands of someone else. But from what I can see from the evidence provided, the data impact on Mrs S appears only to be that her details were incorrectly used by a BOS staff member when inputting the complaint of another customer. Therefore I'm not entirely persuaded that Mrs S's data was at risk of falling into the hands of another customer. This is supported by BOS's testimony in which they acknowledge unauthorised access to her data, but that none of her personal data was shared with the other customer.

I know that my thoughts in the last paragraph will likely be of little reassurance to Mrs S as she has been very open about what she regards as the far-reaching and severe impact of what happened with BOS. And I'd like to sincerely thank Mrs S for her openness. I do acknowledge a period of Mrs S both not being responded to, and given all the information she desired, and I agree that in itself would have been concerning.

This brings me onto the compensation figure which Mrs S feels is too low considering the scale of the impact. As an informal dispute resolution service, we consider awards according to what we consider to be a fair and reasonable reflection of the impact, the distress and inconvenience has had upon the consumer. And so, what I wanted to understand was the impact on Mrs S of BOS's error, whether their offer is considered as fair, and also look at it through the lens of this service's compensation guidelines and similar cases. And I want to reassure Mrs S that I have read through everything she has submitted to the investigator in terms of impact.

Having considered this carefully, I agree with our investigator's thoughts here. Firstly, that it is very difficult, and not fair to say that all the impacts on Mrs S were due to BOS's error and delay. And secondly, that a fair and reasonable compensation award for the impact of the distress and inconvenience here is £300. This is in line with what I would expect in the circumstances presented and is generally in line with the framework our service uses when assessing compensation amounts.

Taking into account all the circumstances, and looking at the £300 credited in terms of fairness and reasonability, I believe BOS's compensation payment fully represents the impact of BOS's actions.

My final decision

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs S to accept or reject my decision before .

Chris Blamires
Ombudsman