

The complaint

Mr T is unhappy with how EQUIFAX LIMITED engaged with him about a Data Subject Access Request (DSAR) he made to them.

What happened

I issued my provisional findings to both parties setting out why I did not think Mr T's complaint should be upheld, and invited both parties to provide any further submissions in reply to my provisional decision.

The background to this complaint was set out in my provisional decision together with my provisional findings, which are included below and now form part of this final decision.

Background

In late July 2024 Mr T approached Equifax to make a DSAR and he set out several data related queries for Equifax to respond to at the same time.

In reply, on 1 August 2024, Equifax let Mr T know about their different DSAR processes and how to take things forward, and they asked Mr T what information he was looking for. They separately responded to Mr T's queries on 14 August 2024.

However, responding to Equifax's 1 August 2024 reply, Mr T said Equifax were refusing to engage with his DSAR and not answering his questions, so on 2 August 2024 he referred his concerns to the Information Commissioner's Office (ICO).

The ICO approached Equifax in mid-October 2024 and in turn Equifax responded to Mr T's complaint not long after to explain they had not done anything wrong in relation to Mr T's request.

Following further exchanges between Mr T and Equifax, early in December 2024, Equifax sent Mr T a copy of his statutory report, but as he had not provided the required identification documentation (ID) a full DSAR was not sent. Mr T stressed he had not been seeking a statutory credit report and continued to raise his concerns about Equifax's handling of his DSAR.

Mr T raised concerns that Equifax were not following the ICO's requirements for ID verification and compared Equifax's processes to another credit reference agency (CRA). He said Equifax were refusing his DSAR.

Our Investigator reviewed Mr T's complaint, but did not find that Equifax had done anything wrong or acted unfairly in the circumstances of the case. They explained it was not unreasonable for Equifax to request ID in order to provide a DSAR, and Equifax had let Mr T know what was required.

Mr T disagreed. He said Equifax had not provided him with anything and he had never told Equifax that he only wanted a statutory report. He said Equifax were not complying with the

ICO's rules that only three pieces of information were required to be able to send a DSAR - and he had provided these. Mr T maintained that he wanted his DSAR queries to be answered point by point and Equifax had not done this.

Provisional findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Having reviewed the submissions it may first help if I explain some of the limitations to my authority here. This service is set up to resolve complaints on the basis of what is fair and reasonable in the circumstances of the individual case, so I do not have the authority to fine or punish a firm, and nor can I interfere with a firm's systems, controls or processes – those are all considerations for the appropriate regulator.

I would also like to reassure the parties that while I've only included a summary of what has happened above, I have reviewed all the available evidence and submissions. And although I may not respond to each individual point either party has raised, this does not mean I have not considered it, rather I have focused on those points I believe are relevant to reaching a fair and reasonable resolution in this matter.

I note Mr T has made several submissions to say Equifax failed to follow the ICO's requirements in relation to DSARs.

The ICO is the independent regulatory office in charge of upholding information rights in the public interest. On their website they provide information about DSARs for both the public and organisations.

The ICO's guidance suggests individuals include certain pieces of information when making a DSAR, amongst which includes the person's name, email address and home address (things Mr T provided to Equifax when approaching them to make the DSAR). However, I've not seen that these pieces of information are described as ID checks that every organisation responding to a DSAR should obtain, which is what I think Mr T believes to be the case.

The ICO explain that ID checks are sometimes needed when submitting a DSAR and they guide the public to provide ID when asked for it. Further, the ICO's information explains organisations may ask for more information about what is being requested and that if it's not clear what is being asked for, or if ID has not been provided, then organisations can pause the request until they have what they require from someone.

Equifax have said they received Mr T's DSAR on 31 July 2024 and contacted him on 1 August 2024 to find out what information Mr T required and let him know they offered two different types of DSAR – 'limited' and 'full'. Both DSARs include a copy of a person's statutory report, but the full DSAR would also include any other personal information Equifax might hold about someone – for example, for marketing purposes or any membership data. Equifax explained how to obtain either of these DSARs and provided contact numbers for Mr T to call if needed. They also let Mr T know that a full DSAR would require verification of his identity.

In the circumstances, I think Equifax's initial reply to Mr T was reasonable.

I've considered what Mr T has said about Equifax not answering his list of data queries point by point as he had set them out.

Although Equifax did not reply point by point to Mr T's list of queries, their response on 14

August 2024 was detailed and provided links to further information for Mr T to review. In the circumstances I don't think this was unreasonable.

As Mr T had referred his concerns to the ICO nothing further happened with his DSAR until after Equifax's response to Mr T's complaint. In the circumstances I would not think it reasonable to hold Equifax responsible for any delay here in dealing with Mr T's DSAR.

Following Equifax's complaint response, Mr T said he wished for his DSAR to be sent via post and online – something Equifax confirmed was possible and again pointed Mr T to creating an online account to do this. Mr T didn't wish to sign up to anything with Equifax, so his request was passed to the DSAR team who told Mr T they required ID to be sent to them.

As Mr T had not wished to use Equifax's online process, I don't think it was unreasonable for Equifax to request ID from Mr T. Mr T queried the purpose of the documents and Equifax responded at the end of October 2024 to explain ID was required to validate someone before sending the information requested.

Mr T did not send the documents to Equifax as he told Equifax in mid-November 2024 that he wished for his data queries to be answered before he would send anything. The following day Equifax reminded Mr T they had already answered his queries in mid-August 2024.

As noted earlier, the ICO guides individuals making DSARs to provide ID when asked, so I don't think it would be fair to say Equifax refused Mr T's DSAR given he had not provided them with the required ID. And I don't think it would be unreasonable for Equifax to satisfy themselves that any personal information was being sent to the appropriate person.

Equifax progressed things internally to arrange for a statutory report to be sent to Mr T and did this by asking Mr T to provide some personal details for them. They let Mr T know he could provide the information online, however Mr T maintained he did not wish to deal with Equifax online.

On 26 November 2024 Equifax again let Mr T know they needed some of his personal details (rather than ID) for his statutory report. Mr T provided the information and a statutory report was posted to Mr T on 4 December 2024.

Various communications between Mr T and Equifax followed with Mr T stating he had not received his DSAR; Equifax repeating their processes for making DSARs, and eventually Equifax explaining they would not engage any further with Mr T's DSAR until they had the information they required from him to satisfy their ID checks.

To date, I understand Mr T has not received a copy of his full DSAR as the required ID has still not been sent to Equifax.

Mr T has said he did not want a copy of his statutory report, but from the submissions there is some suggestion Mr T was looking to check that information on his credit file was correct as his submissions reference some concern about how some debts might be reporting. In light of this I think Equifax providing what they could in terms of their processes by sending Mr T his statutory credit report was not unreasonable in the circumstances.

I'm aware Mr T has made several submissions that Equifax have not handled his DSAR in the same way as another CRA. However, this matter is about Equifax so the processes or practices of a different CRA are not relevant here as I am considering whether, in this matter, Equifax have acted fairly and reasonably. And in any event, as I've already mentioned earlier I'm unable to interfere with a firm's systems, controls or processes.

While it is apparent Mr T disagrees with Equifax's way of handling DSARs and I realise my findings will be disappointing to Mr T, overall I've not found enough to persuade me Equifax have acted unfairly or unreasonably in the circumstances, so I don't uphold his complaint.

If Mr T still wishes to pursue a full DSAR from Equifax he is of course free to do so. I leave it to Mr T to contact Equifax directly if this is still something he wishes to do, and I remind Equifax of their obligations to treat their customers fairly.

Responses to my provisional decision

Mr T did not respond to my provisional decision, and Equifax replied to say they had nothing further to add.

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.

As neither party has provided me with any new evidence or submissions to consider, I see no reason to depart from the conclusions set out in my provisional decision. That is, overall, in the circumstances of this matter and for the reasons set out above in my provisional findings, I think Equifax have acted fairly and reasonably.

My final decision

For the reasons above my final decision is that I do not uphold Mr T's complaint.

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

Kristina Mathews
Ombudsman