

The complaint

Mr B is unhappy that Lendable Ltd, trading as Zable, didn't fulfil a Data Subject Access Request ("DSAR") in a timely manner.

What happened

Mr B posted a DSAR request to Zable on 15 January 2025, and he expected Zable to fulfil the DSAR within one month. But Zable didn't fulfil the request, and on 17 February Mr B contacted Zable and raised a complaint because of this.

Zable fulfilled Mr B's DSAR the following day, on 18 February. But they didn't uphold his complaint because they had no record of received a DSAR request from Mr B until his complaint about the matter on 17 February. Mr B wasn't satisfied with Zable's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. They felt that Zable had most likely received Mr B's initial DSAR request but had failed to action it. Because of this, they upheld this complaint in Mr B's favour and said that Zable should pay £100 to Mr B as compensation for any trouble or upset he may have incurred because the DSAR wasn't fulfilled. Zable didn't accept the view of this complaint put forwards by our investigator, 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.

I issued a provisional decision on this complaint on 5 August 2025 as follows:

Zable maintain that they have no record of receiving the initial DSAR request from Mr B. However, upon review, I feel it's more likely than not that Zable did receive that request but didn't act upon it, potentially because it wasn't recorded by them correctly upon receipt.

I say this because the postage certificate that Mr B has supplied includes a tracking number, which when input into the relevant postal service website confirms that the letter was delivered to Zable on 16 January.

Because of this, I'll be provisionally upholding this complaint in Mr B's favour. However, I won't be provisionally instructing Zable to pay any amount of compensation to Mr B because of what happened, because I don't feel that the impact of Zable's delay in fulfilling the DSAR merits any such compensation in this instance.

Mr B has said that he needed the DSAR information urgently. But he hasn't explained or demonstrated why this was the case, or why prior DSARs he'd submitted to Zable weren't sufficient. It also must be noted that the postage certificate Mr B has submitted to this service is invalid, because it doesn't include a required stamp. And while I still feel it's more likely than not that Zable received Mr B's initial DSAR on 16 February, I would reasonably

have expected Mr B to have called them to confirm this point, if the matter was urgent, and given that the postage certificate he held was invalid.

More importantly, if I accept that Zable received Mr B's DSAR request on 16 January, they were then obliged to fulfil that DSAR within one month, by 16 February. But when Zable received the complaint from Mr B on 17 February, they then fulfilled the DSAR the following day, on 18 February.

This means that there was a two-day delay in Mr B's DSAR being fulfilled from the end of the period that Zable were supposed to fulfil it. And, ultimately, I don't feel that this two-day delay was impactful on Mr B such that any form of compensation payment to him is merited here.

In consideration of my position here it should be noted that it is not the role of this service to punish or 'fine' a business. Instead, this service's remit is based on fairness of outcome and on the impact of events on the complainant. And given that speed with which Zable put matters right here, which limited the delay that Mr B experienced, I don't feel that anything further is fairly required from them.

Mr B and Zable both responded to my provisional decision and confirmed their acceptance of it. As such, I see no reason not to uphold this complaint on Mr B's favour on the basis explained above, wherein no further action from Zable is required. And I therefore confirm that my final decision is that I do uphold this complaint on that basis accordingly.

Putting things right

No further action from Zable is required.

My final decision

My final decision is that I uphold this complaint against Lendable Ltd, trading as Zable, on the basis explained above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 9 September 2025.

Paul Cooper
Ombudsman