

The complaint

Mr N complains Link Financial Outsourcing Limited haven't completed a Data Subject Access Request (DSAR) properly.

What happened

I issued a provisional decision setting out what'd happened, and what I thought about that. I've copied the relevant elements of this below, and they form part of this final decision.

Mr N took out a loan with a company I'll refer to as F. The account was purchased by another party who have asked Link to service the debt.

The information I have suggests in January 2024 Mr N first asked for information. In his request, he said:

My complaint has been incorrectly detailed by your department. F... were aware of my circumstances in 2015 and in 2019 when both application were made. Please can you provide me with the relevant policy then and based on my projected further income? Please provide me with the credit file that satisfied their lending criteria at the time? Why was I requested to have a guarantor in 2015 but not in 2019?

When Link didn't provide this, Mr N then asked for a DSAR. Link's records suggest they completed the DSAR for Mr N on 25 January 2024. Unhappy with it as it didn't contain any documents from F as he'd asked he complained on 30 January 2024.

On 18 March 2024 Link explained the DSAR would only contain information they held on Mr N – and it wouldn't hold any information from F unless they held it at the time, which they didn't. But, they'd since been in touch with F, and provided the information he'd asked for in this response.

Unhappy with this Mr N asked us to look into this complaint – as well as an irresponsible lending complaint he'd raised.

An Investigator and Ombudsman decided we couldn't look into the irresponsible lending complaint as it'd been brought too late to investigate. Because this issue has been decided, I won't comment on it again.

But both felt we could consider the DSAR complaint – which our Investigator did and he thought Link had handled matters fairly.

Mr N didn't agree saying he'd specifically asked for these documents and this wasn't addressed by Link nor were the documents provided. So, the complaint's been passed to me to decide.

What I've provisionally 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.

Generally speaking whether information should or shouldn't be provided as part of a DSAR would be the responsibility of the Information Commissioner's Office (ICO) to determine. But, in this complaint, I think it's appropriate for me to consider what specifically Mr N asked for and how Link communicated that with him – along with the timescales involved.

As I've set out above, Mr N first asked for the information from F on 2 January 2024. At this point, Mr N hasn't raised a DSAR – he'd just asked for information. It was only after Link's response where he felt they'd misunderstood what he was asking did Mr N ask them to treat his request as a DSAR.

Link provided the DSAR and have explained this wouldn't have included any information from F as they didn't hold it on their systems.

In theory that might be ok – but in practice Mr N had made a request for information from F before then feeling like he had to make a DSAR. Link didn't respond properly to Mr N's request for the information from F until replying to the complaint on 18 March 2024. In that response, Link said:

"Since your most recent email, I have contacted the relevant team in order to gain the original documents from F...directly. Please find these documents enclosed".

When we asked Link to provide us with the communication between them and F their response was to say there wasn't any as F no longer exists. Any documents would be held by another department which they've now asked for.

This should have happened when Mr N first asked for it. So, Mr N was delayed in receiving this information from 2 January 2024 until 18 March 2024 – around two and a half months.

In the circumstances, I'm satisfied Mr N has been caused some distress by Link's failure to properly deal with his first request on 2 January 2024. I think £100 is a fair reflection of this.

Responses to my provisional decision

Link replied and said they accepted my outcome.

Mr N asked for the specific documents he'd asked for to be provided – and if they can't be an explanation of why they've been destroyed.

Our Investigator explained Link had told us they'd provided everything they could – so there wasn't anything else we could do. If Mr N was unhappy with what had been provided he could contact the ICO – but otherwise we asked Mr N to confirm if he accepted the provisional outcome or not.

Mr N asked a few more questions – but ultimately didn't reply by the deadline to provide his thoughts on the outcome. Because of that, I'm satisfied it's appropriate to now issue my 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.

My role doesn't extend to reviewing if Link have complied fully with a SAR – but the ICO can consider this.

What I've considered is the delay between when Mr N first raised a request for information – albeit not a SAR – and when Link say they provided everything they could. I've had no comments explicitly disagreeing with my thoughts on this - so, I remain of the opinion £100 compensation is fair.

My final decision

I uphold this complaint and require Link Financial Outsourcing Limited to pay Mr N £100 compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 30 October 2025.

Jon Pearce
Ombudsman