

The complaint

Mr M complains Santander UK Plc is holding his data against his wishes causing him considerable stress and inconvenience.

What happened

Mr M contacted Santander in October 2025 asking to exercise his right to erasure. He says the agent he spoke to told him that Santander might retain some data. He complained.

Santander looked into Mr M's complaint and said that as he'd previously held a current account it wouldn't be able to delete his data until 10 years after the closure of that account. In other words, it wouldn't be able to delete his data until July 2023. Mr M was unhappy with Santander's response and the fact that it wasn't able to point to the specific provisions in the Data Protection Act on which it was relying. He, therefore, complained to our service.

One of our investigators looked into Mr M's complaint but didn't recommend that it be upheld as they didn't think Santander had acted unfairly. Mr M asked for his complaint to be referred to an ombudsman for a decision. His complaint was, as a result, passed to me.

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.

Based on the evidence I've seen, I think it's more likely than not that Mr M wanted there to be no record of him previously having been a Santander customer as he potentially wanted to take advantage of switching incentives – having been a customer in the past would potentially mean he wasn't eligible. I can, therefore, see why he wanted to exercise his right to erasure. That right is not, however, absolute. More importantly, taking everything into account, I don't agree Santander acted unfairly when it said it would be retaining some – but not all – of the data it held in relation to Mr M for the reasons it gave. I'm not, therefore, going to uphold this complaint.

My final decision

My final decision is that I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 30 April 2026.

Nicolas Atkinson
Ombudsman