

## **The complaint**

Mrs E complains that Vanquis Bank Limited (“Vanquis”) caused her significant emotional distress and inconvenience, after disclosing a third-party’s details to her in error.

## **What happened**

I won’t repeat all the facts here, as those aren’t in dispute. I have reviewed the entire file and if I don’t comment on something, it isn’t because I haven’t seen it - it’s that I haven’t deemed it relevant. I mean no discourtesy by this, it’s merely to reflect the informal nature of our service.

Mrs E made a Data Subject Access Request (“DSAR”) to Vanquis in September 2025.

On 6 October 2025, Vanquis responded to Mrs E’s DSAR, but provided another customer’s details in error. Mrs E contacted Vanquis to report the error on 7 October 2025.

Vanquis said it carried out an internal review, acknowledged the error, the incorrect data was deleted, it identified the cause, provided feedback and ensured the incident was reported in accordance with the Information Commissioner’s Office (“ICO”) guidelines. It offered Mrs E £150 compensation for any distress and inconvenience caused.

Mrs E said the situation has caused her significant emotional distress and anxiety because she has said the matter has made her worried that her own data may also have been mishandled or disclosed. She says Vanquis’ communications in relation to the error made matters worse, as it implied that she could be committing a criminal offence, if she retained the data. She said this was legally incorrect and felt intimidating and threatening. Mrs E says it was also incorrect for Vanquis to tell her to return or delete the evidence, given she needed to retain it for the ICO and Ombudsman investigations.

Mrs E says she has spent a considerable amount of time writing letters, gathering evidence, seeking clarification, reporting the breach to the ICO and now escalating the matter to the Ombudsman. She said it has been emotionally exhausting and has impacted her daily life. To put things right, Mrs E would like compensation in the region of £750 to £1,200.

Upon the complaint being referred to this service, Vanquis increased its offer to £200. However, Mrs E didn’t accept this.

Because the parties couldn’t agree, the matter has been passed to me to decide.

## **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.

Having done so, whilst I know this will disappoint Mrs E, I don’t think Vanquis needs to do anything more to put things right, beyond paying the compensation it’s already offered.

Mrs E has explained that part of the reason she disagreed with our Investigator's view, is because of the seriousness of Vanquis' error. So, I must explain that it's the ICO which regulates compliance to data protection laws. It's not for our service to tell a business that it must review its procedures or processes – including those involving data protection. Instead, it's my role to consider the impact of Vanquis' error on Mrs E. So that's what I've done here.

There's no dispute that Vanquis made an error, by incorrectly sending Mrs E someone else's details. Following this, Vanquis:

- Apologised for what had happened.
- Told Mrs E what she must do in relation to the incorrect information, i.e. return or destroy it, and explained any potential liability she may have.
- Reassured Mrs E that her data hadn't been compromised.
- Explained the reason for the breach was human error. And that appropriate feedback and training had been provided to the agent involved to prevent any future issues. In addition, further controls were put in place.
- Explained it had reported the incident internally, in line with ICO guidelines. But it wasn't required to report all breaches to the ICO and nor is it required to disclose the outcome of any internal investigations. Also, that the third party had been informed.
- Offered Mrs E compensation for any distress or inconvenience caused.

Overall, I'm satisfied Vanquis' actions following the error, went far enough and that the compensation it has offered fairly reflects the level of distress and inconvenience the matter caused Mrs E.

Whilst Mrs E says she doesn't feel Vanquis did enough to establish why the incident occurred or enough to ensure it doesn't happen again, I disagree. It explained to Mrs E it had carried out an internal investigation, why the error had happened and what it had done to prevent the error from happening again. I think its explanations were sufficiently detailed and reasonable in the circumstances.

I also don't agree that Vanquis' communications around what Mrs E must do with the data sent in error, to be unreasonable. I understand this was worrying for Mrs E – particularly given criminal liability was mentioned. But it's right that even though the error wasn't Mrs E's fault, it did lead to her being in possession of someone else's data. And so, that comes with certain responsibilities. So, it's reasonable, and likely expected, that Vanquis should adequately warn Mrs E about this. As our Investigator has pointed out, Vanquis also has obligations around protecting the data shared in error and so it's only right that it took steps to ensure its error was mitigated.

I accept that Mrs E suffered some distress and inconvenience as a result of what happened. It's relevant to recognise that it wasn't Mrs E's data that had been compromised here. But I understand that receiving someone else's data caused her worry about her own data possibly being shared. And, that there is a level of inconvenience in having to deal with Vanquis' error. But Vanquis explained what had happened, what it had done to put things right – and reassured Mrs E about her own data. It did so within a relatively short space of time. So, I'm persuaded this went some way to mitigate any impact its error may have had – and I'm satisfied the level of compensation it has offered is fair and reasonable.

### **My final decision**

Vanquis has already made an offer to pay £200 to settle the complaint and I think this offer is fair in all the circumstances. So, my decision is that Vanquis should pay Mrs E £200.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs E to accept or reject my decision before 2 April 2026.

Sophie Kyprianou  
**Ombudsman**