

complaint

Mr K complains that Santander UK Plc sent letters containing his personal information to the wrong address.

background

Mr K has a mortgage with Santander. He says that for a period of time Santander held the wrong address details for him on their systems. And this meant they sent letters about his mortgage to the wrong address.

He says these letters contained personal information about him, including salary, work history, age and personal profile – as well as details about his mortgage.

Mr K complained to Santander, who admitted they'd sent some information to the wrong address. They offered Mr K £150 as a gesture of good will and to allow him to pay for two years' subscription with CIFAS for fraud prevention purposes (at a cost of £20).

Mr K wasn't happy with this outcome and complained to us. He also pointed out that he didn't get Santander's final response letter to his complaint because they'd used another wrong address.

Our investigator looked into it. When Santander became aware Mr K hadn't received their final response letter they offered to pay Mr K an additional £100 in compensation, taking the total offer to £250.

Our investigator thought this outcome was fair and reasonable, but Mr K didn't agree and asked for a final decision from an ombudsman. He thinks he should receive more compensation for the stress he's suffered and for the risk that his personal details may be misused.

my findings

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

Mr K's actual address – which I'll refer to as address A - is in the following format:

Flat [Number]
[Building name]
[Number] [Street name]
[Town]
[Postcode]

The address to which Santander sent Mr K's mortgage completion letter and statement – which I'll call address B - uses the flat number, then the street name. So any letters will presumably go to another house on Mr K's street.

There's no dispute that Santander sent the mortgage completion letter and statement to address B.

They've provided documentary evidence that this is the address used by the surveyor who valued the property and by the solicitor who prepared the property's Title certificate. So, the mistake wasn't originated by them.

Nonetheless, they have admitted they should have picked up the issue sooner – they had written to the correct address previously – and should have resolved it before they wrote to Mr K.

The letters sent to address B *do* contain personal information about Mr K – his name, mortgage account number and details relating to how much he pays and when. But there is no evidence that Santander ever sent details relating to Mr K's salary, work history or any other personal profile to the wrong address.

When Mr K asked Santander to change his address details, he provided a utility bill to prove his address – in line with Santander's standard procedure. We've seen a copy of this utility bill and it contains a third version of Mr K's address – I'll call it address C. This has the flat number, building name, town and postcode - but no house number or street name.

Santander sent their final response to Mr K's complaint to address C. Mr K says it didn't arrive – although some mail using address C does get to him. Given the details missing from address C, it's not entirely surprising that some mail arrives and some does not.

I don't think Santander are wholly to blame for the confusion about Mr K's address - particularly the later issue caused by the utility bill address. The utility bill was provided by Mr K after all.

However, they have admitted they didn't act as quickly as they should have when contradictory information about the address first came to them. And they held the wrong address details for a considerable time, when it might have been relatively easy to resolve the issue earlier by contacting Mr K and sorting things out.

I can understand Mr K's worry about his personal details being sent to the wrong address. But there's no suggestion that Mr K has actually suffered any consequential loss as a result of the mis-addressed letter. And Santander have acted reasonably in referring Mr K to CIFAS and agreeing to pay his subscription fees for two years.

Bearing that in mind, and taking into account the extent of the personal information included in the mis-directed documents (which didn't include salary, work history or other personal profile details), I think the £250 offered by Santander during our investigation of the complaint is fair and reasonable.

my final decision

For the reasons set out above, I uphold Mr K's complaint.

Santander UK Plc should pay Mr K £250 for his trouble and upset.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 14 February 2019..

Neil Marshall
ombudsman