

complaint

Mr and Mrs T complain that Bank of Scotland plc trading as Halifax has been sending correspondence related to the mortgage to her ex-husband's former address. Mr and Mrs T want to insure that this doesn't happen to anyone else and that they are fairly compensated for the stress they suffered.

background

Mrs T phoned Halifax in May 2019 about a payment plan for her mortgage and it became clear in that call that Halifax had been sending their correspondence to both their and Ms T's ex-husband's address. Mrs T's ex-husband has nothing to do with the mortgage.

Halifax says that the address for Mrs T was correct on its system until 2015 when it was changed to her ex-husband's address. Halifax can't explain why this happened but offered compensation of £500, £50 for protective registration with CIFAS for two years and £20 for Mrs P's taxi fares. Our investigator felt that the compensation offered seemed appropriate. Mr and Mrs T disagreed and asked for a review.

my findings

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

Something went wrong here when Mr and Mrs T's mail about her mortgage was sent to the address of her ex-husband and Mr and Mrs T are understandably upset about it. Unfortunately, Halifax can't tell us why it happened but there seems to be a data breach where information held by Halifax has been passed to a third party. I see that our investigator has passed on details of the Information Commissioner's office to Mr and Mrs T who is the regulator in such matters.

Halifax has accepted that it shouldn't have done this and says it has taken the appropriate steps to insure it isn't repeated in the future as we would expect it to do. Mrs T makes the point that this shouldn't have gone on for so long and clearly it shouldn't. Mrs T also makes the point that there may be other people like them going through the same thing if it's so easy to change an address on the system without explanation. But whilst I believe that the point is well made we aren't the regulator nor is our role to punish financial businesses for the way in which they operate their systems.

I have to consider the appropriate level of compensation due to Mr and Mrs T. I've looked at whether I can compensate them for any financial loss but there is no evidence that this caused Mr and Mrs T financial loss or any evidence that the information provided to a third party has been used against them as is sometimes the case-so I can't compensate them financially for any loss.. Although Mr and Mrs T refer to stress and anxiety they don't refer to any medical intervention as a result.

I can compensate them for their trouble and upset. I of course recognise the upset that has been caused to them by the possible disclosure of personal information about their arrears to a third party on several occasions. I realise that money can't truly compensate for such upset. Mr and Mrs T have referred me to other decisions made by this office. I have indeed

reviewed several but I'm of the view that the amount offered by Halifax is appropriate and on that basis I can't fairly uphold this complaint.

my final decision

My decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs T to accept or reject my decision before 18 March 2020.

Gerard McManus
ombudsman