

complaint

Mr F is unhappy Nationwide Building Society asked for personal information during a branch visit.

background

Mr F visited his local Nationwide branch to withdraw some cash. He was asked a lot of personal questions which made him anxious and distressed. He didn't think questions like that should be asked in a public area.

When he tried to complain in the branch there wasn't anyone to deal with him. Mr F said he returned a few days later to try again. But he didn't like the way the staff dealt with the validation questions. Mr F thinks Nationwide is breaching the Data Protection Act 1998. And it's recorded his mobile number without permission. He wants them to stop breaching the act. And he wants compensation for his distress.

Nationwide was sorry to learn Mr F was unhappy with the service he'd received. It said it hadn't received the letter of complaint Mr F had sent. But it spoke to the staff in the branch. And it felt they'd followed the correct procedures to validate Mr F's identity before allowing the withdrawal to take place.

Our adjudicator looked into the matter. He understood Mr F's concerns. But he felt it was reasonable for Nationwide to check the customer's identity before carrying out transactions. He didn't think Nationwide meant to cause Mr F any distress – it was just trying to help him complete his withdrawal.

Mr F didn't agree. He felt Nationwide was breaching the Data Protection Act in a number of ways. It was putting customers at risk by verbally asking for personal information. And he hadn't given it permission to retain his mobile number. So he's asked for an ombudsman's final decision.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint but based on what I've seen, I think Nationwide has acted fairly.

Mr F struggles to hear sometimes. So he doesn't want his personal or financial details being discussed too loudly and overheard by other customers. And he doesn't want Nationwide to hold information about him, such as his mobile number, on file. Mr F has raised a number of concerns. So I've looked carefully at everything he's said. But I've concentrated on the issues that are relevant to the outcome.

Mr F wanted to withdraw some cash over the counter of the branch. So Nationwide's staff tried to verify his identity. I realise Mr F didn't want to go through his details in a public area. He wasn't sure who was listening. But it wouldn't be right for Nationwide to allow him to withdraw money from an account without checking first.

During Mr F's second visit it offered him the option to write his answers down instead. And I think that was a sensible response. I know Mr F was upset how his driving licence was handled. But I'm sure the staff didn't mean to upset him.

From what I've seen Nationwide was trying to take Mr F's concerns into account. It wanted to help him complete his withdrawal. But it needed to follow the correct procedures first.

Banks and building societies try to offer welcoming, open areas for their customers. And I appreciate this causes Mr F some concerns. He'd prefer a more private space. But it's not our role to tell businesses what to do. Our role is to assess what impact any mistake has had on its customers.

I can't really say Nationwide has acted incorrectly when it asked Mr F for identification. That's the normal procedure when dealing with customer finances. And I think it's tried to offer different ways to help him. Although Mr F has found some of the processes distressing, I'm sure Nationwide didn't mean to cause him any anxiety.

Mr F said he wanted to complain while he was in the branch. And Nationwide said its staff offered to raise the complaint for him. But Mr F said he would contact head office himself. Unfortunately his letter never arrived. But Nationwide has now responded and tried to answer his concerns.

I can see Mr F was unhappy Nationwide had his mobile number on file and used it to contact him. But I don't think it's unreasonable for Nationwide to keep a record of how to contact its customers. It might need to contact them urgently, for example, if it was concerned about suspicious activity on their account. And I'm sure Nationwide would consider removing the details if Mr F requested it.

As our adjudicator has explained, it's not our role to look at Nationwide's business practises. That's the job of its regulator, the Financial Conduct Authority (FCA). And it's not our role to investigate concerns about data security. But I can see Mr F has been given details for both the FCA and the Information Commissioner's Office – should he wish to contact them.

Based on everything I've seen, I can't really say Nationwide has done anything wrong. I realise Mr F will be disappointed by this outcome. But I hope this shows I've listened carefully to everything Mr F has said and the reasons behind my decision.

my final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 18 January 2018.

Andrew Mason
ombudsman