

## **complaint**

Mr D is unhappy that Lloyds TSB Bank Plc contacted a third party debt collector and disclosed information about him. He complains that Lloyds TSB provided this information after obtaining it incorrectly.

## **background**

Mr D is unhappy that a debt collector contacted a third party and gave them information about him. He is also unhappy that it held a contact number for him despite it having supposedly been removed from his account at Lloyds TSB after he requested he be contacted only in writing. The adjudicator recommended that this complaint should be upheld as he concluded on the evidence that the numbers could only have been passed to the debt collector by Lloyds TSB, as the debt collector did not carry out any other traces of data concerning Mr D. He recommended that Lloyds TSB pay Mr D £50 compensation for distress and inconvenience. Mr D disagrees and believes this amount is insufficient.

## **my findings**

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

I have sympathy with Mr D who is clearly annoyed that telephone details were used to contact a third party despite assurances that his number had been removed from his account. I note he also believes the debt collector discussed his affairs with the third party it called. Lloyds TSB has denied it passed this information on when it assigned the debt to the third party and has said it did not discuss his account with anyone else.

On balance and in all the circumstances, I agree with the adjudicator in finding that Lloyds TSB more likely than not passed on via its automated debt assignment process, contact particulars for Mr D that remained within its system. As a result the debt collector was able to call a third party. I am not satisfied that the debt collector disclosed any details of Mr D's affairs, however, so I am unable to find that there was a further wrongdoing or breach of data protection in that regards.

Nevertheless, I agree with the adjudicator that Lloyds TSB was at fault in passing on contact numbers in relation to Mr D's account.

I note Mr D feels the sum recommended for compensation is not sufficient. While I accept this, I do not recommend a higher award as I consider £50 to be fair and reasonable in all the circumstances and in keeping with awards made by the Financial Ombudsman Service in similar cases.

## **my final decision**

My decision is that Lloyds TSB Bank Plc should pay Mr D £50 in full and final settlement of this complaint.

Zoe Copley  
**ombudsman**