

The complaint

Miss F complains about the way in which Bank of Scotland plc trading as Halifax handled her DSAR request.

What happened

In March 2023 Miss F made a DSAR to Halifax as part of her complaint about irresponsible lending.

When Miss F received the DSAR it was outside of the one month period since her request was made. Miss F also says that the DSAR was incomplete because she hadn't received all of the information she'd asked for. She said the DSAR was missing phone calls and details of interest and fees charged on her account to date.

Miss F complained to Halifax.

In its final response dated 17 October 2023, Halifax apologised for not actioning the DSAR. It also apologised that Miss F's complaint hadn't been handled correctly. It paid compensation of £100.

Miss F remained unhappy and brought her complaint to this service.

Our investigator didn't uphold the complaint. He said that the compensation offered by Halifax in respect of its failure to provide the information on time and for the service which Miss F received was fair.

Miss F didn't agree. She said she didn't think the offer of compensation was fair because she'd spent hours dealing with the DSAR. She said she'd clarified many times with Halifax the information which was missing from the DSAR and she still didn't have it.

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.

Halifax has accepted that they failed to deal with Miss F's DSAR within a reasonable time and/or within the timescale permitted. It has explained that it logged Miss F's DSAR as part of her complaint about irresponsible lending, but due to an error the DSAR wasn't dealt with.

Halifax said that because Miss F had already referred her complaint to this service, it had to log a new complaint. It said it submitted the DSAR on 18 April 2023.

Halifax stated in its final response letter that Miss F should call to discuss the DSAR in more detail and it would make further specific requests for information.

I appreciate that Miss F has found the DSAR issue very frustrating to deal with. She's said that she's spent a lot of time dealing with it. I understand that this will have caused her distress and inconvenience. I've thought about whether Halifax has done enough to resolve

this complaint for Miss F. The DSAR has been actioned now. So this leaves the issue of whether the compensation paid is fair. On balance, I think the sum of £100 is fair. It's in line with what this service would award. So, I won't be asking Halifax to pay anything further.

Miss F has said that she still hasn't received all of the information she requested in the DSAR. The actual data provided in the DSAR isn't something that this service is able to look into. Only the Information Commissioners Office can do that, so Miss F would need to contact their office.

Halifax has told this service that if Miss H can tell this service exactly what is missing from the DSAR, it will request it again on her behalf.

For the reasons I've explained above I'm unable to uphold the complaint.

My final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss H to accept or reject my decision before 4 April 2024.

Emma Davy
Ombudsman