

The complaint

Mr D is unhappy that HSBC UK Bank Plc won't send him historical account statements from 2009 through 2012.

What happened

Mr D visited a HSBC branch to request copies of his account statements from 2009 to 2012. HSBC's branch staff said they couldn't access his account statements from that date, but that they may be held on microfiche and that Mr D could put in a request to retrieve them.

Mr D completed a form to request his account statement from 2009 to 2012. But shortly afterwards, he received a letter from HSBC explained that they were unable to provide the statements Mr D had requested because they don't keep statement records going that far back. Mr D wasn't happy about this, so he raised a complaint.

HSBC responded to Mr D and confirmed that their data retention policy meant that they no longer held statements for the time that Mr D was requesting. Mr D wasn't satisfied with HSBC's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they didn't feel HSBC had acted unfairly in how they'd managed the situation. Mr D remained dissatisfied, so the matter was escalated to an ombudsman for a final decision.

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.

Having done so, I'd like to be by confirming to Mr D that I'm satisfied that HSBC don't have the historical statements for his account from 2009 to 2012 that he's requesting. And I also don't feel that it would be reasonable to expect them to have copies of his account statements from 2009 to 2012 at this time.

The primary reason for this is that banks such as HSBC aren't obliged to retain statement records indefinitely. HSBC have explained that their own data retention policy is that they only keep current account statements on file for seven years. And I'm satisfied that HSBC are entitled to hold such a policy.

Mr D has explained that he feels that HSBC's data retention policy is illogical. But it must be noted that banks such as HSBC formulate their data retention policies to comply with data regulations which, among other things, include that a business shouldn't retain information longer than is reasonably necessary.

Given that credit file reporting, for instance, lasts for six years, it's very common for banks to have data retention policies like HSBC's, wherein data is deleted when it's reasonable to assume that it most likely won't be needed to verify or challenge any credit file reporting or similar – i.e., after six years, with a reasonable amount of additional leeway given to mitigate

against potential early deletion. And this often results in data retention policies of approximately seven years.

Furthermore, HSBC's data retention policy is available for public viewing via HSBC's website. And HSBC send out automated notifications to all of their customers when any changes to this policy are made by them.

Mr D has explained that he has autism and that one consequence of this is that he requires things to be clearly explained. I can therefore appreciate how the fact that Mr D was initially told by HSBC branch staff that the historical statements might be held on microfiche, only to be later told that this wasn't the case, would have been frustrating for him.

But if Mr D was told by HSBC branch staff that his historical statements were held on microfiche, then unfortunately that appears to have been a mistake on the part of that HSBC branch staff member. And, as explained, I'm satisfied that the truth of the matter is that HSBC simply no longer retain copies of his account statements going back to 2009 through to 2012 – because all those dates are more than seven years ago, meaning that the statements from those dates have previously been deleted by HSBC.

So, to confirm, HSBC have a data retention policy whereby they don't retain current account statements for more than seven years and delete statements from their records once they become older than seven years. HSBC are entitled to hold this data retention policy and I'm satisfied that they aren't doing anything wrong or unfair by applying it.

Finally, because of their data retention policy, HSBC no longer hold statements for Mr D's account from the time that Mr D has requested – because the requested period is from more than seven years ago. And while I appreciate this will be frustrating for Mr D, because he would like that information, I don't feel that it's unfair.

All of which means that I won't be upholding this complaint or instructing HSBC to take any further action here. I realise this might not be the outcome Mr D was wanting. But I hope that he'll understand, given what I've explained, why I've made the final decision that I have.

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 D to accept or reject my decision before 5 April 2024.

Paul Cooper
Ombudsman