

The complaint

Mr E has complained that a member of staff at Clydesdale Bank Plc trading as Virgin Money (“Virgin Money”) spoke to him over the phone without first verifying that it was actually him.

Mr E says that this is a breach of his personal data.

What happened

Virgin Money looked into Mr E’s complaint and issued its final response to the complaint on 20 September 2024. Virgin Money acknowledged that its manager should’ve checked Mr E’s details before discussing matters with Mr E, but as no personal or account details were discussed it was satisfied that there was no breach of Mr E’s personal data.

Unhappy with Virgin Money’s response to the complaint, Mr E referred his complaint to this service. One of our investigators assessed the complaint, and they didn’t uphold the complaint.

As Mr E didn’t agree with the investigator’s conclusions, the matter was referred for an ombudsman’s 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 considered everything, I’m unable to uphold this complaint.

I understand that Mr E had a telephone conversation with a manager at Virgin Money on 22 August 2024. Mr E is unhappy that the member of staff didn’t carry out any security checks first, to ensure that they were speaking with him.

I have listened to the call in question. I understand that Mr E had spoken to Virgin Money earlier on that day and the call in question was a call back by a manager.

Firstly, I note that the member of staff started off the conversation by saying that, as Mr E had already spoken with a member of staff that day and they were calling him back, they said they didn’t need to go through security again. Although, of course, if Mr E was unhappy with this or didn’t feel comfortable continuing the call, he was free to end the call if he wished to do so.

During the call the member of staff told Mr E he would need to give more information about a Direct Debit indemnity claim he’d raised. Mr E said that he’d sent in another email. The member of staff said that, if he has sent in another email, this would be reviewed by the indemnity team and Virgin Money would get back to him about it. The member of staff said she could not put Mr E through to the indemnity team, as it is not a customer facing team.

Unhappy with this, Mr E said he wanted to make a complaint. The member of staff then put Mr E on hold and tried to transfer him through to the complaints department. But after being

on hold a few minutes, the member of staff said she was unable to put Mr E through to the complaints team, as no one was answering their phones. As an alternative, the member of staff offered to register the complaint for Mr E, but Mr E declined.

Mr E was clearly unhappy that he was not put through to the complaints team. But I can't say that the member of staff treated him unreasonably. During the call, the member of staff did try to put Mr E through to the complaints team when he insisted on speaking with them. And then, when she couldn't transfer him, she did then offer to register the complaint for him instead. So, I think the member of staff dealt with matters in a reasonable way and provided Mr E with a reasonable alternative.

Having listened to the call, other than asking if she (the member of staff) was speaking with Mr E, no sensitive or personal information was discussed or disclosed during the call. So, even if I were to conclude that the member of staff should've carried out a security check, I can't see that any harm (or potential harm) has been caused to Mr E by the member of staff not doing so. Because of this, I don't think that Virgin Money needs to do anything to put things right in relation to this complaint.

My final decision

Because of the reasons given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 13 January 2025.

Thomas White
Ombudsman