

The complaint

Miss S complains that Sainsbury's Bank Plc caused delays in uploading her identity documents which meant she didn't receive a statement she needed for her closed account. Miss S has subsequently complained that Sainsbury's hasn't actioned her Subject Access Request (SAR). Miss S said she is seeking £300 compensation.

What happened

Miss S called Sainsbury's on 2 March 2023 to get a statement for her account. Sainsbury's said she was unable to answer its security questions and so it requested further security documents to unblock her account. It said it needed these via the post for her previous and new address in order to reset her telephone banking security.

Miss S was unhappy that Sainsbury's couldn't action her request from her call and sent in some information on 2 March 2023. Sainsbury's said this went to the wrong address and wrote to Miss S on 23 March 2023 to say that it couldn't accept the copy of her driving licence as it didn't show an address. It set out what it needed to satisfy its security checks.

Miss S complained to Sainsbury's that she had sent identification information by 8 March 2023 and followed up with a call, in which Sainsbury's agent confirmed receipt. She said she didn't receive Sainsbury's letter of 23 March 2023.

Sainsbury's agent said that they tried to provide Miss S information on a call about acceptable documents from its lists, but she kept interrupting. And the agent said she was abusive and hung up before the full list of acceptable documentation could be described.

Our investigator didn't recommend the complaint be upheld. He said Sainsbury's told Miss S what she needed to send, and the address, but her documents didn't meet its requirement and she sent them to a different address – a general mail department. The investigator said when Miss S phoned to chase, Sainsbury's found her information. He said Sainsbury's agent didn't imply that the information was acceptable, just that it had been received and would be passed on to the right department to be reviewed.

The investigator said Sainsbury's wasn't aware its letter hadn't been received and so its communications appeared to be contradictory. He concluded that Sainsbury's wasn't responsible for the delay in actioning Miss S's identity verification. He said that Miss S still needed to satisfy Sainsbury's security requirements for it to process the statements to be sent. This also applied to the SAR to be processed, which he thought was reasonable.

Miss S said the investigator had missed the point of her complaint and is prejudiced, and requested an ombudsman review. She said she sent Sainsbury's her driving license to identify 'her name, not address', and a utility bill showing her current address. But its agent mistakenly took issue with the license thinking it was the only document sent in to confirm the address and failed to identify the utility bill. Had Sainsbury's checked all documents she had sent in as requested, she said she would have passed security.

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.

I was sorry to learn about the inconvenience and upset Miss S has suffered as a consequence of not meeting Sainsbury's account security measures. Miss S has said that she isn't complaining about the measures, but *'how there was a lack of clarity in what was wrongly sent to satisfy the security measures'*.

In common with all banks, Sainsbury's has to apply fraud security checks to protect customers' accounts. Banks are allowed to determine the checks they will put in place and so our service wouldn't tell them what security checks they should carry out, and we wouldn't intervene in these checks unless we thought they provide an unfair outcome for a consumer.

Miss S said that Sainsbury's confused her and gave no clarity as to how to meet the security measures. Having looked through all of the correspondence and calls I don't think this is an accurate assessment of Sainsbury's response to Miss S's requests. I will explain my reasons for reaching this conclusion.

Miss S sent Sainsbury's identification information on 2 March 2023, but this didn't pass security. She said that at no point did Sainsbury's email its security requirements or communicate with her to ensure she understood what the problem was. I can see Miss S's frustration on calling Sainsbury's to be told that it didn't have her information. The reason for this was that Miss S didn't send the information to the address Sainsbury's had provided her in a previous call. Sainsbury's agent was eventually able to locate the information.

Miss S said that Sainsbury's agent said the information was acceptable and she would receive an access code, but when this didn't happen she complained. Sainsbury's complaint handler told her the information didn't pass security as it showed her old address. Miss S said this leaves the question as to the whereabouts of the copy of her utility bill with the address she moved to in March 2021.

During Miss S's call on 2 March 2023, Sainsbury's said it needed two documents - one from its List A and one from List B, with one to show her current address and one to show her previous address. So, this could be either by the driving licence having the current address and the utility bill showing the old address, or vice versa. Or by any other documents shown on List A and B in the correct combination. Sainsbury's agent provided Miss S with the address to send in the information.

I've seen the documents Miss S sent to Sainsbury's and that she sent these to a different address – which explains the lack of update from Sainsbury's. Miss S sent a utility bill, so this isn't missing, and List B requirements have been met, but a document from List A is outstanding. Miss S thinks she was told that her documents met Sainsbury's requirements. Sainsbury's agent didn't tell Miss S that two documents from List B together with her driving licence would be acceptable as proof of identity. The agent said he would refer the documents for checking and the relevant department would be in touch. The agent didn't tell Miss S that the documents were acceptable.

Miss S pursued the issue, and this was followed by Sainsbury's letter of 23 March 2023 confirming the security information required. This ought to have clarified the situation, but Miss S didn't receive the letter. She has said she is due damages from Sainsbury's for not ensuring the letter was received, and not clarifying that the partial copy of her driving licence she had sent wasn't sufficient. I have seen a copy of Sainsbury's letter and I have no reason to doubt that this was sent. It was unfortunate the letter wasn't received by Miss S, but Sainsbury's records show it was dispatched.

Sainsbury's complaint handler confirmed by email to Miss S that her copy of the partial copy of her driving licence that she sent wasn't acceptable. I agree with the investigator that the complaint handler could usefully have added that List B requirements had been satisfied, but a List A document was still outstanding. Miss S said she is due damages for Sainsbury's failure to confirm her documents were received in spite of her requests. I have seen that Sainsbury's did check that Miss S's documents had been received and confirmed they would be sent to the correct department for verification.

Miss S said she was left with confusion when she asked for clarity. Sainsbury's said it followed its security processes correctly and provided the required information in order for Miss S to unblock the security. I have seen that Sainsbury's clarified the addresses it needed, and that the front and back of the driving licence was required, and the address the documents were to be sent to.

Sainsbury's didn't receive the required documentation, as a document from List A remained outstanding, and this is why Miss S's account remained blocked. I haven't found any error on Sainsbury's part in its handling of Miss S's account as it acted in accordance with its security procedures, and so I can't uphold this complaint and award her compensation. I realise Miss S will be disappointed by this outcome, but I hope she will understand the reasons.

Since Sainsbury's thinks that Miss S hasn't provided adequate evidence to meet the requirements of its account security it would have appeared very anomalous for it to then send her information in response to her SAR. If she hasn't already, it remains open to Miss S to bring a complaint about the SAR to the Information Commissioner's Office. But I hope she will overcome the difficulty she has faced in meeting Sainsbury's security requirements so as to unblock her account and receive the SAR information.

My final decision

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss S to accept or reject my decision before 2 November 2023.

Andrew Fraser
Ombudsman