

## **The complaint**

Miss E is unhappy about the way Sainsbury's Bank Plc (who I'll call Sainsbury's) treated her when she made a Data Subject Access Request (DSAR).

## **What happened**

The details of this complaint are well known to both parties, so I won't repeat them again here. Instead, I'll focus on giving my reasons for my 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.

I agree with the investigator's opinion. I'll explain why.

Where the information I've got is incomplete, unclear, or contradictory, as some of it is here I have to base my decision on the balance of probabilities.

I've read and considered the whole file, but I'll concentrate my comments on what I think is relevant. If I don't comment on any specific point it's not because I've failed to take it on board and think about it but because I don't think I need to comment on it in order to reach what I think is the right outcome.

The UK General Data Protection Regulation (UK GDPR) gives people the right to find out what information a business holds about them. This is known as a data subject access request (DSAR).

Sainsbury's wouldn't accept an emailed DSAR from Miss E as they said it wasn't a secure form of communication. It's for Sainsbury's to decide how to secure consumer's information and it's not for this Service to tell Sainsbury's how to operate their business. But if email wasn't an appropriate format for them I think they needed to provide alternatives to enable Miss E to obtain the information she was entitled to receive. It wouldn't be fair to discriminate against her.

Miss E explained that her mental health prevented her from posting a letter or calling the business, but I'm persuaded that Sainsbury's offered valid and reasonable alternatives. They offered to refund the cost of Royal Mail's click and drop service which would allow Miss E to pre-pay for collection of a signed letter. Miss E has had, it seems impaired, access to her online account through which a request could also be made. Since Miss E escalated her complaint to this Service, Sainsbury's have also explained that she is able to use their text relay service.

In those circumstances and given what Sainsbury's had been told about Miss E's condition, I think Sainsbury's have made reasonable adjustments to accommodate her needs and I'm not asking them to take any further action.

**My final decision**

For the reasons I've given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss E to accept or reject my decision before 13 February 2024.

Phillip McMahon  
**Ombudsman**