

The complaint

Mr B complains that he was sent what he believes was a “phishing” e-mail from HSBC UK Bank Plc trading as first direct, and that first direct won’t send it to HSBC to investigate further.

What happened

On 29 April 2023 Mr B received an e-mail which purported to be from HSBC. He contacted HSBC by phone and was told that it had no record of such an e-mail. He mentioned that he had an account with first direct and the adviser suggested that he contact first direct. He was told by first direct that the e-mail did not come from it, but that it had no access to HSBC’s main systems. It suggested that he reported the e-mail to HSBC using its e-mail address for reporting phishing emails. He was not happy with this as he believed that first direct had provided personal information to HSBC. He did not believe that first direct had provided him with a full and complete explanation.

On referral to the Financial Ombudsman Service, our Investigator said that first direct had acted fairly and reasonably as it did not have access to HSBC’s main systems. So first direct could not investigate an issue with HSBC.

Mr B said it was relatively easy for first direct to say that one of their customers has received an email in the name of HSBC Bank and therefore the customer is concerned that his personal information has been shared with another independent business within the HSBC group. He wanted it to confirm whether this has happened and (whether or not it has in fact happened) explain what prompted the email to be sent.

The matter has been passed to me for further consideration.

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.

First of all I appreciate that first direct is part of HSBC so that HSBC is responsible for complaints made about first direct. In Mr B’s case, he has received an e-mail from what is purported to be HSBC. I understand that as a customer of first direct if he were to receive any emails then they would be from first direct rather than HSBC.

But we have a situation here where HSBC has said the e-mail has not come from it and first direct has also confirmed it did not send the e-mail. So that means it is likely to be a phishing e-mail. I’ve looked at HSBC’s website and it does explain what a customer should do if they receive an e-mail from HSBC and they’re suspicious. It provides an e-mail address to forward any such e-mail to it. And I note that first direct advised Mr B to do this or take the matter up directly with HSBC. The National Cyber Security Centre’s website also provides an e-mail address to forward suspicious emails.

Mr B has presumed that the e-mail came from HSBC and that first direct shared personal

information with HSBC to enable the e-mail to be sent. I don't think that's likely, I've seen no evidence that makes me think that could have been the case. But if Mr B remains concerned about a breach of his personal data, he can report that to the Information Commissioner's Office.

My final decision

I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 29 December 2023.

Ray Lawley
Ombudsman