

The complaint

Mr H is unhappy that National Savings and Investments ("NS&I") sent a letter meant for him to an incorrect address.

What happened

Mr H was in dispute with NS&I and sent them a letter advising that he planned to commence legal proceedings against them. NS&I responded and sent a letter of acknowledgement to Mr H. However, they used an incorrect house number on the letter, meaning that it was received by another household on the street on which Mr H lives. Mr H wasn't happy about this, so he raised a complaint.

NS&I responded to Mr H and apologised for incorrectly addressing the letter they'd sent to him. NS&I also referred Mr H to the Information Commissioner's Office ("ICO") if he believed his data rights had been infringed because of what had happened. Mr H wasn't satisfied with NS&I's response and felt that they should pay him £100 compensation because of their mistake. So, he referred his complaint to this service.

One of our investigators looked at this complaint. But they felt the response that NS&I had issued to Mr H already represented a fair resolution to what had happened. Mr H 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 begin by confirming that this service isn't a regulatory body or a Court of Law and doesn't operate as such. Instead, this service is an informal, impartial dispute resolution service. And while we do take relevant law and regulation into account when arriving at our decisions, our remit is focussed on determining whether we feel a fair or unfair outcome has occurred – from an impartial perspective, after taking all the factors and circumstances of a complaint into consideration.

NS&I don't dispute that they sent the letter in question to an incorrect address. And NS&I have apologised to Mr H for this and referred him to the ICO – the relevant regulatory body in this instance – if he feels that his data rights have been breached. This seems reasonable to me, and I don't feel NS&I should fairly be instructed to pay £100 compensation to Mr H as he would like.

One reason I say this is because, while the letter was sent to the incorrect address, the content of the letter was such that it appears to have had very little potential impact on Mr H. Indeed, the body of the letter was only two sentences long, as follows:

"I write with reference to your letter dated 30 January 2023, addressed to [specific person]."

On the basis that you are no longer an NS&I customer, having recently cashed in your Premium Bonds, NS&I staff and the staff of our agents will no longer enter into any correspondence with you directly.”

Given the content of the letter, as quoted above, I don't feel that it included any information about Mr H that could have been potentially impactful. And because of this I feel that the apology that NS&I have already issued to Mr H does represent a fair outcome to this complaint.

Finally, as alluded to earlier, it isn't within my remit to issue a decision about whether a potential breach of personal data has or hasn't taken place. That would be a matter for the ICO to consider – to whom Mr H has already been referred.

All of which means that I won't be upholding this complaint or instructing NS&I to take any further action. I trust that Mr H will understand, given what I've explained, why I've made the final decision here 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 H to accept or reject my decision before 3 January 2024.

Paul Cooper
Ombudsman