

The complaint

T, a limited company, complains that The Co-operative Bank Plc (Co-op) delayed responding to a subject access request (SAR).

T is represented by its director, who I'll refer to as "Mr B".

What happened

Mr B complained to Co-op because he felt the bank had delayed responding to his SAR, which he submitted around March 2023. Mr B says he made a SAR for both his personal and business accounts and, when he did receive a response, he didn't receive everything he expected.

Co-op says its response to Mr B's SAR for his personal account was completed within the prescribed timescale. The bank acknowledged it made an error when handling the SAR for Mr B's business account and offered £75 compensation to put things right.

After Mr B asked this service to get involved, our investigator decided that the bank had made a fair offer. Mr B argues that Co-op hasn't responded to the SAR in full. Our investigator was satisfied that the bank had responded in line with what it was expected to do.

Mr B doesn't agree and has asked for a final decision – so the complaint has been passed to me to decide.

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'm not upholding this complaint – I'll explain why.

Co-op acknowledges that it didn't handle Mr B's SAR in relation to his business account properly. The bank says it should've written to him to follow up his initial call, rather than requesting that Mr B put his SAR in writing. Co-op has since reviewed Mr B's SAR and has concluded that its SAR response for Mr B's personal account covered all the records it was under a duty to provide – so there's nothing further it needs to send to Mr B under his business account.

Given the error doesn't seem to have caused a loss, nor can I see that it has caused an unreasonable degree of inconvenience to T, I'm satisfied that the compensation the bank has offered is a fair way for Co-op to put right its error.

Mr B argues that Co-op hasn't sent him all the information it needs to, nor does he agree that the bank sent everything it said was sent to him. Under the relevant rules, Co-op is only required to share information it holds in relation to Mr B - in other words, his personal data. Given Mr B's request is regarding his business account, the bank isn't under a duty to send him all the information it holds regarding this account, because not everything would be

relevant to Mr B's personal data.

Co-op has sent us records to show exactly what it sent to Mr B and when this was sent. I can see the bank emailed its SAR response both in April and May 2023. The emails appear to have been sent to the same email address that this service also holds for Mr B. I can see that numerous documents were sent, including a large number of calls, account notes and letters.

So it seems more likely than not that Co-op provided a thorough and accurate response to Mr B's SAR. So I don't find that the bank responded poorly. It's unclear why Mr B suggests these emails weren't received and I'd encourage him to liaise with the bank to establish what's happened. There's nothing I've seen though that persuades me this is because of something Co-op has done wrong.

To summarise, I'm satisfied that Co-op has fairly responded to Mr B's SAR and that the compensation it has offered fairly makes up for the bank's error. I won't be asking Co-op to do anything more.

My final decision

For the reasons set out above, I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask T to accept or reject my decision before 21 July 2023.

Abdul Ali
Ombudsman