

## **The complaint**

Mrs H complains that Nationwide Building Society (“Nationwide”) sent a bank statement to her ex-husband which resulted in him being able to work out where she lived. Mrs H says this has had a significant impact on her and her children’s health and wellbeing both mentally and financially and doesn’t believe the level of compensation Nationwide has offered is enough.

## **What happened**

In April 2022 Mrs H left her marital home due to domestic violence and moved into temporary accommodation. Mrs H visited a branch of Nationwide in May and explained her circumstances and emphasised the need for her ex-husband to not know her whereabouts or have access to her online banking. Because Mrs H’s accommodation was temporary it was agreed to make Mrs H’s account paperless.

In August Mrs H discovered that her bank statements for May, June and July had been sent to her former marital home and that although the statements didn’t show her address, her ex-husband now had an idea about where she was living due to the transactions shown on the statements.

It was decided Mrs H and her children needed to move and spent five nights in hotel accommodation before they were moved to another temporary home for a month. Following this Mrs H moved again on 15 September.

Mrs H says at this point she was no longer worried at being found by her ex-husband but she struggled with support in the area, so Mrs H was moved by the council to another area in October 2022. Following this Mrs H was concerned about her daughter’s mental health and missing school she felt she had no choice but to send her back to live with her ex-husband.

Mrs H complained to Nationwide that it breached confidentiality and data protection regulations. Nationwide accepted responsibility for the mistake and offered £4,000 compensation.

Mrs H was unhappy with this and brought her complaint to this service.

She says that Nationwide’s mistake has had a significant impact on her and her children’s health and wellbeing, both mentally and financially. In particular she says she has suffered financially due to:

- extra living costs including internet and food while living in the hotel due to lack of cooking facilities;
- extra travel costs in taxis and train fares to visit her daughter and appointments regarding her situation;
- her child benefit was cut when her daughter stopped living with her, yet she still had to continue to pay for her necessities;

- some of the temporary housing she was provided with was unsuitable without basic white goods and being next to a train station affected her sleep;
- Moving and storage costs for her furniture when she had to leave.

One of our investigators looked into Mrs H's concerns and reached the conclusion that the compensation Nationwide had offered was fair and in-line with what we'd usually recommend in situations such as hers and that they didn't think it would be fair to ask Nationwide to compensate Mrs H for events that have happened that were outside of its control.

Mrs H disagreed, she believes there has been insufficient acknowledgement of the emotional stress Nationwide's mistake has caused and that the £4,000 doesn't even cover the financial impact. Mrs H wants £20,000 in compensation and has asked for an ombudsman's 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.

Firstly, I hope Mrs H won't take it as a discourtesy that I've summarised her complaint in the way that I have. I've no doubt that Mrs H and her children have been through a traumatic time which had already had a significant impact on their mental health and wellbeing and Nationwide's error only compounded things and made their situation worse. I applaud Mrs H for taking the brave steps she did to secure hers and her children's futures.

Nationwide have already accepted it made a mistake which led to Mrs H's ex-husband figuring out where she lived. So what I need to consider is whether the £4,000 compensation for the distress and inconvenience this has caused Mrs H is enough. I should note here that this service doesn't supervise, regulate or discipline the businesses we cover. And my role isn't to punish or penalise businesses for their performance or behaviour – my role is simply to decide whether Nationwide's offer is a fair and reasonable way to settle Mrs H's complaint.

I have considered everything provided including the supporting statement provided by Mrs H's son and daughter and having done so I've decided – and I know this will come as a disappointment – that the offer of £4,000 compensation is fair. I think the £4,000 is a significant level of compensation to reflect the impact and serious nature of Nationwide's mistake and one that I think is in-line with what we'd recommend in situations such as this.

I appreciate Mrs H doesn't believe this covers the financial losses she's suffered including what has been outlined in the background above. Mrs H and those supporting her were in no doubt that she had to move when her ex-husband was able to figure out where she was living. And I accept this was the case.

But although Nationwide made a serious mistake, this wasn't the start or cause of Mrs H's difficult personal circumstances.

I note that Mrs H and her children were already living in temporary accommodation – so she was always going to have to move. Though I accept it wouldn't have had to have been at such short notice with the fear and anxiety surrounding the reason for the move. And fortunately, Mrs H's ex-husband – as far as I'm aware – never took advantage of the knowledge he gained from receiving Mrs H's bank statements.

I accept that Mrs H's living costs while staying at the hotel increased due to not having access to cooking facilities and that there may have been some extra travel costs. But again, the increase in costs were temporary and Mrs H is always going to have living costs regardless of where she lives.

I appreciate that some of the accommodation found for Mrs H was unsuitable, but this was not within Nationwide's control and wasn't a direct result of its mistake.

So although I agree Mrs H and her children's lives have been disrupted and they have suffered - and I sympathise with them. I don't think Nationwide's mistake was the sole cause of this. And as I've already explained my role isn't to penalise or punish Nationwide for its mistake – it is simply in this case to determine whether the £4,000 compensation offered to settle Mrs H's complaint is fair. And I think it is.

### **My final decision**

For the reasons I've explained, I've decided that the £4,000 compensation offered by Nationwide Building Society to Mrs H is a fair way to settle her complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 21 November 2023.

Caroline Davies  
**Ombudsman**