

## **The complaint**

Mr P complains that National Westminster Bank Plc isn't supporting him to reduce his overdraft with it.

## **What happened**

Mr P complains about how much it's costing him to have an overdraft with NatWest. He's paying between £40 and £100 per month just for that borrowing. He said he's been telling NatWest about his debt problems for some time. And if NatWest had given him the loan he'd asked for, then the money he's paid so far would've just about paid off his debt by now.

Mr P wanted NatWest to offer him a consolidation loan. Because it had repeatedly failed to do that, he said it should write off all or part of his overdraft, and pay him compensation.

NatWest said the charges on Mr P's account had been applied in line with the terms of the account. And it hadn't been able to offer Mr P a consolidation loan.

Our investigator didn't think this complaint should be upheld. She said NatWest appeared to be debiting charges to Mr P's account in line with the terms and conditions that Mr P had agreed to. She couldn't challenge those fees as being too high or excessive, because of a Supreme Court case. But she could check they were in line with NatWest's terms and conditions, and they appeared to be.

Our investigator said Mr P had told NatWest that he was in a debt management plan, but he hadn't included the overdraft in this plan. And he didn't seem to have spoken to NatWest's financial hardship team. She suggested he might like to do this now.

Our investigator said NatWest had offered Mr P financial advice. It had refunded charges and offered breathing space to allow him to bring his overdraft back within the agreed limit. And she didn't think NatWest had made a mistake in applying the charges to Mr P's account. So she didn't ask it to do any more.

Mr P replied to say that banks are supposed to be positive and sympathetic when someone's in financial difficulties. He said if NatWest had done that, then he wouldn't be in this situation now. He disputed that anyone at NatWest had ever offered him advice, and said if it had done, he would've shared his income and expenditure with it. But he thought NatWest wasn't interested in helping him.

Mr P wanted his case to be considered by an ombudsman, so it was passed to me 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.

Our investigator explained the role of our service in looking at charges for overdrafts is limited by a previous court case. We can check if charges have been applied in line with the terms of the account. I haven't seen anything here to suggest NatWest has got this wrong.

Our service does expect banks to act positively and sympathetically when someone's having financial difficulties. In this case, Mr P said he's repeatedly asked NatWest to change his overdraft for a loan, which would allow him to repay the money with lower charges. But NatWest has said no.

NatWest doesn't have to allow Mr P to take out a loan with it. And it's not necessarily failing to act positively and sympathetically if it refuses to set up a consolidation loan.

I can see that NatWest has mentioned its financial difficulties team to Mr P a number of times. And our investigator said that it didn't seem like Mr P had ever contacted this team.

NatWest has also mentioned other sources of support to Mr P, such as external debt management charities that could support him if he's having difficulties. I understand Mr P has entered into a debt management plan, so he's aware of this support. And NatWest has, as our investigator mentioned, refunded fees on Mr P's account from time to time.

I know that Mr P would like NatWest to do more than this. But I'm sorry to have to tell Mr P that I don't think it has to. I've considered this case carefully, and I don't think that NatWest has failed to offer Mr P the sorts of help and support that I would expect. And in particular, our service won't usually make a bank lend someone money, if the bank doesn't think that person can afford it. So I won't make NatWest do that here, or ask it to write off part of Mr P's debt because it's refused to do so.

I know Mr P will be disappointed, but I don't think his complaint should be upheld.

### **My final decision**

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr P to accept or reject my decision before 31 May 2020.

Esther Absalom-Gough  
**Ombudsman**