

## The complaint

Mr E complained that Tandem Bank Limited was asking if he wanted paperless statements, even though he'd recently told it he wanted to keep getting statements by post.

## What happened

Mr E has a credit card with Tandem. Tandem wrote to him to say it was going to stop sending paper statements, although he'd only recently asked it not to do that. He notified Tandem that he'd already asked to continue getting paper statements, in August 2019. He said he didn't get a statement in September, and although he chased Tandem up twice, he never received any response to his complaint. Mr E said it was distressing not to be able to check the statement. He complained to us.

Tandem said it had replied to Mr E at the end of August, and paid him £10. But when he complained to us, it offered £50 more. Mr E accepted that, but Tandem didn't pay promptly. So Mr E said he wanted to reopen his complaint. He was no longer happy with the offer. At this point, he wanted a further £25. Tandem wouldn't pay that. It said it had sent the September statement, and even if Mr E didn't get that, there were other ways for him to check that month's transactions.

When our investigator looked into this complaint, he found that Tandem had always been sending Mr E paper statements. He concluded that September's statement had just been lost in the post. Our investigator said he thought Tandem didn't need to pay for a missing statement, because that wasn't its fault. And he said that he wouldn't have recommended compensation for the mistake Tandem made when it said it would put Mr E on paperless statements, or when it didn't then respond to his further emails. So he thought Tandem's offer of £50 for this more than made up for what had happened.

Our investigator then looked at whether our service could consider Mr E's further complaint about the delay in paying compensation to Mr E. He said this is a highly technical question, but he thought we could consider this. However, he said that he would've chased this payment up for Mr E if he had wished. And because our investigator wouldn't have recommended compensation at all in this case, he didn't think he could ask Tandem to pay more than the £50 it had already offered. He thought that what it had offered was enough to provide a fair and reasonable outcome to this complaint.

Mr E didn't agree. He said Tandem shouldn't have ignored him when he was chasing up to see what had happened to his complaint. And he said when Tandem didn't pay the additional compensation promptly, he had to send another nine emails over two months. He thought that also ought to merit some compensation. Tandem also replied, to say it had paid Mr E the extra £50 in April.

## **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.

I've reached the same overall conclusion on this complaint as our investigator.

I'm satisfied, from the evidence I have seen, that Mr E was never enrolled for paperless statements. His original complaint was that Tandem was writing to propose enrolling him for paperless statements again, fairly soon after he'd opted out of that. Tandem has apologised for that, and paid Mr E £10 for the inconvenience.

I understand that Mr E didn't get his September statement, and this may have made him think he'd been opted out of paper statements. But Tandem has checked, and provided evidence that this particular statement was sent to Mr E. So I'm also satisfied that his September statement was sent. I don't think that Mr E was ever opted out of paper statements against his will.

Mr E also says that because he didn't get his September statement, he wasn't able to check that month's transactions. But I think that this statement was sent, I don't think it's Tandem's fault if Mr E didn't get it. And if it wasn't received, he could've asked Tandem to go through these transactions on the phone, or send the statement again.

Mr E also didn't receive Tandem's response to his complaint, which was sent at the end of August. Tandem now says it sent this by email on 31 August. Mr E did get the £10 that Tandem paid then.

Mr E now also complains that Tandem was ignoring his complaint. I don't think it has ignored it entirely. It told us it responded at the end of August. But it did then fail to respond to his chasing emails. I think it would've been better if Tandem had responded to those, and forwarded its earlier reply.

I understand that it has taken quite some time to resolve this issue. But I don't think that this is entirely Tandem's fault. It never stopped sending Mr E paper statements, and it sent a response to his initial complaint promptly. I do think it's really unfortunate that Mr E doesn't seem to have received two critical items of correspondence – the emailed complaint response and the posted September paper statement. But I don't think that's Tandem's fault.

Mr E has said that he thinks that Tandem should pay more, because he's had to continue to correspond with our service when Tandem didn't pay the settlement he was expecting promptly. As our investigator said, whether our service can actually make an award for this is a complex and technical issue. But I don't think I need to settle that here, because I wouldn't make any award for this point, even if I could do so. I'll explain why not.

I understand the settlement was paid by Tandem, and only a few days after when Mr E was expecting this payment. I also note that Mr E chose, when Tandem didn't pay within its deadline, not to take up our investigator's offer to chase the payment, but instead to ask our service to investigate this complaint in full. Mr E is entitled to ask our service to investigate in full if he wishes. But I don't think it's Tandem's fault that this investigation then involved further correspondence by Mr E.

I've considered this complaint carefully, and I think that a payment of £50 which Tandem has made, in addition to its earlier payment of £10, does provide a fair and reasonable outcome to this complaint. So I don't think it has to pay more than that.

Because Tandem made an increased offer when this complaint came to our service, I will uphold this complaint. I will award £60 in total, but as I understand this has already been paid, I'll allow Tandem to count the payment it has already made towards this award.

### **My final decision**

My final decision is that Tandem Bank Limited must pay Mr E £60 in compensation. Tandem can offset against that award any payment it has already made for this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 14 November 2020.

Esther Absalom-Gough

**Ombudsman**