

The complaint

Ms D complains about the way NewDay Ltd trading as Aqua handled a call. Ms D also complains that Aqua's app doesn't provide clear information about her credit card.

What happened

In May 2021 Ms D called Aqua to check whether a payment had been received. Ms D says Aqua's app doesn't clearly provide that information.

Ms D says the call was handled poorly and Aqua set up a payment arrangement without her consent. Ms D says the call handler was rude, talked over her and caused unnecessary distress. Despite Ms D advising she didn't want to discuss setting up a direct debit she has explained the call handler refused to drop the matter. Ms D has told us she suffers with significant mental health concerns and the way her call was handled triggered serious distress.

Ms D has also told us she finds the information Aqua's app provides is unclear and that she has to call for guidance. But Ms D says Aqua provides confusing information when she calls.

Ms D complained to Aqua upheld it and paid her £40. Aqua couldn't find a call recording covering the conversation when a payment arrangement was set up. Aqua didn't agree the call handler Ms D spoke with was rude and said they had only tried to provide information about the direct debit process to Ms D.

Ms D referred her complaint to this service and it was passed to an investigator. They listened to the available call and felt the call handler should have dropped the direct debit issue when Ms D asked and had caused unnecessary distress. The investigator upheld Ms D's complaint and asked Aqua to pay her a total of £150 to reflect the trouble and upset caused. Aqua didn't agree that the increased compensation is a fair way to resolve the complaint so Ms D's case has been passed to me to make a 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.

I can see Ms D has concerns about the information provided by Aqua's app and has told us it's not always clear. I don't doubt what Ms D has told us, but we can't tell a business how its systems, including an app, should work. Ultimately, how a business' app operates is a commercial decision for it to make. But I can understand why Ms D feels the information provided in the app needs to be clear and that she should be able to contact Aqua directly to query it if necessary.

Ms D says a payment arrangement was set up without her consent. Aqua says it's not possible to provide that call recording. I've listened to the available call recording and can hear Ms D specifically say she didn't want to set up a formal payment arrangement because she was concerned about the impact on her credit file. I don't know whether the payment

arrangement was set up by the call handler Ms D spoke with during that call, or another. But I'm satisfied Ms D was clear in the information she gave Aqua that she didn't want to set up a payment arrangement, so I can understand why she was so upset that step had been taken without her consent.

Having listened to the call, I agree there were several times that the call handler spoke across Ms D without letting her finish her point. Ms D was very specific in explaining what she wanted to achieve during her call and I think the call handler should've listened to her. Ms D said she suffers with significant mental health concerns and that the nature of the information given and tone of the call handler made it worse. Ms D has explained that despite making it clear what she wanted, the call handler continued to talk about direct debits. I can understand why Ms D was distressed by how the call was handled and I agree the service provided was poor.

I agree with the investigator that £40 doesn't cover the distress and inconvenience caused by the way Ms D's call was handled or that a payment arrangement was set up without her consent. I've taken on board what Ms D has told us about how the situation impacted her and the level of distress it caused.

Aqua has already paid Ms D £40. I agree that a further £110, taking the total settlement to £150 is a reasonable way to resolve Ms D's complaint and fairly reflects the impact of the way the situation was handled by Aqua. As a result, I'm going to uphold Ms D's complaint and tell Aqua to pay her a further £110.

My final decision

My decision is that I uphold this complaint and direct NewDay Ltd trading as Aqua to pay Ms D a total of £150, less any compensation already paid. Any remaining compensation should be paid directly to Ms D.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms D to accept or reject my decision before 11 October 2021.

Marco Manente
Ombudsman