

The complaint

Mr O complains that American Express Payment Services Limited (Amex) gave incorrect information to him regarding a fraud on his account. He would like Amex to provide him compensation for this error which Mr O says cost him his job.

What happened

Mr O had an account with Amex.

On 30 September 2019 Mr O contacted Amex to let them know that his card wasn't in his possession and there had been fraud on his account.

Amex blocked his card and refunded him the amount whilst they carried out an investigation. Amex agreed in October 2019 to refund Mr O and sent him letters confirming this.

Mr O requested copies of the October 2019 letters in March and September 2020. Mr O says the letters he received gave conflicting information.

He complained to Amex.

Amex investigated and agreed that they had made errors in particular they accepted they hadn't correctly captured fraud information, they had given inaccurate information on at least three occasions and they failed to call Mr O back when they had promised to. They offered Mr O £150 in compensation.

Mr O was unhappy with the offer, so he complained to our service.

One of our investigators looked at the complaint. She thought that Amex had refunded Mr O the fraudulent transactions correctly. She thought that they had made a mistake in some of the letters they'd sent but the letter to Mr O's employer had correct information so she didn't think they should be held responsible for Mr O losing his job. She thought the offer of £150 was fair.

Mr O was unhappy with the investigator's view, he said: we hadn't understood the complaint. Mr O is saying that because of the inaccuracies in the information that was sent to his employer by Amex – his employer thought that he was being untruthful, and he was dismissed and a CIFAS marker was added to his file.

As there was no agreement the matter has come 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.

Looking at the evidence I'm satisfied that Amex acted correctly when they dealt with the fraud in that they blocked the card and investigated the complaint – in addition they refunded Mr O the amounts in question during the investigation. This is what I would expect.

Mr O is unhappy because he thinks that the errors Amex have admitted to resulted in Mr O appearing to be untruthful and ultimately resulted in him losing his job and having a CIFAS marker on his file.

I have looked at the evidence provided to me including the FRL. I can see that Amex provided a letter to Mr O's employer and they have admitted that the information from the letter and the information on the emails did not coincide in respect of the timings of the disputed transactions. They have said the information on the letter to Mr O's employer was correct. Mr O's point is that this inaccuracy has cast doubt on his integrity and has led to the loss of his job.

I appreciate what Mr O is saying and I am sorry that he has lost his job. But in this case, I have to decide whether the actions of Amex were directly the cause of Mr O losing his job. And I don't think that they are. I say this because Mr O was able to share information with his employer about the disputed transactions and how Amex had dealt with the case. His employer would have had to carry out an investigation before dismissing him and Mr O would have had the opportunity to explain his side of the situation. I can't say that the inaccuracies between the letters and the emails from Amex would have been sufficient to provoke his employer to dismiss Mr O. In addition, I think Mr O could have checked the accuracy of the information in the emails provided to him by Amex before handing them over to his employer.

I know that Mr O will be disappointed with my decision, but I can't fairly say that Amex's errors were responsible for Mr O losing his job.

I have considered the £150 compensation that Amex offered for the failures in customer service experienced by Mr O. Having done so I think the amount is fair in the circumstances and in line with our awards in these sorts of cases. It follows I won't be asking Amex to do anything else.

My final decision

For the reasons mentioned above I won't be asking American Express Payment Services Ltd to do anything else.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 6 May 2022.

Esperanza Fuentes
Ombudsman