

## The complaint

Miss A contacted us as she was unhappy with the service provided by Bank of Scotland Plc (trading as Halifax) and what they had paid her as compensation.

## What happened

Miss A told us she owed Halifax £469.00. She didn't want to use the automated pay system when making repayments due to the impact on her mental health. Miss A said this had taken too long to sort out and had involved her speaking to a number of different people.

Miss A let us know her diagnoses and explained she found it difficult and stressful to use the automated pay system. Miss A's health circumstances and vulnerability had been identified to Halifax previously. Miss A said she'd been offered £50 when she complained and was told Halifax would write the debt off; she said she was later told this couldn't be done.

Miss A and her friend who assisted her when she first complained to us, didn't think this was sufficient compensation for her experience. Miss A's friend told us Miss A had explained to Halifax many times that she couldn't use the automated system and that she found it really distressing; he thought they ought to have made more effort to provide reasonable adjustments.

Halifax sent us a copy of their business file. Their understanding of the situation was that:

- Problems arose when Miss A contacted them because money she'd paid against a debt owed wasn't showing on her account.

Due to her contact they'd been able to find the money (it hadn't been paid against the debt as no debt reference had been provided by Miss A) and they had then paid the money towards her debt.

- Halifax had gone on to pay Miss A £100 compensation in total when she'd complained.

Initially they told us this was £50 for two of her accounts that were in debt.

- They had also written off the debts she had in relation to both accounts.
- This included ensuring £469.00 was refunded to her basic bank account.

Halifax wanted to reassure Miss A the debt had been written off.

An investigator at this service looked into Miss A's complaint. The investigator said that although she didn't get a sense that Halifax and Miss A had concentrated on the same primary concerns, she thought what Halifax had offered and done overall was enough.

The investigator thought Miss A was now complaining of an unmet need for reasonable

adjustments, and that was why Miss A didn't think Halifax had done enough. Whilst Halifax had mainly addressed a complaint around a repayment to a debt going missing. Overall the investigator felt that because Halifax had written off a sum of just less than £500 and made an award totalling £100 compensation, this was enough to meet all the circumstances.

The investigator accepted Miss A had been trying to make payments through a Halifax representative on the phone, but this hadn't been possible. This was due to security, as these representatives were working from home, which the investigator understood. The investigator's view was that Halifax could have done more to explore the option of an adviser contacting Miss A from a branch.

The investigator noted Halifax did offer a range of repayment methods, as contained in their own information, and so the investigator hoped Miss A would be assisted by this in the future. And Halifax could assist Miss A about these, were she to express further frustrations in the same way.

Miss A and her friend said the debt ought to have been written off a long time ago and they didn't agree with the view of the investigator. The investigator explained she had not been considering a complaint about a failure to write off a debt, this was not part of the complaint made to this service. Miss A didn't accept the investigator's view and asked for her case to be referred to an ombudsman.

I asked Halifax to provide information and I previously shared a summary of this with Miss A and Halifax. Halifax told me:

- Miss A has 2 closed current accounts: (I provided the account numbers previously).
- One was closed on 12 April 2012. The balance on closure was £642.98. A remaining balance was written off in February 2021 of £345.36.
- The other was closed on 26 February 2019. The balance on closure was £568.97. The balance written off in March 2021 was £469.00.
- Miss A has an open Basic account and an open Instant Saver; both of which apparently have nil balances.

A total of £100.00 was paid to Miss A to apologise (this was made up of £50.00 paid on the 17 February 2021 and £25.00 x 2 paid on 22 February 2021). These sums were all paid to Miss A's Basic account. Halifax say the £469.00 was refunded internally to Miss A's Basic account on 2 March 2021.

Halifax said they had reviewed their notes from the end of 2020 to early 2021. They say Miss A was a frequent caller to the Recoveries team, as she was making regular debit card payments over the telephone.

They say there were a number of calls when Miss A was checking the balance, seeing if the payment had cleared etc. Halifax say they were also numerous call backs made to Miss A when requested; although they accept that not all calls might have been returned.

Halifax accept Miss A made many calls regarding the missing £469.00 and that was the reason they provided compensation. Halifax note that calls to their Recoveries department are free, so no call costs would have been provided as part of any compensation.

I issued a provisional decision on this case on 21 February 2022. In it I indicated I intended to say Halifax had done enough here. I asked Halifax to let me know whether Miss A had been referred to an additional support area. Halifax confirmed she had since July 2018; and such support would remain available to her.

Miss A didn't reply to the provisional 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 haven't changed my thinking from that set out in my provisional decision. Halifax have done enough here to address the failures relating to this complaint. Halifax accepted there had been problems around the sum of £469.00 that Miss A intended to pay towards one of her debts. This meant that the sum wasn't initially paid towards the debt and when Miss A was trying to sort this out she didn't receive the service she ought to have done.

Halifax overall paid Miss A £100 compensation. They also wrote off the outstanding debt balance of £469.00 in March 2021. They refunded the £469.00 into her basic account.

I accept from Halifax that when Miss A was trying to sort things out, they didn't provide the service Miss A could have reasonably expected. This was part of what made Miss A unhappy. Halifax were right to apologise and make a payment to Miss A in addition to their apology.

Miss A complained Halifax hadn't done enough. She said Halifax hadn't done enough to provide an adjustment so that she didn't need to use the automated payment service. It appears to me Miss A thinks she was mainly required to use the automated payment service in respect of the debts she had on several accounts.

I previously indicated I didn't think Halifax originally considered a complaint they hadn't provided such adjustments to Miss A. But this had been considered in our investigator's view. Halifax haven't suggested I can't consider this.

I've looked with care at the correspondence provided that was sent to Miss A. I've seen that in all the debt repayment letters provided from 2018 and 2019, various payment options were set out. This included online, over the phone with a debit card or in a branch. The letters also highlight there are further payment options available.

I accept a number of alternative options were available usually for repayment. Some of these may have not been as available during times of Covid restrictions as they might have been previously; but if Miss A didn't want to use the automated system I think they were a number of alternative options available to her to use. It appears to me that Miss A used alternatives at times.

Equally I accept Miss A has been frustrated and distressed when using the Halifax system and there have been times when she has not received a requested call back.

When considering whether Halifax had done enough. I noted that the debt of £469.00 was written off in March 2021; the account that related to this debt was closed in February 2019. The balance on closure was £568.97. In September 2019 Halifax wrote to an organisation acting for Miss A to arrange a repayment plan of £10 a month for this account with an outstanding debt of £538.97. A copy of this letter was also sent to Miss A.

I am aware a debt of £345.36 for a different account that was written off in February 2021; and the account that related to was closed apparently in April 2012.

As our investigator explained this service is not looking at any complaint that any debts ought to have been written off sooner. If Miss A wishes to complain about that, she will need to contact Halifax first to enable them to consider her complaint. It isn't clear to me, for example, if all of these debts comprised of fees and overdraft interest, or if they were debts accrued directly by Miss A through spending.

Here, Halifax have done enough in relation to the complaint I am looking at. Having considered what went wrong here, I think Halifax's payment of £100 in total of compensation and writing off £469.00 was sufficient. I considered this carefully; over all it seems to me Halifax properly paid compensation to acknowledge the failures around their service in respect of calls, as well as the failures relating to the £469.00 payment and any delays.

### **My final decision**

For the reasons given I'm not upholding Miss A's complaint about Bank of Scotland Plc (trading as Halifax). I think they have done enough here to meet the impact of what could have been done better. Under the rules of the Financial Ombudsman Service, I'm required to ask Miss A to accept or reject my decision before 13 April 2022.

Louise Wilson  
**Ombudsman**