

The complaint

Ms W complains that Monzo Bank Ltd has failed to comply with her reasonable adjustments.

What happened

In September 2021, Ms W contacted Monzo regarding two issues she had with her account, as follows:

- She'd been notified by her telecommunications service provider – who I'll refer to as O – that her direct debit had been cancelled.
- She'd booked and cancelled a taxi, but the payment was still pending on her account.

Ms W complains that Monzo:

- failed to comply with her reasonable adjustments, by contacting her in the wrong way and at the wrong time.
- passed her from one department to another, making it difficult for her to know who was dealing with what and the progress being made.
- delayed in arranging contact from the specialist support team to discuss how they could accommodate her needs and disabilities.
- treated her like “an imbecile” and made fun of her.
- insisted that she provide a “selfie” which she wasn't comfortable with doing.

Monzo acknowledged that it gave Ms W incorrect information regarding the cancelled direct debit. And it said that whilst it hadn't treated Ms W inappropriately or made fun of her, it apologised if this is how she'd felt. Monzo also apologised for contacting her outside of the agreed times. It offered £60 compensation to put these things right. In addition, it offered £25 for failing to log her complaint straight away, resulting in its final response being sent later than it should've been.

But Monzo didn't uphold the remaining complaint points. It said it had acted correctly and in line with its internal procedures with regards to both the pending transactions and requiring a selfie for ID purposes. It said different departments were dealing with different issues raised by Ms W which is why she'd been contacted separately.

Ms W remained dissatisfied, so she brought her complaint to our service. And our investigator upheld it in part. She said Monzo didn't do enough to proactively support Ms W and find out how it could accommodate her additional needs. And on occasion, it failed to comply with the reasonable adjustments in place, causing Ms W distress and inconvenience. She asked Monzo to increase the compensation to a total of £250.

Ms W didn't accept this outcome. She said that £250 doesn't adequately compensate her for what Monzo had put her through.

Monzo didn't respond to our investigator.

As our investigator hasn't been able to resolve things, the complaint has been 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.

Ms W is an autistic person. She's asked to only be contacted at certain times and by certain methods because of her disabilities.

I don't intend to go into the full reasons why Ms W has made this request and the impact it has on her when it's not complied with. This is because I'm satisfied that all parties to this complaint are aware of the details and I want to ensure Ms W's personal circumstances are kept confidential. Whilst I will need to touch on certain aspects in order to address the complaint, I will limit this only to the comments I need to explain my decision.

For clarity, as a service, it's not our role to say whether a business has breached the Equality Act 2010 or discriminated against its customer – that's for the courts to do. We're an informal alternative to the courts and decide complaints on a fair and reasonable basis. But I want to assure Ms W that as the Equality Act 2010 is the relevant law in this particular case, I've taken that legislation and what it says about how businesses should treat consumers into account when considering her complaint.

Cancelled direct debit

Ms W contacted Monzo as she'd been told by O that her direct debit had been cancelled. Monzo responded to say that it was showing as being cancelled by the customer. But Ms W insisted that she hadn't cancelled it, either on purpose or accidentally.

On reviewing further, Monzo found that two direct debits were set up to O, one of which appeared to be a duplicate and was cancelled. It apologised for the incorrect information it gave and offered compensation.

As Monzo accepts its error, I don't need to make a finding on whether or not it did something wrong here – it did. What I need to decide is whether it's done enough to put things right – which I'll come on to later in my decision.

Pending transactions

Ms W booked a taxi, but they didn't have any drivers available. So she booked a taxi with another company. When checking her account, she found that the payments to the original company were still pending. She contacted Monzo and asked that it return the funds. She explained that it was clear she couldn't use two taxis at the same time.

Monzo said the funds will be held for 30 days in order to see whether the taxi company claim the payment. The money is shown as pending, which prevents the customer from being able to spend it until Monzo are satisfied it won't be claimed, and then it's automatically returned. It explained that this is the correct procedure and the timescale of 30 days is set by the merchant, not Monzo.

Ms W told Monzo that this was too long, and she felt it should do more. Monzo explained that for it to intervene, Ms W would need to raise a dispute by completing a form. Ms W did this, but she raised it against the wrong transaction which caused some confusion for both parties.

After 30 days, the funds were automatically returned to Ms W.

I appreciate Ms W feels Monzo should've done more to help her. She's told us she finds forms difficult to complete. But I can't see that she told Monzo this or asked for help doing so. I'm satisfied Monzo acted in line with the correct procedures and in a fair and reasonable manner. As the funds have now been returned, I don't think Monzo needs to do anything more here.

Reasonable adjustments

In 2020, Ms W let Monzo know that she only wanted to be contacted during UK general working hours – and for Ms W that's Monday to Friday, between the hours of 9am and 5pm. She also explained that she could not accept phone calls, and her preferred method of contact was email, or text message in an emergency.

Ms W has referred to her disabilities in several conversations with Monzo. She's explained she's house-bound and that she uses her account differently to other customers. She also let it know about a recent bereavement.

Monzo said it would arrange for its specialist support team to contact Ms W. But this took a week to happen, and by this point Ms W had been contacted by other departments leading to confusion about who each advisor was and what they were dealing with.

It's disappointing to see that Monzo has missed several opportunities to explore with Ms W what her needs are and what support it can offer. And in addition, it has on occasion contacted Ms W outside the agreed hours or offered a phone call (for example, on 18, 21 and 27 March 2021). From the messages Ms W sent Monzo in response, I can see that this has caused her a great deal of distress – at an already very upsetting time for her. She's told us she doesn't feel supported by her bank or listened to and understood. And I can understand why.

Monzo says that as Ms W has raised different queries which are handled by different departments, she will be contacted by different advisors. But I think the advisors could've done more in their correspondence to Ms W to explain exactly what they were contacting her about. And I don't think they acted fairly or reasonably in the circumstances by contacting her outside of agreed times or offering a call.

Monzo has told us that if Ms W sends a message or opens a new app chat then she will receive an automated response. And this isn't something Monzo can prevent happening. So if Ms W makes contact outside of the agreed hours, she will receive the automated message out of hours. Monzo says it is exploring whether it can stop this happening.

Whilst I appreciate Monzo's situation here, I think it could've done more to explain this to Ms W. I would suggest that, if it isn't able to put a stop to these messages on Ms W's account, that it has a discussion with her – by email – about how best to tackle this.

It may be that Ms W will need to limit her own contact with Monzo to the agreed hours, where possible. Or that she prepares herself for receiving the automated response so that

it's not unexpected, but that she can ignore it until further contact is made by Monzo within the agreed hours.

Monzo has said it's been unable to record much of Ms W's disabilities as it doesn't have the required permission to do so. But I haven't seen anything to suggest that Monzo has requested permission from Ms W to record this. As such, I'd suggest it includes this within any further discussion to ensure that it can adequately record Ms W's needs, which will include accurately recording the agreed hours.

Customer service

Ms W is unhappy with the way Monzo staff have spoken to her in messages. She says they've treated her like "an imbecile" and made fun of her. She's currently asked that Monzo stop contacting her altogether.

I've been through all the app chat messages and emails in relation to this complaint. And whilst I sympathise with Ms W's feelings, I can't agree that Monzo has treated her in the way she feels it has.

I appreciate that the interpretation of a written message can come down to an individual's perspective, so I don't wish to take anything away from how Ms W feels here. But I'm satisfied the context of the messages are in keeping with Monzo's brand and tone, which in my interpretation comes across as informal, conversational and enthusiastic, with lots of emojis and explanation marks. I don't think the intention behind this was meant to come across as insincere or disrespectful in any way.

That said, I do think Monzo could've done more to tailor its responses to Ms W and her needs. Taking out references to phone calls, for instance, or being clearer about what the message specifically relates to.

Going forward, if Ms W wants to continue banking with Monzo, she will need to communicate with it. I understand she's asked it to stop messaging her in the app chat and via email. But Monzo do need to be able to contact her and it's important that a conversation takes place – by email – about what support Ms W needs from Monzo as explained above.

Customer verification

Monzo has explained that because it's an online bank and doesn't have physical branches, it relies on a number of different procedures in order to be sure it is speaking to the correct person. One of these is asking its customers to take a photo of themselves holding a form of ID.

This isn't always required when communicating through the online app chat. This is because the customer has already completed security to log into the app. But it is required when communicating through email, which takes place outside of the app and is less secure.

I appreciate Ms W isn't comfortable with this process. But I can't ask Monzo to compromise the security measures in place to protect customer's accounts. These are requirements set by the regulators and GDPR. As this process isn't required as frequently when messaging through the online app chat, Ms W may decide this is a more suitable way for her to contact Monzo.

Putting things right

As explained above, I'm of the opinion that there's been times when Monzo has got things wrong or could've done more for Ms W. As a result, Ms W has suffered distress and inconvenience, which has exacerbated an already difficult time for her and impacted her disabilities.

Our service doesn't award compensation for each individual mistake. Instead, we take a holistic view of everything that's happened and make an award based on the overall impact. In doing so, I'm satisfied that a total of £250 is fair in the circumstances.

My final decision

I'm upholding the complaint and directing Monzo bank Ltd to do the following:

- pay Ms W further compensation of £165, bringing the total amount to £250.
- accurately record Ms W's reasonable adjustments to reflect that contact should only be made Monday to Friday between the hours of 9am and 5pm.
- should Ms W allow it, contact should be made – by email – to discuss her disabilities and how best Monzo can further support her.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms W to accept or reject my decision before 17 August 2022.

Sheryl Sibley
Ombudsman