

The complaint

Mr F complains that Contis Financial Services Limited gave him inaccurate information about how long it would take for funds that he did not receive from a cash machine to be returned to him, causing him additional stress at a difficult time.

What happened

On 21 December 2021 Mr F attempted to withdraw £250 from an ATM, however because he delayed taking the money when it had been dispensed it was drawn back into the machine. Mr F contacted Contis to explain what had happened and to ask that the money be returned to him.

Contis advised that it would have to wait for 24-48 hours before it could raise the issue with the company that owned the ATM as the transaction was still pending. So Mr F called back the next day. It appears he then spoke to Contis several times, and was given various information about how long it would take for the funds to be returned.

Mr F was unhappy with what he had been told, so he raised a complaint with Contis. Contis agreed that it had given Mr F some misleading information about the timescale for his money to be returned, and paid him £20 to recognise that.

Mr F remained unhappy, particularly as he still did not have his money back, so he asked us to look into his complaint. One of our Investigators looked into what had happened, they felt that Contis should pay Mr F an additional £80 given the impact these issues had on Mr F due to his particular vulnerabilities. They also commented that they felt Contis had delayed issuing its final response to Mr F's complaint.

Mr F accepted the Investigator's findings, but Contis did not, it said it had issued the final response letter within the required timescales.

As no agreement could be reached this 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.

Having done so I've reached the same overall conclusions as our investigator. I'll explain why.

Firstly though, I want to confirm that I'm satisfied Contis did issue its final response letter within the timescale required, so that issue does not form part of my reasons for upholding this complaint.

However, I am satisfied that with all I've seen, it is appropriate for Contis to increase its compensation award to Mr F by £80, meaning it will have paid him £100 in total. I say this

because, while I appreciate that the actual timescale for the return of the funds to Mr F was out of Contis' hands – it was down to the company that owned and operated the ATM to set that timescale – I do think that the misinformation which Contis has confirmed he was given had a considerable impact on him, and I don't consider £20 compensation was adequate to recognise that impact.

Mr F had explained to Contis that this money was his benefits, and that he needed it for food and heating bills. So it would have been clear to Contis how worrying this situation would have been to Mr F. And leading him to believe on more than one occasion that he would be getting his money within a short period of time, when that was incorrect, will have caused him a great deal of upset.

So I'm satisfied that a total award of £100 – meaning Contis needs to pay Mr F an additional £80 on top of the £20 already paid – is fair and reasonable compensation in all the circumstances of this complaint, and in line with what I would have recommended.

Putting things right

To resolve this complaint Contis should pay Mr F £80.

My final decision

I uphold this complaint, Contis Financial Services Limited should put things right in the way I've set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 1 June 2023.

Sophie Mitchell
Ombudsman