

## **The complaint**

Ms L and Mr S complain about how Bank of Ireland (UK) Plc (BoI) dealt with their account following it being made dormant.

## **What happened**

Ms L and Mr S say that BoI blocked their savings account without warning in November 2022. They say they sent BoI identification documents which it said it didn't receive which caused additional concerns. In summary they would like BoI to warn customers about making an account dormant and would like it to accept documents by a more secure method. They would also like an explanation about the missing documents and say BoI used an out of date address. Mr S says he spent hours on telephone calls and more time spent dealing with the problems. And paid twice for certified documents to be sent. Ms L and Mr S would like compensation and for the regulator to take action against BoI.

BoI accepts it provided details of an old address and accepts providing conflicting information. It has apologised and offered a total of £250 compensation. It also says the account was made active again in December 2022. And it correctly followed its dormancy procedure when the account wasn't used in the three years before November 2022.

Ms L and Mr S brought their complaint to us, and our investigator explained what our role was and which parts of this complaint we could deal with. The investigator thought BoI was entitled to apply its dormancy policy when the account hadn't been used in line with account terms and conditions. The investigator accepted there would have been concerns about the missing documents but didn't think the account or personal information had been compromised. The investigator thought the compensation offer of £250 appropriate but thought BoI should pay for the second certification and postage cost.

BoI doesn't agree with that view and says the compensation offer is appropriate.

Ms L and Mr S also don't agree and in summary say they checked their account regularly and that there was no method of uploading documents to, for example, a secure portal. They say they were caused concern about the safety of their money for about a month and would like BoI's service to be fit for purpose.

## **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 have come to the overall view that BoI has made an appropriate compensation offer but should also pay the second certification/postage costs. I appreciate Ms L and Mr S will be disappointed by my decision and appreciate how strongly they feel about what took place. I hope they both appreciate what our role is here and that we are not BoI's regulator. So, we can't punish a business or direct that it changes the way in which it operates. We also can't direct a business about accepting documents via what Ms L and Mr S say are more secure methods.

I have looked at Bol's account terms and conditions which I think would have been agreed to when the account was first opened. I can see they explain the dormancy procedure and make clear that will be followed if there hasn't been account activity in three years. I appreciate Ms L and Mr S may not have recalled that information from when the account was first opened and accept that they would have checked the account. But I'm satisfied Bol didn't make a mistake or act unfairly by taking the account action it did in these circumstances. And it's not our role to direct it about that policy or direct it be changed.

The key part of this complaint is what then took place. There is no dispute that an incorrect address was given to Ms L and Mr S which delayed the account access. I have no doubt Ms L and Mr S were caused distress and inconvenience in sending the documents again and would have been concerned about their location. I accept for at least a few weeks they would have had concerns about the possibility of personal information being lost.

So, the main issue for me to consider is the compensation level and to decide if Bol's compensation offer is appropriate. Having done so I am satisfied Bol has made a fair and reasonable compensation offer. I'm satisfied that although Ms L and Mr S were concerned about the implications of the location of the documents, their account was not compromised or their personal data. I don't think Ms L and Mr S suffered any real financial loss save for the certification costs and that the issue was resolved in December 2022 which I think was in a relatively short time period. I don't think what took place justifies a more significant compensation amount for those reasons.

I'm satisfied that Ms L and Mr S had no real choice but to re-send the documents at additional cost. I agree with the investigator that Bol should pay that cost and I think it should be in addition to the compensation offer. I say that as Bol raised other issues with the documents at what I think was a relatively late stage.

Overall, I'm satisfied Bol should pay a total of £250 compensation and the second document sending costs. I realise that Ms L and Mr S will have unanswered questions and concerns, but I hope they appreciate that this decision simply can't deal with them for the reasons I have explained.

### **Putting things right**

Bol should pay £250 compensation in total which it has offered and the sending costs which Bol has receipts for which are £45.10.

### **My final decision**

My final decision is that I uphold this complaint in part and order Bank of Ireland (UK) Plc to pay Ms L and Mr S a total of £295.10 compensation less the £50 compensation if already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms L and Mr S to accept or reject my decision before 27 July 2023.

David Singh  
**Ombudsman**