

The complaint

Mr M complains The Royal Bank of Scotland plc (RBS) refused to provide him with copy bank statements for a period when he was party to a joint bank account with his ex-wife.

What happened

Mr M says he was going through a divorce settlement with his ex-wife and needed historic bank statements to provide to his solicitor. Mr M says he approached RBS to provide historic bank statements for the period between May 2021 and March 2022, when he was a joint account holder with his ex-wife. Mr M says RBS refused to provide the statements as the bank account was now in his ex-wife's name solely. In early March 2023 Mr M says he complained to RBS, but it still refused to provide the statements to him.

Mr M says this has caused him a great deal of stress and worry during a difficult time for him and he needed the statements to conclude the financial matters relating to his divorce.

RBS initially informed Mr M it wasn't able to provide the bank statements he was asking for and apologised for the fact that should have been explained to him earlier when he requested the statements in branch. RBS paid Mr M a total of £75 by way of apology and to cover his incidental expenses.

Mr M wasn't happy with RBS's response and referred the matter to this service.

The investigator looked at all the information available and during the course of her investigation RBS admitted it had made a mistake and the statements Mr M had requested should have been made available to him, which it apologised for and offered a further £150 by way of compensation. The investigator provided Mr M with the statements he requested and felt that as this matter was now resolved and RBS had agreed to pay a further £150 by way of apology, that was reasonable in the circumstances.

Mr M didn't agree with the investigator's view and asked for the matter to be referred to an ombudsman 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 will also be upholding this complaint and I will explain how I have come to my decision.

I can understand it would have been upsetting and frustrating for Mr M to be refused access to bank account statements by RBS, when he was a joint account holder at the time. Given during the course of this investigation RBS have accepted it made a mistake in telling Mr M he couldn't have copies of joint account bank statements when he was party to it, back in 2021/2022, I will consider if the redress RBS has now offered Mr M goes far enough.

The background to this complaint is well known to both parties so I won't repeat what has

already been said before, other than to say RBS refused to provide copy bank account statements Mr M requested for the period between May 2021 and March 2022, when he was a joint account holder with his ex-wife.

RBS have now accepted during the course of this investigation that it had made a mistake and those statements should have been made available to Mr M. Taking this into account RBS have now offered Mr M a further £150 by way of apology in addition to the £75 it has already paid. Mr M doesn't feel this is sufficient and RBS have been negligent in this matter.

The first thing to say here is there's no question RBS have made a mistake here and it should have provided the copy statements Mr M was entitled to, when he originally asked for them. It's worth saying it's not my role to penalise or punish businesses when mistakes are made but to ensure the matter is corrected and a proportionate amount of redress is paid – I am satisfied RBS has done that here. While Mr M may not agree, there's no evidence here to suggest RBS have done anything other than make a genuine mistake.

While I can see that would have been stressful for Mr M and without trying to minimise the frustration this would have undoubtedly caused him here, I am satisfied RBS have accepted its shortcomings and offered a reasonable and fair amount of compensation for that. All I would say here, is although RBS have apologised to Mr M via this service for the mistake it has made, when RBS provides Mr M with the extra compensation payment, it would be appropriate if it also apologised to him personally for the trouble this matter has caused him. While Mr M will be disappointed with my decision, I feel this is a fair outcome here.

Putting things right

I instruct The Royal Bank of Scotland plc to pay Mr M a further £150 by way of compensation for the trouble and upset caused.

My final decision

My final decision is that I uphold this complaint.

I instruct The Royal Bank of Scotland plc to pay Mr M a further £150 by way of compensation for the trouble and upset caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 25 October 2023.

Barry White
Ombudsman