

The complaint

X is complaining that Lloyds Bank PLC didn't comply with the reasonable adjustments X had requested due to their disability.

What happened

X has a medical condition and they've let Lloyds know that they require reasonable adjustments under the Equality Act 2010. They've asked not to receive post or phone calls from Lloyds.

X has raised a previous complaint about Lloyds with us, and on 29 June 2022 we also let Lloyds know that X had requested only to be contacted by email, rather than by post or phone.

In August 2022 Lloyds posted a letter to X in error, which they had intended to send by email.

X complained to Lloyds, and they apologised and offered £250. But X didn't accept Lloyds' offer and brought their complaint to our service.

Our investigator looked into the complaint. She thought that the £250 Lloyds had already offered was fair and reasonable compensation for what had gone wrong. But X didn't agree. So their complaint has been passed to me for review and a 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 think the offer Lloyds have already made to resolve X's complaint is fair. So, while I'm sorry to disappoint X, I'm not going to increase the compensation amount from what Lloyds have already offered. I'll explain why.

I've taken the Equality Act 2010 into account here – given that it's relevant law – but I've ultimately decided this complaint based on what's fair and reasonable. If X wants a decision that Lloyds have breached the Equality Act 2010, then they'd need to go to Court.

X has explained the impact of receiving letters in the post in their emails to Lloyds and to us – they've said receiving post has previously caused panic attacks which led to an ambulance being called. And from what we're aware of about X's medical condition and its effect on them, I'm satisfied that receiving post and calls does cause X significant distress.

But in this case Lloyds apologised promptly for the error and offered X £250. I've thought carefully about what happened here and I think £250 is fair and reasonable compensation, taking into account the significant impact on X of receiving post.

I understand X no longer has an account with Lloyds but as Lloyds may need to contact X again about the settlement of this complaint I'd stress that they should not attempt to call X or send letters by post.

My final decision

My final decision is that Lloyds Bank PLC should pay X £250.

Under the rules of the Financial Ombudsman Service, I'm required to ask X to accept or reject my decision before 14 September 2023.

Helen Sutcliffe
Ombudsman