

## The complaint

Mr H complains that the pop-ups on Bank of Scotland plc's website – trading as Halifax – make it harder for him to manage his account online given that he's visually impaired. He also complains about its one-time passcodes, saying that they aren't accessible.

## What happened

Mr H is visually impaired and relies on online banking and online shopping. He has an account with Halifax and an account with another bank too. He's had the account with the other bank for many years. He does his online banking and online shopping from his computer at home - he has a large monitor and a screen reader. His screen reader only works with text and not images. His account with Halifax is a joint account. I'm satisfied, however, that his wife – the other account holder – isn't affected by the issues that Mr H is complaining about and that she has her own details too.

In August 2022 Mr H received a notification to say that he'd opted to go paperless. He contacted Halifax to find out what was going on, saying that he didn't want to go paperless. Halifax looked into this for him and said that it could see he'd changed his preferences, but when Mr H explained how he found the pop-ups on Halifax's website confusing and misleading Halifax accepted that he hadn't intended to change his preferences. So, Halifax changed them back. Mr H complained saying that Halifax's website had been designed to trick people into going paperless when they didn't want to, and that it put barriers in his way that made it harder for him to manage his account given that he's visually impaired.

Halifax looked into Mr H's complaint and accepted that its website wasn't as accessible as it wanted it to be, and that the wording on its website was "subtle" on purpose and others had complained it was misleading and that it would continue to monitor complaints. Mr H was unhappy with Halifax's response and complained to us. He was also unhappy about the fact that Halifax hadn't called him to let him know what its response to his complaint was and had instead written to him. Halifax has since apologised for this, saying that the person who was dealing with his complaint wasn't aware he'd requested a call and that its complaints handling process doesn't say a call has to be made. Halifax has said that calls are normally only made if there's a need to clarify a customer's complaint or speak to them further about it. Halifax offered £25 in compensation for the inconvenience this had caused.

One of our investigator's looked into Mr H's complaint. In the course of doing so, Mr H complained about Halifax's system for one-time passcodes. Mr H said Halifax want to send him a one-time passcode by text which he couldn't access independently and that he'd made the same complaint against his other bank and his complaint had been upheld.

Having looked into everything, our investigator said that they didn't think Halifax had been unfair or done anything wrong as far as the pop-ups on its website and one-time passcodes were concerned. Our investigator said that Halifax had given Mr H several ways to authenticate, and that if receiving a text message or a call wasn't appropriate, there was always the option of visiting a branch or calling the helpline.

Mr H wasn't happy with our investigator's recommendations and asked for his complaint to

be referred to an ombudsman. He said that Halifax only offers one-time passcodes by text, which he cannot access independently meaning he's excluded from online banking. He also didn't think it's reasonable to expect him to visit a branch or call a busy helpline when others can complete the same task quickly and easily online. So, I've looked into his complaint.

## **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.

In June 2023 I issued a provisional decision saying that I was minded to uphold this complaint and award Mr H £500 in compensation. More importantly, I asked Halifax questions about its processes and its website in that provisional decision which I said I'd like answers to when Halifax replied to my provisional decision.

Here's what I said in my provisional decision:

*"Mr H is complaining about two issues, namely:*

*(1) the way Halifax's website works as far as going paperless is concerned; and*

*(2) Halifax's one-time passcodes being inaccessible.*

*Having spoken to him, I'm satisfied that both issues have a theme in common, namely that Halifax doesn't understand how difficult the way it's designed its systems makes it for someone like him with a visual impairment to manage their banking easily and independently. I can see why Mr H feels this way. I'll explain why.*

### **Halifax's website**

*If Mr H goes onto his online banking pop-up windows will appear offering him the option of going paperless. The windows contain a lot of text and right at the bottom there are options that Mr H can click to choose whether or not he wants to go paperless. In order to get to those options, Mr H's screen reader has to read through all the preceding text. And even then, according to Mr H, the options are worded in a way that is ambiguous at best meaning that you can mistakenly opt to go paperless when that's not what you intend. Halifax has accepted that others have found the wording misleading and has acknowledged that the wording is intentionally subtle and that it is monitoring complaints. In other words, there appears to be broad agreement that the wording might cause people to opt to go paperless despite not intending to do so. And, more importantly, that that's exactly what's happened in this case. I am, therefore, minded to say that Mr H has a point here. The fact that he's regularly asked to say whether he wants to go paperless – because there isn't an option to say that you don't want to see the message again – means that Mr H is regularly having to spent time navigating this pop-up. And this, for the reasons I've already mentioned, is time consuming and inconvenient for him given that he's visually impaired. In replying to this provisional decision, I'd like Halifax to tell me what steps, if any, Mr H can take to avoid this happening in the future and whether or not it has any plans to make its website easier for him to use.*

### **Halifax's one-time passcode**

*In 2020 Mr H complained to us about the other bank he has an account with and the fact that it wouldn't send one-time passcodes to his email address. I looked into that complaint, and it was one I was able to resolve informally as the bank agreed to start sending one-time passcodes by email to customers who couldn't use a mobile phone or*

*didn't have one. Before I resolved the complaint, I spoke to the other bank to make sure that the one-time passcode would be sent in a format that was accessible. Or, to put it another way, in Mr H's case in a format that his screen reader would be able to read-out aloud. At the time of that complaint Mr H said that it would be really helpful if that bank could send out one-time passcodes in the same "inclusive" format as Halifax. At the time Mr H would get a one-time passcode appear on his computer screen and would receive an automatic call from Halifax which would prompt him to speak or key the one-time passcode on his screen into his landline. In other words, Mr H was very happy with Halifax's approach as it was well thought out and accessible.*

*Having looked into this in more detail, it appears that Mr H is having trouble when he logs into his online banking rather than when he makes an online payment or attempts to change any of his account details. That's because it appears Halifax sends one-time passcodes by text to its customers when it wants to authenticate them when they're logging on and these one-time passcodes aren't sent in an accessible format. The process of logging into an account, in other words, involves a different authentication process. To date the information Halifax has given us has been about the alternative ways a customer who is wanting to make an online payment or to change their account details can authenticate. On that basis, I'm minded to accept that Halifax doesn't offer the option of a call to a landline to authenticate when a customer wants to log into their online banking. In replying to this provisional decision, I'd like Halifax to tell me what alternatives, if any, there are to authenticating using a one-time passcode when a customer logs onto their online banking and whether the one-time passcodes it sends out are in a format that's accessible for Mr H.*

*Mr H has told us that he does his online banking and online shopping from his computer at home. He's also told us that he's not always asked for a one-time passcode when he tries to log on, but whether he is or not appears to be random. In replying to this provisional decision, I'd also like Halifax to tell me if Mr H is able to "trust" the device he's using so that he won't have to authenticate each time he logs on. If so, I'd like Halifax to tell me in what circumstances he'd have to go through the process of "trusting" the device he uses once he's done that once already and what that process involves.*

### ***the impact on Mr H***

*I'm satisfied that Mr H's banking isn't as accessible as it could be and doesn't take into account what it's like for him as a visually impaired person managing his account. I'm satisfied that this means Mr H's banking isn't as straightforward and easy as it is for others because he happens to be visually impaired. I'm satisfied too that this has caused him a significant amount of inconvenience and distress over a prolonged period of time. In the circumstances, given that I'm minded to uphold this complaint, I'm minded to require Halifax to pay Mr H £500 in compensation."*

Both parties have now replied to my provisional decision – accepting it – and Halifax has replied to the questions I asked. I've spoken to Mr H and explained to him what Halifax said in response to my questions.

### **Putting things right**

Having spoken to Mr H, I'm satisfied that both parties should be able to resolve the outstanding issues between them. For example, that Halifax should be able to ensure that Mr H stops seeing the go paperless pop-up windows as Halifax is already working on a rule to exclude people with similar needs. So, before issuing this decision I wrote to Mr H summarising the conversation we'd had and what I expected Halifax to do next and how both can help and I've sent a copy to Halifax. In addition, Halifax has agreed to pay the £500

in compensation I said I was minded to award in my provisional decision. That's not something Mr H has asked for, but I do think it's right to make an award to reflect the distress and inconvenience he's been caused. So, I'm going to do that too.

### **My final decision**

My final decision is that I'm upholding this complaint and require Bank of Scotland plc trading as Halifax to pay Mr H £500 in compensation.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 20 September 2023.

Nicolas Atkinson  
**Ombudsman**