

The complaint

Miss P complains about National Westminster Bank Plc's technical issues that impacted upon her ability to bank on-line. Also, their subsequent standard of service.

What happened

I issued my provisional decision on 19 October 2023, and this is what I said:

I've considered the relevant information about this complaint.

Based on what I've seen so far, there will be a different outcome to what our investigator proposed.

Before I issue my final decision, I wanted to give everyone a chance to reply.

I'll look at any more comments and evidence that I get by 6 November 2023. But unless the information changes my mind, my final decision is likely to be along the following lines.

The complaint

Miss P complains about National Westminster Bank Plc's technical issues that impacted upon her ability to bank on-line. Also, their subsequent standard of service.

What happened

Miss P submitted a detailed complaint to NatWest about the inconvenience and distress she experienced in December 2022. There were 3 strands to her complaint which I have summarised as follows:

Strand 1

In December 2022, Miss P was unable to make a low value on-line purchase as she experienced mobile app technical issues. Miss P decided to call NatWest to get assistance but struggled to find a contact number and, when she spoke to a representative, she felt she received a poor level of service. This is because it was difficult to hear, she wasn't put on hold whilst waiting for the technical team and she could hear other calls. Also, there was a lack of understanding of the importance of the issue and Miss P was dissatisfied to be told it would take 2 days for the technical team to respond.

Miss P explains how she spent a long time on the phone going round in circles, getting no resolution, despite speaking to a number of representatives and repeatedly re-explaining the issue. In addition, she found some of the representatives to be rude to her, including telling her she was speaking too fast, so she decided to complain.

When trying to complain Miss P says she again had to speak to numerous representatives and had to continuously re-explain the issue. Miss P felt the representatives were inattentive and unprofessional as she could tell they were working from home. Also, she had to ask for the names of the representatives and they didn't have a complaints email address or give clarity over response times. In addition, she was promised a call back that didn't materialise and had a number of other issues including getting email bounce backs and being disconnected.

Furthermore, despite being told her transaction would go through she later discovered it was cancelled and she would have to wait for a refund.

Although Miss P subsequently received a call back together with an apology and compensation, she explains how her inconvenient and distressing experience continued. This is because the compensation was insufficient, and she had to spend more time re-explaining the issue.

Strand 2

Miss P also complained to NatWest about another issue she had in December 2022. She found herself unable to log on to her on-line bank account. Miss P explains how, after waiting longer than the 48-hour service standard, she received a response from the wrong department (business banking) and, when she tried to speak to a representative, she had another poor service experience. Firstly, dealing with NatWest's automated system and then not being passed on to a complaint manager.

Strand 3

Miss P complains about a representative connected to strand 2. Firstly, she could hear the representative's dog barking in the background and questions the professional environment that NatWest representatives work in. Secondly, she explains that she requested to speak to a manager and the representative wouldn't put her through, was being difficult and issued her with an unreasonable warning. Miss P describes the representative as being "stubborn, difficult, unprofessional and condescending".

NatWest response

In their complaint response letter NatWest apologised and offered £170 compensation. This was later increased to £250.

Regarding the technical issue that Miss P experienced, described in strand 1, NatWest didn't uphold this aspect of the complaint as they believed the issue was caused by the retailer.

Regarding the technical issue that Miss P experienced, described in strand 2, NatWest did uphold this aspect of the complaint, but they couldn't explain the issue.

Regarding Miss P's complaints about call handling and the level of service, NatWest did uphold these aspects.

Financial Ombudsman Service

Miss P was dissatisfied with the above response and complained to our service providing a copy of the complaint document she sent to NatWest. Miss P highlighted the following additional points of dissatisfaction:

- *Customer service received by a NatWest complaints representative on 31/12/22*
- *Feeling deliberately targeted by the above complaints representative*
- *The standard of complaint handling staff and processes*

Miss P said she wanted "answers as to why their advisers are just so rude, unprofessional and slack". Also, a greater amount of compensation for the inconvenience and distress caused.

Our investigator didn't think NatWest could do any more than they've already done and didn't uphold Miss P's complaint.

As Miss P remains dissatisfied this case has now been referred to me to look at.

What I've provisionally 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 a different view to the investigator. I'm upholding this complaint and asking NatWest to increase their compensation offer. I will explain how I have come to my decision.

When Miss P submitted her complaint to our service, she was asked how she would like the business to put things right, and she said she wanted "answers as to why their advisers are just so rude, unprofessional and slack".

So, I should first explain that I can't tell a business to make alterations to their systems, services, procedures or processes. I say this because we aren't the regulator of the financial services industry. Also, as explained by our investigator, there are rules (known as DISP Rules) laid down by the Financial Conduct Authority which means complaint handling is not a regulated activity. So, specific complaints about how NatWest manage complaints, including the actions or inactions of staff handling complaints can't be considered by our service.

Furthermore, it's not my role to penalise businesses when service issues like this arise. However, what we can do is consider each individual case and, where we think a business hasn't acted fairly and reasonably in the circumstances, our role is to decide what should be done to put right any financial or non-financial losses that a consumer has experienced. So, we can ask a business to pay a proportionate level of redress.

Miss P has since confirmed she is looking for "compensation for the sheer amount of hours and hours, and hours, of my time (both professional and personal time)".

NatWest have accepted they made mistakes, upholding most of Miss P's complaints about technical and service issues. So, what's left for me to consider here is the technical issue that NatWest didn't uphold and the impact of the combined issues on Miss P and whether the NatWest compensation offer totalling £250 is fair and reasonable for the distress and inconvenience caused.

Having read the file notes, including Miss P's detailed complaint letter and listened to available calls, I sympathise with Miss P's frustrating experience. Also, I fully understand why she is disappointed with NatWest's response and is seeking answers, assurances and a greater amount of redress.

Assessing compensation isn't an exact science and our approach when making awards for non-financial loss is detailed on our website and tends to be modest.

I first considered the on-line purchase that Miss P couldn't complete for which there is a dispute as to whether this was a NatWest technical error or a retailer error.

NatWest say they can't "see any declined transactions on the December to x (retailer) but I can see that they were approved. This means that the error was on x (retailer) side and as a result, I cannot agree that there has been a bank error" and provided evidence to support this.

However, although the information received from NatWest does indicate a retailer error, I can't see that Miss P received a clear, conclusive or timely explanation which responded to

her screen shots or explained the events she experienced and stated contradictory comments from the retailer and NatWest representatives.

I appreciate technical issues can occur between banks and retailers and financial services won't always be totally hassle free. Also, this was a low value transaction that Miss P might have been able to have completed in an alternative way and a large busy bank has to consider the time and effort they put into an investigation.

However, although NatWest didn't uphold this part of Miss P's complaint, when considering the above, together with the inconvenience and loss of confidence Miss P experienced over this issue, I think a redress payment (separate to the service issues Miss P experienced when raising this issue and looking for a resolution) of £100 should have been considered by NatWest.

I then considered the impact of the other biometric technical issue which meant Miss P couldn't place any orders online as she wasn't able to approve any transactions using her NatWest app. NatWest are unable to explain what went wrong here and they upheld this aspect of Miss P's complaint and included this in their compensation offer.

Whilst this was a relatively short-term issue and there is lack of information on the purchasing difficulties it caused Miss P, I'm persuaded by Miss P's submissions that, separate to the service issues, this caused her worry, distress and a loss of confidence in the build up to Christmas where she would be needing her on-line purchasing facility. So, I consider a fair and reasonable amount of compensation to be £100.

I then looked closely at the service issues which Miss P complains about, noting that NatWest upheld these aspects of her complaint but didn't expand when saying "we should have handled things better".

I can understand why Miss P became frustrated with some of the NatWest representatives. This is because she was transferred numerous times and, due to a lack of system notes, several representatives asked her to repeat information. Also, due to procedure and process, they pressed her to repeat information and were reluctant to take accountability and put her through to more senior staff when she made a request. In addition, some commitments weren't met, and Miss P didn't get the answers or assurances she was seeking.

Although I recognise that NatWest representatives found it difficult to manage comments and interruptions from Miss P, who was understandably frustrated and at times challenging them in an assertive way, considering their roles I found some representatives could've been more professional and were quick to interrupt, warn and terminate calls with Miss P.

I didn't though find that the NatWest representatives were rude or agree with Miss P's multi-tasking expectation. Also, I consider the support service standards and working from home arrangements which NatWest have in place, including professionalism where pets can be heard, to have been reasonable as these are business matters for NatWest.

The above issues caused Miss P to spend a long time on the phone. In addition, because of a combination of circular conversations, poor call handling and some commitments not being met, together with the worry over the technical issues that were causing her inconvenience, Miss P found it necessary to compose emails and letters. Furthermore, it is clear Miss P spent much time and went to considerable trouble here and from listening to calls and looking at the file NatWest responses suggest these weren't read. So, I can understand how this added to Miss P's frustration.

Also, I found the above-mentioned service issues that Miss P experienced added to the inconvenience and the distress she felt over the technical issues. I'm also persuaded that the frustration and annoyance here was greater than what a customer experiencing technical difficulties should experience.

So, I can understand Miss P's strength of feeling over NatWest's service, and after taking into account the events and impacts, I consider that a fair and reasonable amount of compensation for the distress and inconvenience caused by the service issues should be £200.

Whilst the impact of the technical and service errors was short-term, I'm persuaded that in addition to worry, upset and distress they caused Miss P to have a loss of confidence in NatWest.

So, having considered all aspects of Miss P's complaint my provisional decision is that NatWest should increase their compensation offer and pay Miss P £400 in compensation less any amounts already paid.

My provisional decision

For the reasons I've given above, it's my provisional decision to uphold this complaint.

I require National Westminster Bank Plc, to pay Miss P £400 compensation less any amounts already paid.

I'll look at anything else anyone wants to give me – so long as I get it before 6 November 2023.

Unless that information changes my mind, my final decision is likely to be as I've set out above.

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 my provisional decision, I gave both Miss P and NatWest the opportunity to provide any comments or new information they might wish me to consider before I moved to a final decision.

I didn't receive a response from Miss P.

NatWest said they "agree to pay an additional £150 compensation, bringing the total to £400."

Having reconsidered everything including the responses received, I see no reason to depart from my provisional decision, which I adopt in full as part of this final decision.

My final decision

My final decision is that I uphold this complaint.

I require National Westminster Bank Plc to pay Miss P £400 compensation less any amounts already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss P to accept

or reject my decision before 11 December 2023.

Paul Douglas
Ombudsman