

## **The complaint**

Mr M is unhappy with several aspects of the service he received from Starling Bank Limited.

## **What happened**

To briefly summarise: Mr M has a disability which makes verbal communication difficult. In October 2022, Mr M emailed Starling and asked to discuss a repayment arrangement on his account. Mr M wanted Starling to communicate with him via email, because of his disability. But Starling asked Mr M to call them to discuss the matter verbally. Mr M wasn't happy about this, or with the lack of progress regarding his attempt to negotiate a payment arrangement. So, he raised a complaint.

Starling responded and explained that they had replied to Mr M's emails and asked him to contact them. Because of this, Starling didn't feel that they'd done anything wrong and didn't uphold Mr M's complaint. Mr M wasn't satisfied with Starling's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they didn't feel Starling had acted unfairly in how they'd managed the situation and noted that Mr M didn't appear to have informed Starling about his verbal communication difficulties until July 2023 – nine months after Mr M first emailed Starling in October 2022. Mr M remained dissatisfied, so the matter was escalated 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'd like to begin by confirming that this service isn't a regulatory body or a Court of Law and doesn't operate as such. Instead, this service is an informal, impartial dispute resolution service. And while we do take relevant law and regulation into account when arriving at our decisions, our remit is focussed on determining whether we feel a fair or unfair outcome has occurred – from an impartial perspective, after taking all the factors and circumstances of a complaint into consideration.

I also note that Mr M has provided several detailed submissions to this service regarding his complaint. I'd like to thank Mr M for these submissions, and I hope he doesn't consider it a discourtesy that I won't be responding in similar detail here. Instead, I've focussed on what I consider to be the key aspects of this complaint, in line with this service's role as an informal dispute resolution service.

This means that if Mr M notes that I haven't addressed a specific point he's raised, it shouldn't be taken from this that I haven't considered that point – I can confirm that I've read and considered all the submissions provided by both Mr M and Starling. Rather, it should be taken that I have considered that point but that I don't feel it necessary to address it directly in this letter to arrive at what I consider to be a fair resolution to this complaint.

Mr M feels that Starling didn't fairly respond to the email he sent on 10 October 2022 at 11:10 am. However, Starling have demonstrated that they did respond to Mr M's email immediately upon receiving it, and I note an email sent by Starling to Mr M on 10 October 2022 at 11:17 am – just seven minutes after Mr M's email was received by them.

In their response to Mr M's email, Starling thanked Mr M for getting in touch and asked him to call them to discuss the matter further. And while Mr M has explained to this service that his disability makes verbal communication difficult for him, he doesn't appear to have informed Starling about this until several months later. As such, I don't feel that it was unfair or unreasonable for Starling to have asked Mr M to call them to discuss his request. Indeed, I note that Mr M began his 10 October 2022 email to Starling by informing them of his new telephone number – in consideration of which I feel it was reasonable for Starling to continue to work on the understanding that Mr M was willing to engage in verbal communication.

Following Starling's prompt response to Mr M's email, in which they asked Mr M to call them, Mr M doesn't appear to have replied to Starling to explain that he wasn't able to engage in verbal communication because of his disability, as I would reasonably have expected him to have done. Rather, Mr M waited three months, until 11 January 2023, at which time he emails Starling again and raised a complaint with them for not responding to his 10 October 2022 email – which, as explained, Starling did within seven minutes of receiving it.

Starling responded to Mr M and confirmed that a complaint had been raised for him. Mr M then chased a resolution to his complaint with Starling. But again, I haven't seen any evidence that Mr M told Starling about his verbal communication difficulties at that time. And, as explained, the first evidence I have of Mr M telling Starling about his communication difficulties was on 19 July 2023 – which was after Mr M had received a response to his complaint from Starling and was the date that Mr M referred his complaint to this service.

In consideration of all the above, I don't feel that Starling have done anything wrong or acted unfairly here. And it follows that I won't be upholding this complaint or instructing Starling to take any further or alternative action. This is because Starling did respond to Mr M's October 2022 email promptly and asked him to call them. And while I appreciate Mr M might not have wanted to speak with Starling directly, because of his disability, he didn't inform Starling of his disability so that they had reason to consider alternative communication channels until after Starling had responded to his complaint.

Finally, Mr M feels that Starling have discriminated against him, given the problems he's experienced. Having looked at all the evidence I don't think Starling has done so. Nor do I think Starling has acted unfairly or unreasonably. I hope that it helps Mr M to know that someone impartial and independent has looked into their concerns.

### **My final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 19 February 2024.

Paul Cooper  
**Ombudsman**