

The complaint

Mr S complains that when he called HSBC UK Bank Plc, trading as First Direct, he spoke to a new member of staff who gave him vague information on cheque deposit clearance times.

What happened

Mr S explained to First Direct's agent that he had purchased items outside of the normal returns window and paid on his previous bank account, so a refund to his card wasn't an option. He sought advice about a cheque payment.

There were two calls between Mr S and First Direct. He said the first agent couldn't answer his questions, and he complained and asked to speak to another agent. The second agent knew his request was about the depositing of a cheque and whilst there was some confusion as to whether a cheque had been received, he was provided with the relevant advice.

In its response to his complaint, First Direct said from his call with its first agent, Mr S wasn't confident about the timescale of the funds being available from paying in a cheque. First Direct said the first agent was new and was learning how to use its systems to gain information, but provided correct information that, whilst cheques paid in before 10pm will show in his account the next working day, this is dependent on the payer confirming a pay – no pay decision in that time. And given the payer of the cheque, it's unlikely to be delayed.

Mr S was unhappy with First Direct's response and referred his complaint to our service. Our investigator didn't recommend it be upheld. He listened to the call recordings between Mr S and First Direct. He said the first call was a discussion with the agent who he was unhappy with. On the second call the agent processed his complaint and answered his questions. He understood why Mr S felt unsure taking advice from the first agent, as they came across a bit uncertain and were unable to explain cheque clearance times.

The investigator said on the second call, the agent was much more comfortable and seemed to put Mr S at ease. The agent explained they'd be providing feedback, and more training was required for new staff members regarding cheque-based questions. The investigator said the call was handled well, and Mr S seemed happy when it concluded. He said other than the first agent's lack experience, Mr S received good service, and First Direct responded to his complaint the same day, and he didn't think compensation was merited.

Mr S wasn't happy with this response and requested an ombudsman review his complaint. He said the investigator hadn't fully understood his complaint and he felt as if First Direct had admitted liability. Mr S explained how his health diagnoses affects him, and how difficult it can be for agents to understand his disability. He said he offered to send medical evidence to First Direct explaining his condition, so it understands how to communicate with him, but they declined and noted buzzwords on his file which doesn't properly explain his diagnosis.

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.

I have seen the detailed medical evidence Mr S has sent us and I sympathise with him for the medical problems he has suffered and the communication difficulties he faces. I can see from its records that he has informed First Direct of his medical condition and the requirements for communicating with him.

Mr S said the information he received from First Direct about paying in a cheque was unreliable and he complained. First Direct offered support if Mr S decides to receive a cheque from the payer rather than a bank transfer. First Direct explained that their agent was fairly unfamiliar with questions about cheques, as they were new, and its agents don't get many questions about cheques anymore.

We have listened to the calls between Mr S and First Direct's agents. I think the agents were trying to assist Mr S with his enquiry, but the first agent was new and in unfamiliar territory. I agree with the investigator that although the first agent couldn't provide Mr S with the information he wanted, he wasn't misinformed, they were polite and followed his instruction to be passed to a more experienced member of staff.

I agree the service from the first agent could've been better, as they had Mr S on hold for just under three minutes whilst finding out if a cheque could be paid in via the banking app. Mr S then said he had already found out how to pay in the cheque online. He then asked how long it took to process the cheque.

My understanding is that the amount of time it takes for a cheque to process is dependent on the decision whether to pay on the cheque from the issuing bank. This means the first agent did not misinform Mr S, though I agree with what's been said about this so far, that more training was required for new staff members regarding cheque-based questions. First Direct has confirmed that the cheque process is something that will be focussed on in coaching the first agent to be able to relay information faster and clearer going forward.

Mr S's first call lasted about six minutes before the agent began to arrange to transfer him on to the second agent. It's possible the agent could have obtained the information required a bit more quickly, but the call didn't take long, and I don't consider it caused Mr S much inconvenience. I think the second agent handled Mr S's call well and provided him with the answers he required. And provided the first agent with information about where to find procedures on how to pay a cheque in via the app.

I haven't found any error from First Direct's handling of Mr S's enquiry and no adverse impact on him to the point where a finding against First Direct should be made or compensation awarded. It follows that I don't uphold this complaint or require First Direct to pay any compensation.

My final decision

For the reasons I have given it is my final decision that the complaint is not upheld.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 1 March 2024.

Andrew Fraser
Ombudsman