

## **The complaint**

Mr A complains that Bank of Scotland plc closed his credit card account without providing him with sufficient notice. He's also unhappy that he hasn't received a response to his Subject Access Request.

## **What happened**

Mr A held a credit card account with Bank of Scotland. In May 2023 Mr A received a letter advising him that his account was being closed with 65 days notice.

Mr A appealed the decision and made a Subject Access Request using an online form. Mr A's appeal was unsuccessful, and he didn't receive a response to his DSAR. Mr A's account was closed on 27 July 2023.

Mr A complained to Bank of Scotland. He said he thought the closure date of the account should've been extended because he had made an appeal. He also said he felt that he'd been discriminated against because all of his accounts had been closed without warning.

Bank of Scotland didn't uphold the complaint. It said that when Mr A had opened the account it had provided him with an agreement which stated that the account could be closed at any time. It said it had given Mr A 65 days notice of the closure so that he could make alternative arrangements. Bank of Scotland said it hadn't received a DSAR from Mr A and advised him to complete this. It said a DSAR would not provide the reasoning behind the closure.

Mr A remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. He said that the terms and conditions allowed Bank of Scotland to close the account and the bank had confirmed that no DSAR was received.

Mr A disagreed so I've been asked to review the 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.

I've issued two other decisions in relation to the closure of Mr A's accounts. The facts are the same, and it follows that my decision in this current complaint will reach the same conclusion as my decisions in the other two complaints. That's not to say that I haven't considered all of the information in the file.

I've reviewed the terms and conditions of the account. This states that the bank can close the account at any time. There's no obligation on the bank to provide a reason for closing the account. Mr A agreed to these terms and conditions when he opened the account.

I've reviewed the notice of closure letter which was sent to Mr A. This gave 65 days notice of the closure of the account. I appreciate that Mr A didn't want his account to be closed.

However, I think the notice period given was reasonable, and gave sufficient time for Mr A to make alternative banking arrangements.

I understand that Mr A made an appeal against the decision to close his account and asked Bank of Scotland to extend the notice period. The bank is only obliged to extend the notice period if the account closure was due to take place whilst the appeal was still outstanding. In this case, I can see that Mr A's appeal was concluded before the account closure was due to take place.

I understand that Mr A feels very strongly about the closure of his account and feels that the bank has discriminated against him. This service can't interfere with the bank's decision to close the account, because the bank has acted in line with the terms and conditions and has given reasonable notice of the closure. I haven't seen anything to suggest that the bank has applied its processes unfairly to Mr A, or that it has discriminated against him.

Mr A has also said that he's never received a response to his DSAR. Bank of Scotland has stated that it hasn't received a DSAR, which is why no response has been issued. This service asked Mr A if he was able to provide evidence to show that he sent a DSAR to the bank, but he hasn't been able to provide this. The bank provided details of how Mr A can make a DSAR in its final response. It's up to Mr A whether he makes a DSAR. However, the bank has explained that a DSAR won't provide Mr A with details of why the decision was taken to close the account.

Taking all of the available information into account, I'm unable to uphold the complaint. Bank of Scotland was entitled to close the account under the terms and conditions, and it gave Mr A a reasonable time to find a new banking provider.

### **My final decision**

My final decision is that I'm unable to uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 25 April 2024.

Emma Davy  
**Ombudsman**