

The complaint

Ms T complains that Marks and Spencer Financial Services Plc trading as M&S Bank addressed her credit card statements incorrectly.

What happened

Ms T holds a credit card account with M&S. She has moved several times in recent years and on each occasions has asked M&S to correct her name but this hasn't happened.

Ms T contacted M&S to complaint in June/July 2023 to notify of a change of address and to advise that her name was spelt incorrectly. She asked for all correspondence to be addressed to her using her first two initials and her surname, which is how it appears on her credit card.

Ms T complained to M&S. In its final response dated 31 October 2023 – which Ms T says she never received – M&S said it wasn't able to send correspondence using just Ms T's initial and surname as it had to use her full name. it said it had removed her middle name from its system.

M&S sent a further response dated 1 November 2023 in which it said it had failed to address the aspect of Ms T's complaint which related to the multiple calls she had made in June and July. It apologised for not dealing with the issue in its final response dated 31 October and said it had provided feedback to the advisors who had dealt with Ms T's calls.

Ms T tried to discuss matters with M&S in November 2023 but wasn't sure whether her name had been changed or not. She brought her complaint to this service.

Following the referral of the complaint to this service, M&S said it would like to offer Ms T compensation of £75 for the poor service she received. It also provided a copy of a recent statement showing that Ms T's middle name had been removed and that it was addressed to her using her full first name and her surname.

Our investigator said the offer from M&S was fair. They said that the final response letter dated 31 October 2023 was correctly addressed to Ms T and they were satisfied it had been sent. they also said that during a telephone conversation with M&S on 14 September 2023 Ms T had said that she'd prefer to have her name changed to just her initials but "at worst" she would accept her first name and surname.

Ms T didn't agree. She said she'd never seen the final response dated 31 October 2023 and asked for a copy. She said that each time she'd moved house she'd raised the issue of her name being incorrect. Ms T said she felt that the use of her first and middle name and her surname on her correspondence was a security breach. Ms T said she also held a savings account with M&S and correspondence from this part of the organisation was addressed to her using her first two initials and her surname. She said she didn't understand why M&S couldn't do the same for her credit card correspondence.

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 listened to some of the calls that Ms T made to M&S. In the call dated 16 June 2023, Ms T advised the agent that she had a new address. She raised the issue of her middle name being spelt incorrectly on correspondence and asked for this to be changed. The agent said they would refer the query to the relevant department. In the call dated 14 September 2023, Ms T raised a complaint because her name hadn't been changed. Ms T referred to previous calls in which she'd requested this and expressed frustration that it hadn't happened.

Ms T has said that she's raised the issue of changing her name several times and although I've only listened to two calls, I've got no reason to doubt what she says. The system notes provided by M&S show that Ms T raised the issue of her name in calls dated 16 June 2023 and 29 June 2023.

I appreciate what a frustrating experience this has been for Ms T. She's spoken to several different agents at M&S and it wasn't until the final response letter dated 31 October 2023 that M&S explained that it couldn't do what Ms T had requested. Ms T's frustration has been compounded by the fact that she didn't receive the final response letter. I've reviewed the final response letter and I can see that it is correctly addressed to Ms T. I accept Ms T's version of events when she says she didn't receive it but it seems likely that this was due to an issue with the postal service rather than due to an error by M&S.

M&S has now removed Ms T's middle name from its system and has provided this service with a statement showing how Ms T's name appears now. I appreciate that this isn't what Ms T requested. However, M&S has explained that it needs to use Ms T's full first name on correspondence, rather than just an initial. It isn't the role of this service to ask a business to change its rules and processes so I can't ask M&S to use Ms T's initials only. I understand the point which Ms T has made about correspondence which is sent to her about her savings account, but this is a different part of the business and I can only look at what's happened here.

M&S has acknowledged that there were service failings and has offered £75 compensation. This was offered after the complaint was referred to this service. I think this is a fair and reasonable amount. It isn't clear from the information provided to me whether Ms T has been provided with a copy of the final response dated 31 October 2023 yet. If it hasn't been provided, M&S should provide this to Ms T as soon as possible.

My final decision

My final decision is that I uphold the complaint. Marks and Spencer Financial Services Plc trading as M&S Bank must pay compensation of £75 to Ms T.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms T to accept or reject my decision before 20 May 2024.

Emma Davy
Ombudsman