

## **The complaint**

Mr T complains Starling Bank Limited didn't treat him fairly when he contacted it on the phone. He says staff lacked empathy and made it difficult for him to access specialist help.

## **What happened**

I issued my provisional decision on this case recently, upholding Mr T's complaint and explaining why. Below is a copy of what I said.

### *What happened*

*Mr T contacted Starling by phone on the morning of 8 June 2023. He was looking to speak to someone to discuss issues that had arisen on his account. He said he was having difficulty using the bank's system (its live chat facility on the app) and therefore communicating with it. In the calls, he told Starling he was a vulnerable adult and required the email address of its specialist team so he could contact them directly. Starling asked Mr T a series of security questions, so that it could be satisfied it was talking to its customer. Mr T found recalling some of the information difficult because it was in his phone app and he was using his mobile to talk. He completed security checks on some calls that morning but not on all.*

*Mr T found the process stressful and frustrating and thought Starling were putting barriers in place, when he wanted direct contact of the specialist team. Two calls ended with Mr T finishing them and a complaint raised. Mr T told Starling that it hadn't shown any empathy or understanding towards him and had discriminated.*

*Starling investigated. It listened to the calls but didn't agree its staff hadn't shown empathy. It believed its staff had been professional and treated Mr T with dignity throughout. So, it didn't uphold this aspect of the complaint but accepted he'd been kept on hold for a long time and apologised.*

*Mr T wasn't satisfied with the response, so he referred this complaint to us. In doing so, he highlighted several pieces of guidance and law to firms when dealing with vulnerable customers. In light of those, he felt Starling should have done more to help but instead had made things difficult.*

*One of our investigators took a look into what had happened. In summary, she didn't agree staff had treated Mr T inappropriately. She noted that since the end Mr T had been in touch with its specialist support team and Starling didn't need to do any more.*

### *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.*

*I've already shared the FCA Guidance for firms on the fair treatment of vulnerable customers with Starling. I've also requested additional information to help with this provisional decision. Having reviewed this with everything else, I intend to uphold Mr T's complaint and I'll explain why.*

*Starling has provided call recordings of calls that took place on 8 June. In all of these, Mr T makes clear he's a vulnerable adult. In the first call, he explains he's having difficulty using its live chat facility and that he's looking to find out what's happened to the issues he's raised. The agent asks does he wish to speak with the specialist support team, and he says yes. I believe there is a misunderstanding at this point because Mr T thinks this is a team that deals with customers who are vulnerable. Because he asks what the specialist support team do.*

*From what I can tell, this team appears to be Starling's general customer services department. This is also supported by Starling confirming to us that it doesn't have a separate unit for dealing with vulnerable customers. This misunderstanding (through no fault of Mr T's) continues in the calls that morning.*

*Mr T is then taken through a series of security questions. The agent recognises Mr T can't access his app at the time, so she asks alternative questions. The agent thanks Mr T for providing the information and says she'll pop him on hold to speak with the support team.*

*In the next call that happens, Mr T begins by explaining again that he's registered as a vulnerable adult, and he'd been speaking to the agent's colleague about getting in touch with the assisted section. The agent takes Mr T through security. At his point, Mr T becomes extremely distressed when he can't answer all of the questions, as some of the answers are in the banking app and he doesn't want to drop the call. He adds that he's already gone through security with the agent's colleague. The agent doesn't think that's sufficient.*

*I haven't been provided with the call that transferred Mr T over to this call, so I don't know what was said (if anything at all) about whether he had passed security. I accept the bank would need to identify Mr T. And it would be wrong to suggest otherwise. But the first agent didn't indicate Mr T hadn't been identified, instead she thanked him for providing the information. Given this, I think it was reasonable for Mr T to have believed he had already gone security. So, when he then experienced difficulties answering the second agent's questions, I can understand why he started to get frustrated and upset.*

*As part of my review, I asked Starling, when had it first noted Mr T's situation. It said it had held a note since October 2021, with the information migrating over to its current systems from March 2023. I think this is important, because as well as Mr T being clear in the calls that he is a vulnerable adult and has difficulties, the notes on the system ought to have alerted staff that Mr T may find things difficult and require specialist help. But based on the calls, I don't think the bank made the connection during the calls.*

*As referenced above, I've had regard for FCA Guidance for firms on the fair treatment of vulnerable customers.*

*Some of the key points in there are:*

*It is important for firms to recognise the role that staff play in meeting the needs of vulnerable consumers.*

*Firms should be able to spot signs of vulnerability and deliver appropriate customer service that responds flexibly to the need of vulnerable customers.*

*Put in place systems and processes that support the delivery of good customer service, including systems to note and retrieve information about a customer's needs.*

*Vulnerable consumers are more likely to have different service needs. For example, they may find some channels of communication challenging or stressful or need more time to understand information and make decisions. If firms do not ensure their customer service provision meets the needs of vulnerable consumers, they can exacerbate the risk of harm from being vulnerable. For example, unresponsive or inflexible customer service can increase the stress and confusion*

*I've thought about this. I accept that in the calls, all the agents apologised when Mr T got upset and treated him with respect and that was good to see. But I think Starling's service fell short in failing to identify his specific needs and continued to put him through a process which he was finding distressing. I understand from Starling's response that it doesn't have a dedicated team that deal with vulnerable customers, but it does have a responsibility to arm its frontline staff with the tools to identify there may be complex needs and respond flexibly to those, for example, asking a colleague who is equipped to provide additional support through the calls.*

*Had this happened, I think things may have gone better than they did with Mr T that morning with him getting the information he needed, avoiding the misunderstanding and some of the trouble and upset caused in multiple calls and repeating things unnecessarily. To resolve matters, I intend to require Starling to pay compensation to put things right. I have assessed this at £150. I think this fairly recognises the impact I've described here. In response to this provisional decision, I'd also like it to re-review the notes it has on the account to ensure Mr T's needs are clear for staff to see for any future interactions.*

*I have noted from Starling's perspective that some of the calls were ended by Mr T. But I don't think this was ill intended. From what I have heard, this was as a result of him recognising the calls had reached a point where he was too distressed and to continue would exacerbate how he was feeling. Indeed, in one call he says as much.*

*My provisional decision*

*My provisional decision is Starling Bank Limited should pay Mr T £150 and review the customer profile for him to check information in relation to his specific needs is prominent and clear.*

Responses

Starling responded to say it agreed with my provisional decision but queried my wording on the direction. It asked whether I meant it needed to review internally Mr T's customer profile to ensure that his specific needs were clear and prominent to front line staff, so that they can better meet his needs.

Mr T also responded. He said he supported the provisional decision and shared some information from a health website about a condition he has.

The case was then returned to me.

### **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'm pleased both parties have agreed with my decision. On this basis, I see no reason to depart from what I decided and why. So, my provisional decision is adopted as part of this final decision. Starling should now take steps to put things right for Mr T. Starling is right in its response. I am requiring it to review internally Mr T's customer profile to ensure that his specific needs are clear and prominent to front line staff, so that they can better meet his needs.

I thank Mr T for sharing details of a condition he has. I will pass that information on to Starling via our investigator with this decision, so that it has a note.

This now brings to an end my consideration of this complaint.

### **My final decision**

My final decision is Starling Bank Limited should pay Mr T £150 and review his customer profile details internally to check information in relation to his specific needs is up-to-date, prominent and clear to front line staff.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 25 March 2024.

Sarita Taylor  
**Ombudsman**