

The complaint

Mrs M complains as a holder of a power of attorney (PoA) for her father Mr M, that Lloyds Bank PLC gave a poor service when she tried to register the PoA and that Lloyds doesn't provide appropriate access for her and Mr M to his account.

What happened

In June 2023 Mrs M wanted to register the PoA she had obtained to act for her father, with Lloyds. She said she was assured that the process would take 20 minutes over the telephone. In fact she says that it required multiple calls, additional information, original documentation and weeks later attendance at a branch to see an adviser. She was told multiple times that she could use the app on a day-to-day basis to access Mr M's accounts when in fact no such facility exists.

Mrs M found that in order to get the new PIN and cards and statements for her, she had to change the registered address on the account. But as Mr M wanted to receive his own correspondence she had to change the address back again. Lloyds does not offer a facility for sending all post to multiple account holders. She felt that the front-line customer services team are sympathetic people but had a completely inconsistent understanding of what and how the system works requiring multiple calls, hours of time and resulting in a wholly inadequate service to support a vulnerable Mr M with his finances.

Mrs M complained to Lloyds. It upheld her complaint concerning the service issues but explained that it couldn't alter its systems. She was offered £100, then £150 compensation.

Mrs M complained to the Financial Ombudsman Service. In its later final response letter (FRL) Lloyds offered £500 compensation for its poor service and Mrs M's experience in getting the PoA registered. But it explained that it was unable to alter its systems. Whilst Mrs M couldn't access Mr M's accounts through the app she did have access through online banking. In respect of receiving correspondence etc., it offered the following options:

- It can change Mr M's address to Mrs M's address, resulting in her receiving all mail for his accounts.
- It can add a duplicate statement indicator, meaning that Mr M will continue to receive all mail and Mrs M will receive copies of any statements issued.
- When Mrs M wishes to order anything specifically to her address she can change the address to her own using online banking, order the item then revert the address back to Mr M's address.

Whilst accepting the £500 offered Mrs M said this didn't resolve her complaint. In particular she said she had received no information, timetable or assurances of any changes being made at all to the electronic registration process or use of Lloyds' app. She also wanted compensation for the many hours she had personally spent. She thought that Lloyds should be penalised for not giving a full response to her complaint at the time, and only doing so after she complained to this service.

Our Investigator advised that as Mr M's representative we can't award compensation to her. He also advised that this service doesn't have the power to make Lloyds change its processes. Bearing that in mind he said that the £500 paid by Lloyds was fair and reasonable compensation.

Mrs M didn't agree and the matter has been passed to me for an Ombudsman's consideration.

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 should make clear at first the limits of my powers. We act as an informal alternative dispute resolution service. Our function is to resolve parties' individual complaints. Also as Lloyds has set out what Mrs M can and can't do as far as acting for Mr M in respect of his account is concerned, I can't require it to change its processes. This applies both to the use of the app and to the registration process for the PoA. I can decide whether Lloyds acted fairly and reasonably. And I can award compensation and/or require Lloyds to take action (within the limits of my powers). I have no power to penalise Lloyds.

Further as our Investigator has explained, it is Mr M who is making the complaint and in terms of compensation I could only consider the impact on him. I can't award Mrs M any compensation in respect of the time she has spent on dealing with this matter.

Mrs M has referred to the consumer duty. I should clarify that this only applies to matters that took place after 31 July 2023. Although Lloyds dealt with her complaint after that, the issue she is complaining about concerns matters which occurred before that date. So I won't be taking the consumer duty into account.

customer service

It's clear that Mrs M received a poor customer service in trying to get the PoA registered. She was initially told the matter would take 20 minutes over the phone but her attempt at doing that during that phone call was unsuccessful and she had to make multiple phone calls and a trip to the bank before the PoA could be registered. She was also told on a number of occasions that she could use the app to get to Mr M's accounts when this clearly wasn't the case. I accept that this all had an impact on Mr M.

I know that Lloyds didn't provide a final response letter until Mrs M had made her complaint to this service. Whilst I can't penalise Lloyds for this, I do note that Mrs M had asked Lloyds for its complaint notes, I have taken it into account in respect of the award of compensation.

inability to use app to receive post etc.

Mrs M complains that she can't use the app, as this isn't available for customers' representatives. Lloyds also can't send all post to two different addresses. Mrs M believes that this does not offer a fair service to vulnerable customers. And she's also been told by Lloyds that it doesn't propose to change its system. She's been told that in part this is because of the cost and that it's not something which its customers generally have asked for.

As Lloyds has pointed out, Mrs M does have access to Mr M's account online. This may not be as convenient as the app but it does provide the ability to oversee the account and to carry out the main functions of a bank account. I take into account that she was given the

wrong advice about this, but I don't think that Lloyds' position is unreasonable.

As far as receiving post is concerned Lloyds has the facility of sending duplicate statements to Mrs M. However it can't send all post to different addresses. It has provided the work around of Mrs M changing the registered address e.g. so that she can receive new bank cards. Again I don't think this is unreasonable.

compensation

Overall bearing in mind that I can only award compensation to Mr M for the impact on him, I think that the compensation offered and paid by Lloyds is fair and reasonable. So I won't be asking Lloyds to increase it.

My final decision

Lloyds Bank PLC has already offered and paid £500 to settle the complaint and I think this is fair in all the circumstances.

So I won't require Lloyds to take any further action.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs M to accept or reject my decision before 5 June 2024.

Ray Lawley
Ombudsman