

## **The complaint**

Mr N complains that the block applied by Bank of Scotland plc ("BOS") to his account meant he couldn't pay his electricity bill resulting in him losing a freezer full of food and having to borrow money off friends and family and pawn items in order to survive.

## **What happened**

BOS mistakenly applied a block to Mr N's account on 18 May. Mr N discovered this on 19 May and was advised he would have to go into branch to have the block lifted.

On 22 May Mr N arranged with his carer to visit a branch of BOS and withdraw £50 from his account leaving him with a nil balance. Mr N says he used this to pay his electricity bill.

BOS lifted the block on 30 May. Mr N complained to BOS about this.

BOS accepted it made a mistake in applying the block and compensated Mr N £30 for the distress and inconvenience caused. Mr N was dissatisfied with this and brought his complaint to this service.

One of our investigators looked into Mr N's concerns and recommended BOS increase the total compensation paid to £150 which BOS accepted.

Mr N disagreed. He says not having access to his account meant he couldn't pay his electric bill resulting in losing a freezer full of food worth £250. Furthermore, he says he had to borrow money off friends and pawn items in order to survive and has spent 30 hours on the phone with BOS to try and resolve this issue.

So, Mr N's complaint has been progressed for an ombudsman's decision on the matter.

## **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.

My role is to look at the problems Mr N has experienced and see if BOS has done anything wrong or treated him unfairly. If it has, I would seek – if possible - to put Mr N back in the position he would've been in if the mistakes hadn't happened. And I may award compensation that I think is fair and reasonable.

In this case there is no dispute that BOS incorrectly applied a block to Mr N's account which resulted in him making an unnecessary trip to one of its branches causing him some distress and inconvenience.

My understanding is Mr N was without access to his account for around 11 days but as he withdrew the entire proceeds of his account on day three, he was only without access to money held in his account for this period of time. So what I have to decide is whether the £150 compensation recommended and accepted by BOS is a fair and reasonable amount of

compensation for the distress and suffering Mr N endured as a result of its error. And I think it is.

I appreciate Mr N doesn't think this level of compensation is enough, as he says as a result of not having access to his account he couldn't pay his electricity bill which resulted in him losing £250 worth of food held in his freezer. Furthermore, he says he had to borrow money from friends and family and resorted to pawning items to survive.

I sympathise with Mr N as he has clearly fallen on difficult times made worse by not having access to his account. But Mr N hasn't provided me with enough evidence to show that not paying his electric bill was solely due to his account being blocked. Nor can I say that the restricted access resulted in him having to pawn items and borrow money off friends. From the evidence I've seen I think this was more likely the result of Mr N having exhausted the funds held in his account.

So I think the only distress and inconvenience Mr N suffered that can be solely attributed to BOS's error was the unnecessary trip to its branch to withdraw cash and the time he spent on the phone trying to sort the issue out. And on this basis, I think the £150 compensation recommended and accepted by BOS is fair.

I accept BOS's actions caused stress and anxiety for Mr N, but overall, I can't say Mr N's financial situation got significantly worse as a result of BOS's error. And nor can I see that Mr N has suffered any financial detriment due to BOS's mistake.

So, in these circumstances I think the recommended total compensation of £150 is fair and a reasonable way to settle Mr N's complaint for the distress and inconvenience caused to him. Furthermore, BOS can deduct from the £150 the value of compensation for this complaint already paid to Mr N.

### **My final decision**

For the reasons I've explained, I've decided to uphold Mr N's complaint and direct Bank of Scotland plc pay Mr N total compensation of £150 but deducting from this amount what it has already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr N to accept or reject my decision before 17 April 2024.

Caroline Davies  
**Ombudsman**