

## **The complaint**

Mr B complains Bank of Scotland plc trading as Halifax (Halifax) unfairly closed his accounts. He is also unhappy with the service he received following the closure of his accounts.

## **What happened**

The detailed background to this complaint is well known to both parties. So, I'll only provide a brief overview of some of the key events here.

I am aware Mr B has other complaints with our service. This decision will focus on Mr B's complaint relating to the closure of his Halifax accounts. Mr B's other complaints will be dealt with separately.

Mr B had savings accounts with Halifax.

On 14 December 2023, Mr B visited a Halifax branch to arrange his savings accounts and withdraw cash. As a result of what happened in branch that day, Halifax made the decision to close Mr B's accounts with them. Lloyds notes say there has been a multitude of issues with Mr B in terms of his behaviour towards staff. And even got to the point where no staff were happy to serve him.

Halifax telephoned Mr B on 15 December 2023 to let him know it was no longer willing to provide him with banking services. Halifax explained that staff were uncomfortable serving him and reminded him that he had been previously spoken to by managers about his behaviour and attitude towards colleagues. Halifax offered Mr B an option to go to another branch and be seen by other staff, but he refused.

Halifax followed this up and with a letter on 20 December 2023, that set out it was closing all of Mr B's accounts (including those within the banking group) due to the incident that took place in branch. The letter gave Mr B 30 days' notice that his accounts would be closed on 22 January 2024. And explained that they don't tolerate abusive, threatening or intimidating behaviour, so they were closing Mr B's accounts.

Mr B wasn't happy that Halifax had made the decision to close his accounts, so he raised a complaint. He said he'd had to visit a branch because Halifax had repeatedly cancelled appointments at short notice with him. And that whilst he was at the branch he got into an argument with a member of staff and raised his voice. However, he said that after around ten minutes things calmed down and he remained in branch for just under an hour. So, he thought the incident was done and dusted.

Halifax responded to Mr B's complaint and confirmed that their decision to close his accounts wouldn't be changed. Following this Mr B submitted a request to obtain more information about why Halifax had closed his accounts. In response Mr B received Halifax's complaint notes which set out staff felt Mr B was passive aggressive, makes notes whilst in

branch, tries to catch staff out and calls staff liars. The notes also recorded that Halifax wouldn't uphold any of Mr B's complaints, which Mr B says is completely unfair.

Mr B said that staff at the branch have tarnished his reputation and that he could provide professional and social references if required. Mr B accepted that he is a note taker, but says he does this due to the poor service often provided by Halifax in branch. Overall, Mr B said Halifax had targeted him for complaining and calling out a member of staff for repeatedly lying in a public area with other customers present. So, he said Halifax had treated him unfairly by closing his accounts. And punishing him financially. He's also said that because of Halifax's actions he's health has suffered, and he's had to visit his doctor.

Unhappy with Halifax's actions, Mr B asked us to look into things. After reviewing everything and asking Mr B and Halifax for some more information one of our investigator's said Halifax hadn't done anything wrong when it had closed Mr B's accounts and had done so in line with the account terms and conditions.

Mr B disagreed. In summary he said:

- The visit to the branch on 14 December 2023 was after having his previous appointments repeatedly cancelled and at short notice.
- Halifax's claim that he made multiple complaints in the last 12 months is spurious.
- Amongst the information he received as part of a subject access request he discovered that Halifax made a note not to uphold any of his complaints.
- Halifax has lied and provided misinformation.
- Staff who weren't present at the branch have made the decision to close his accounts.

A no agreement could be reached the matter has come to me to decide.

### **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 think it's important to firstly explain I've read and taken into account all of the information provided by both parties, in reaching my decision. I would like to highlight that I've taken into account Mr B's very detailed submissions about what has happened. I say this as I'm aware I've summarised Mr B's complaint in less detail than he has. If I've not reflected something that's been said it's not because I didn't see it, it's because I didn't deem it relevant to the crux of the complaint. This isn't intended as a discourtesy to either party, but merely to reflect my informal role in deciding what a fair and reasonable outcome is. This also means I don't think it's necessary to get an answer, or provide my own answer, to every question raised unless I think it's relevant to the crux of the complaint. Our rules allow me to do this.

Mr B accepts he raised his voice when he visited the branch on 14 December 2023. But he says the incident was over quickly and he remained in branch for just under an hour afterwards. So, he thought things had essentially resolved themselves. And it's because he's complained which is what led Halifax to closing his accounts. – so, he says they've treated him unfairly.

If a financial institution chooses to close an account, they should do so in line with the terms and conditions of the account and their reasons should be legitimate, fair and non-discriminatory.

The terms and conditions say Halifax can close an account without notice if “*you are or may be behaving improperly (for example, in a threatening or abusive way)*”.

Halifax gave Mr B 30 days’ notice of closing his accounts, despite saying he’d been abusive, and intimidating. If I think Halifax have reasonably decided Mr B was abusive and intimidating, then Halifax have acted more than fairly, as they’ve given him notice when they weren’t required to. If I think Halifax have unfairly decided Mr B was abusive, then Halifax haven’t acted fairly - as the terms go on to say they’ll give two months’ notice if no other reasons apply.

Mr B says Halifax staff have lied and provided misinformation about what happened. I wasn’t present during Mr B’s branch visit when he says he was treated unfairly. And there isn’t a recording of what happened which clearly shows Mr B was treated unfairly. Instead, I have testimonies provided by the people involved, namely Mr B and the staff at the branch who dealt with Mr B on 14 December 2023. I’ve also seen testimonies from staff who’ve had difficult interactions with Mr B due to his behaviour when he attends branch. I’ve kept in mind that Mr B has accepted he raised his voice during his time at the branch.

Having looked at everything, it seems very unlikely to me that independent staff members would each report Mr B had been abusive towards them. I’m not deciding directly whether Mr B was or wasn’t abusive, only whether I’m satisfied Halifax have enough evidence to fairly treat him as having acted abusively. Given that, I think it’s more likely than not Halifax have treated Mr B fairly in closing his accounts because he became abusive – rather than because he complained. So, it wouldn’t be appropriate for me to direct Halifax to do anything further to resolve Mr B’s complaint since I don’t find Halifax acted inappropriately in closing Mr B’s accounts.

I appreciate Mr B doesn’t believe he displayed abusive behaviour towards Halifax staff. But people have varying degrees of tolerance when it comes to feeling threatened or abused. And it’s not my role to dictate what Halifax should consider ‘threatening or abusive’ behaviour. I accept the closure of Mr B’s accounts came as a shock to him and caused him inconvenience. However, Halifax has a responsibility to look after and support its staff, and I think its actions here – the decision to end its banking relationship with Mr B - is reasonable and in keeping with its policy to protect their staff. It’s evident to me from looking at all the evidence that the relationship between Mr B and the branch staff had broken down irreparably over time.

Mr B has also said that staff who weren’t involved in the branch incident took the decision to close his accounts, which he doesn’t think is right. Halifax has a policy in place which details how it will decide if a customer has been threatening or abusive and what steps it will take if this happens. This sets out that the decision will be taken and reviewed by senior staff. I don’t find that unreasonable. Especially given that closing a customer’s account can lead to serious financial consequences and inconvenience.

I’d expect this policy to be applied consistently and fairly in all circumstances. Having looked at all the evidence, I’m satisfied that Halifax fairly and reasonably followed its policy when it sought to close Mr B’s accounts. So, I can’t say the bank did anything wrong when senior staff reviewed everything and communicated this to him. I’d also add that we are not the regulator of firms – so we can’t tell them how to run their businesses, or how to design or implement their processes. Halifax’s decision to close a customer’s account for being abusive is taken by senior members of staff - that’s how it runs its business – and we can’t interfere with its commercial decisions.

Finally, Mr B has said is very unhappy that as a result of obtaining information via a subject access request he discovered that on its notes Halifax had recorded that it wouldn't be upholding any of Mr B's complaints. I can understand why this remark would cause Mr B upset and concern. I agree the statement isn't helpful. But irrespective of this comment I've not found a failing on Halifax's part. I'm satisfied that each complaint Mr B raised was investigated by Halifax individually and fairly.

In summary, having considered everything, while I appreciate Mr B's strength of feeling and why he feels he's been treated unfairly, I'm not persuaded Halifax acted unreasonably or unfairly in the circumstances. So, I won't be asking Halifax to do anything more to resolve Mr B's complaint.

### **My final decision**

For the reasons I've explained, my final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 29 July 2025.

Sharon Kerrison  
**Ombudsman**