

The complaint

Mrs P complains about the way in which Shawbrook Bank Limited responded to her request to deal with the Citizens Advice Bureau on her behalf and write off her account due to her circumstances. She's also unhappy that Shawbrook hasn't responded to her letters and about the way a call was handled.

What happened

Mrs P holds a loan account with Shawbrook. In November 2019 Mrs P wrote to Shawbrook. She advised them that she was in financial difficulties and asked for 30 days breathing space.

On 11 February 202 the CAB wrote to Shawbrook on behalf of Mrs P and requested information about the account so they could assess Mrs P's financial situation. Shawbrook responded with the information requested. The CAB wrote again on 11 March 2020 explaining Mrs P's circumstances. The CAB provided an affordability assessment and medical evidence and asked Shawbrook to write off the debt.

Shawbrook wrote back to the CAB on 20 March 202 requesting clarification of some of the financial information. The CAB called Shawbrook on 24 April 2020 to provide an update on the queries. The write off request was then passed to another department within Shawbrook for consideration.

Shawbrook subsequently wrote to the CAB asking for further clarification and evidence. It didn't receive a reply. Shawbrook also tried calling the CAB but got no response. This prompted Shawbrook to call Mrs P directly to discuss the further information required.

Mrs P asked Shawbrook not to call or write to her. In November 2023 she raised a complaint with Shawbrook. She said she'd sent letters giving permission for the CAB to deal with her account.

Shawbrook issued a final response in which it didn't uphold the complaint. It said it hadn't received a response from the CAB and hadn't received the letters Mrs P said shed sent giving permission for the CAB to deal with matters on her behalf. Shawbrook said the loan term expired in March 2023 and that it had made attempts to speak to Mrs P about her account. It said that the content and tone of its call in November 2023 was appropriate. Shawbrook said it didn't intend to cause distress to Mrs P but said it did need to speak to her about her circumstances and the payment of the arrears.

Mrs P wasn't happy with the response and brought her complaint to this service. She doesn't feel that Shawbrook has offered her any support or resolutions.

Our investigator didn't uphold the complaint. He said he didn't think that Shawbrook had done anything wrong. He said that Shawbrook had stated that it was willing to consider Mrs P's request for a write off, but it needed further information from Mrs P, the CAB or any other party acting on Mrs P's behalf.

Mrs P didn't agree so I've been asked to review the complaint.

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 reviewed the contact notes provided by Shawbrook. I've also reviewed the correspondence between Shawbrook and the CAB.

I can see that the CAB requested a write off, Shawbrook asked for further information in response. The CAB provided this but when Shawbrook requested clarification and further evidence, the CAB didn't respond. It was only when Shawbrook was unable to get a response from the CAB that it tried to contact Mrs P directly. I don't think this was unreasonable in the circumstances.

I can see that Shawbrook made several attempts to speak with Mrs P. The contact notes show that Mrs P declined to speak to Shawbrook and advised them that the CAB were dealing with matters for her. I understand that Mrs P believed this to be the case. However, the contact notes show that the CAB had stopped responding to Shawbrook.

Because Shawbrook wasn't able to obtain the further information it required from either Mrs P or the CAB, it didn't consider the write off request further. I don't think Shawbrook made an error or did anything wrong when it didn't consider the write off further. Based on what I've seen, I think Shawbrook made reasonable attempts to speak with the CAB and/or Mrs P to obtain the information it required. Ultimately, Shawbrook was unable to progress the write off request without the further information and evidence it had requested.

A significant amount of time has elapsed since the CAB first requested write off on Mrs P's behalf. I think it's reasonable for Shawbrook to require updated information about Mrs P's circumstances. Mrs P could either provide this herself or appoint a third party to assist her.

Mrs P has said that Shawbrook hasn't told her what further information it requires. This may be because the CAB hasn't passed on relevant correspondence to Mrs P, or it may be because Shawbrook hasn't been able to speak with Mrs P directly about it.

If Mrs P contacts Shawbrook by email or letter to request details of the further information which is required, Shawbrook should respond within a reasonable time, setting out in clear terms the further information it requires in order to consider the write off request.

Taking everything into account, I'm unable to say that Shawbrook has made an error or treated Mrs P unfairly.

My final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs P to accept or reject my decision before 21 August 2024.

Emma Davy
Ombudsman