

The complaint

Mr W complains that DT & T Corporation Limited delayed in sending him appropriate notification that his benefit payment hadn't been received and of the customer service he received.

What happened

Mr W has advised us that he has mental and physical health problems, which makes him vulnerable. Mr W opened his account with DT & T on 29 January 2024. He said he was due to receive a benefit payment into the account and contacted DT & T on 1 February to ask about its receipt. DT & T's adviser said she would check with the payment team and call him back. Mr W then made several phone calls to DT & T, explaining that he was vulnerable and had no food and couldn't pay for electricity. He confirmed that he wanted to lodge a complaint in respect of poor service (for not returning phone calls and not providing the appropriate letter). He requested an ex gratia payment to help him out.

Mr W spoke to a complaints adviser on 2 February. DT & T sent an email that day, explaining it hadn't received the payment, for Mr W to pass on to the DWP (Department of Work and Pensions). And he continued to contact DT & T before raising his complaint with the Financial Ombudsman Service. Essentially DT & T denied it had provided any poor service and wouldn't offer any payment.

Our Investigator said that DT & T had provided the appropriate email shortly after Mr W requested it, and had provided a reasonable service in respect of responding to his complaint. However she thought, in respect of his vulnerability that the advisers could've been more empathetic and understanding of Mr W's situation, and more patient when speaking to him on the phone. In some calls, Mr W shared sensitive, personal information with DT & T and this wasn't acknowledged, and she couldn't see that any adjustment was made in how DT & T communicated with him following this. She proposed that DT & T pay £50 compensation.

DT & T didn't agree. It said that our Investigator had made baseless accusations of unprofessional conduct against its employees, unsupported by factual evidence.

It contends that Mr W hadn't failed to receive his benefits payment. Its position is that it believes Mr W was trying to extort money from it.

It noted Mr W ceased all communication with us immediately after he received our email requesting documents pertinent to its claim of extortion.

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.

letter/email to DWP

Mr W complains that DT & T took a week and a half to send an email confirming it hadn't received the payment from DWP. I note however that he first contacted DT & T on 1 February 2024 and that an appropriate email was sent to him on 2 February 2024. So I think that DT & T acted reasonably in this respect. This should have enabled him to take the matter up with DWP. I realise that he continued to query this and requested a letter, but, as the adviser pointed out to him, sending a letter would take several days for him to receive. As far as I'm aware the e-mail was satisfactory.

customer service

Mr W first made a complaint to DT & T when he said he didn't receive a call back following this enquiry. However I do have to bear in mind that Mr W's enquiry was about whether the payment had been received and the adviser had to check with the payments team. I understand that she did not call him back within a few minutes but I do note that, especially on 1 and 2 February 2024, Mr W made a large number of calls to DT & T. I can understand his impatience and that he was anxious about not having any money, but I do think the advisers did their best to get the payment traced. I've noted in particular that, having done that, DT & T did send the appropriate e-mail, as I've set out above. So I don't think there was any failure to call Mr W back.

Mr W also complained that the advisers were argumentative and spoke over him. I have listened to the calls and although there was a certain element of Mr W and the advisers both talking over each other, I don't think there was a poor service involved here. The advisers were in my view, trying to help Mr W understand that DT & T couldn't take action until it had been established whether or not the payment had been received.

Turning now to DT & T's position that Mr W was trying to extort money from it, I should remind DT & T that this service does not investigate, or making findings against, consumers. I think undoubtedly Mr W did seek an ex gratia payment from DT & T. Our Investigators and advisers are experienced in identifying vulnerable consumers. And in light of the number of calls he made to DT & T and subsequently to this service, I think it reasonable to say that he was anxious and in financial difficulty.

The Financial Conduct Authority (FCA) defines a vulnerable consumer as "*someone who, due to their personal circumstances, is especially susceptible to harm, particularly when a firm is not acting with appropriate levels of care.*" Mr W hadn't informed DT & T of his vulnerabilities before opening the account. But he made it clear in his conversations with advisers that he had mental and physical health problems, aggravated by his lack of money. At one point he told the adviser that he was at risk of self harm and his doctors were concerned for him. The response was: "*if your doctors are concerned there is nothing that we can do, so what do you expect us to do?*"

In another call the adviser argued with Mr W about his request for an ex gratia payment, essentially asking him what he would do in DT & T's position. And in another call a comment was made to the effect that the reason Mr W wasn't called back was because he called every 10 minutes.

I wouldn't expect DT & T to offer a payment if it didn't think it'd done anything wrong. But I don't think that the advisers took sufficient notice of Mr W's vulnerability. The FCA's guidance is that in cases like Mr W's, advisers should be able to signpost other organisations/persons that could help with his financial or health problems. I take into account that DT & T thought that Mr W was trying to extort money from it. And overall I would agree with our Investigator that there was a certain lack of empathy and

understanding of Mr W's position. My view is that this very likely led to him making repeated calls to DT & T.

And it is for that reason that I think that DT & T should pay Mr W £50 for the distress and inconvenience suffered by him.

Putting things right

DT & T should pay Mr W £50 compensation.

My final decision

I uphold the complaint in part and require DT & T to provide the remedy set out under "Putting things right" above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 12 June 2024.

Ray Lawley
Ombudsman