

## **The complaint**

Miss N complains National Westminster Bank Plc are treating her unfairly as she cannot open an account with them due to a marker they placed on her customer profile. She considers their actions amount to discrimination.

## **What happened**

The details of this complaint are well-known to both parties, so I won't repeat them again here. The facts aren't in dispute, so I'll focus on giving the reasons for my decision.

## **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.

Having considered everything, I've reached the same conclusions as our Investigator, for these reasons:

- I should start by explaining our service is an informal alternative to the Courts. Because of this, we do not have the power to make a finding of discrimination under the Equality Act 2010. However, I can decide if NatWest has treated Miss N fairly, and to do that, I've taken relevant legislation, regulations, and good industry practice into account.
- NatWest has admitted a problem with their system is preventing Miss N from applying for a new credit card account with them. This is because there is a marker against her customer profile due to a previous account she held with them being defaulted. Their policy regarding lending to customers/former customers with such a marker has changed, and they are now willing to accept applications from affected customers. However, their systems need to be updated to reflect this, and unfortunately this update is taking them longer than anticipated. They've also explained there aren't any manual reviews or workarounds that can be used to allow Miss N to make an application at this time.
- In NatWest's February 2024 final response letter, they explained this problem was ongoing. They also referred Miss N to a final response letter they sent to her in January 2023 in which they explained she was welcome to apply for a credit card from another bank within the same banking group. They also explained that the other bank would have the same offers/promotional rates. Having reviewed this letter and information, I'm satisfied NatWest clearly explained what Miss N could do if she wanted a credit card with a specific offer/promotional rate.
- I reviewed the available credit cards from the other bank within the same banking group, and I am persuaded they have the same offers as those from NatWest. So, while I appreciate Miss N had intended to apply for a NatWest card, I can't see that she's been particularly disadvantaged as she could have applied for a similar card from a different bank. In the absence of Miss N demonstrating why not being able to

apply specifically for a NatWest credit card is causing her loss, I can't agree that she's suffered sufficient detriment to warrant NatWest doing more, than they already are, to rectify the problem.

- It is disappointing that NatWest still hasn't resolved the issue with their systems. However, they have assured Miss N and our service this is something they are working hard to resolve. The evidence suggests Miss N hasn't been treated differently to other customers with similar circumstances, so I'm satisfied with what NatWest has explained and offered to Miss N.
- NatWest sent Miss N £150 with their February 2024 final response letter. This was to recognise the distress and inconvenience the delays in updating their system has caused her. I consider this is fair in the circumstances as NatWest has shown Miss N is able to apply for a like-for-like credit card with a different bank. They've also explained this to her each time she's raised a complaint about the issue. I've also had to place weight on the fact that any application for credit is subject to review. So, taking everything into consideration, I'm not persuaded NatWest needs to do anything further to put things right.

For the reasons above, I'm not upholding Miss N's complaint about NatWest.

### **My final decision**

My final decision is that I'm not upholding Miss N's complaint about National Westminster Bank Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss N to accept or reject my decision before 31 October 2024.

Sarrah Turay  
**Ombudsman**