

The complaint

Mr M is unhappy with how HSBC UK Bank Plc staff treated him during a branch visit.

What happened

Mr M visited a HSBC branch to withdraw cash over the counter as he was unable to use his debit card because he was waiting for a replacement debit card to be delivered. Mr M initially withdrew £100 over the counter, but then realised that he needed more cash.

Mr M returned to the counter and was seen by a different HSBC staff member who felt that Mr M's signature on the withdrawal slip didn't match the signature they held on file for him and asked Mr M to provide some ID to confirm his identity. Mr M wasn't happy about this, and he also wasn't happy with how HSBC branch staff treated him subsequently, so he raised a complaint.

HSBC responded to Mr M but felt that he had been rude and aggressive toward their branch staff, and that they staff hadn't done anything wrong. Mr M wasn't satisfied with HSBC's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they didn't feel it could be said that HSBC had managed the situation unfairly, and so they didn't uphold the complaint. Mr M remained dissatisfied, so the matter was escalated to an ombudsman for a final 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.

I issued a provisional decision on this complaint on 20 September 2024 as follows:

Mr M has said that HSBC's staff were rude to him. Conversely, HSBC's staff have said that Mr M was rude to them. Clearly, these two testimonies sit in contradiction to one another. And where this is the case, I must decide – if I feel that it's reasonably possible to do so – which of the two versions of events put forward is most likely to have taken place, on balance and in consideration of the information and evidence available to me.

In this instance, I find Mr M's testimony to be the more persuasive. This is because of testimony provided by HSBC's branch staff, who explained that Mr M was asked for ID and was asked security questions because his signature didn't match that which was held on file, but which also explained that Mr M was known to them and that they've had several instances of Mr M being rude and aggressive to them in the past.

The question that immediately presents itself in light of HSBC's branch staff testimony is as follows: If Mr M was known to HSBC's staff – as they've clearly stated that he was – then why was he asked for ID and asked security questions? Especially as it seems reasonable to assume that because Mr M was known to HSBC's staff, it would also be known that this would most likely antagonise Mr M.

I feel that the most likely answer here is that there is a strained relationship between Mr M and HSBC's branch staff based on previous interactions, and that this influenced the actions of HSBC's branch staff on the day in question. However, if HSBC are willing to provide banking services to Mr M, then they must be willing to provide fair and reasonable service to Mr M at all times. And I feel that it's most likely that this wasn't the case in this instance.

As such, I'll be provisionally upholding this complaint in Mr M's favour and instructing HSBC to pay £50 compensation to him for the poor service that I feel it's likely that he received.

In arriving at this £50 compensation amount I've considered the trouble and upset that Mr M may have experienced here because of what happened. But I've also considered that my argument for provisionally upholding this complaint in Mr M's favour is based on previous strained interactions between Mr M and HSBC, which I feel are unlikely to be the solely the result of the attitudes and actions of HSBC's staff. And in consideration of these points, I feel that £50 is a fair compensation amount here.

Mr M responded to my provisional decision and asked for the testimony of the acting manager present on the day and the CCTV footage of the incident to be considered. But I can confirm that HSBC have provided the testimony of their branch staff. HSBC have also confirmed that the CCTV footage of the incident isn't available. And given that CCTV footage is generally only retained for a short period of time, because its primary role is to show footage of serious incidents that are generally dealt with quickly (usually via referral to the police), this doesn't seem unreasonable or surprising to me.

HSBC also responded to my provisional decision and provided some further comments from their branch staff, wherein the counter staff member updated their earlier testimony and stated that despite Mr M being known to them, they didn't recognise Mr M in the moment that they were asking Mr M for his signature.

I'm not convinced by this further testimony, given that it sits in contradiction to the initial testimony provided by the staff member. And I also feel that if it were the case that the counter staff member wasn't sure of Mr M's identity at first, that it's likely that they would have remembered Mr M once the conversation became difficult, given that the staff member has confirmed in her additional testimony that Mr M was known to them. And I continue to feel that once Mr M was recognised by the staff member that the interaction should in all reasonableness have been handled differently.

Ultimately though, as explained in my provisional decision letter, I wasn't there in branch on the day in question. And so, my decision here is based on what I feel is most likely to have happened, given the information available to me. And in this instance, I continue to feel that what's most likely to have happened is as I've described it in my provisional decision letter above. Accordingly, my final decision here is that I uphold this complaint in Mr M's favour on the basis as described in my provisional decision.

Putting things right

HSBC must pay £50 to Mr M.

My final decision

My final decision is that I uphold this complaint against HSBC UK Bank Plc on the basis explained above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 1 November 2024.

Paul Cooper
Ombudsman