

## **The complaint**

Mr W complains that TSB Bank plc delayed in paying in a cheque that he wrote and failed to give him information about it. Also that it blocked his cheques and his debit card and asked him to telephone it when he had explained that he didn't want to communicate by telephone.

## **What happened**

In October 2023, Mr W noticed that a cheque payment had debited his account for £933. He was concerned that this may have been a fraudulent payment and contacted TSB's fraud team. Mr W confirmed that the relevant chequebook was no longer in his possession and TSB advised that the chequebook would be cancelled. He subsequently said that he did not want to be contacted by phone. However, TSB wrote letters to him asking him to contact it by phone. It was established that this was a cheque that Mr W had written to a utility company and paid in at the post office in February 2023. TSB sent a final response letter to Mr W (which he tells us he didn't receive) in December 2023. The letter enclosed a copy of the cheque and explained that the cheques in that chequebook had been cancelled. It advised him to contact its fraud team if he believed the cheque had not been written by him.

TSB accepted that if it had told Mr W earlier more information about the cheque it would not have had to keep contacting him. It paid him £50 compensation for the inconvenience he'd suffered.

Mr W referred his complaint to the Financial Ombudsman Service. In it he said that in addition to the problems over the cheque, his debit card had been blocked meaning that he was unable to take cash out of the ATM. He also complained that he had been prevented from making an international payment and had spent 90 minutes on the phone with TSB about it. He later advised that further cheques had been blocked by TSB, though not from the chequebook that had been cancelled.

Our Investigator said that a number of factors had contributed to significant distress and inconvenience for Mr W. She proposed that TSB pay a further £250 compensation.

On the issues of the international payment and cheques from a subsequent chequebook being blocked, we advised Mr W that those issues had not been raised with TSB, so could not be dealt with under this complaint.

TSB accepted the proposed outcome.

Mr W did not agree and 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.

I should advise Mr W first of all about the limits of our powers. The Financial Ombudsman Service acts as an alternative dispute resolution service. Our function is to resolve complaints informally. In assessing Mr W's complaints I will look at the matter as a whole. Whilst I have taken into account what Mr W has said, I will not go into every point in detail. As our rules require me to look at Mr W's individual complaints, I don't have the power to require TSB to change its processes. Our Investigator recommended that a compensation payment be paid to Mr W which I think is the right approach to make up for what went wrong.

When Mr W contacted TSB's fraud team, he would have had his statement in front of him which showed that the £933 payment was a cheque. The adviser went through the matter with Mr W and as he didn't recognise the payment it was reasonable in my view at that stage for it to be reported as a possible fraud. Mr W advised that he wasn't using that cheque book any longer. TSB cancelled the chequebook and advised Mr W of this fact in its follow up letter.

Mr W was then made aware of the payee of that cheque (a utility company) as he called in on 27 November to ask for a copy to be sent to him.

I think the position was set out clearly to Mr W in TSB's final response letter of 14 December 2023. With that letter it enclosed a copy of the cheque in question. So it's unfortunate if, as Mr W says, he didn't receive that letter. And I think it would have been evident from his e-mail of 28 December that he hadn't received the previous letter or the copy cheque. TSB referred to this in its letter of 9 January and I think it would have been prudent at that stage to enclose a further copy of the final response letter and the copy cheque. Although it didn't do so.

In respect of the chequebook that was cancelled, Mr W made it clear that he was no longer using that chequebook so that any cheques which were paid on it shouldn't have been affected if TSB cancelled it. That is the situation he presented TSB with. It did advise him that it was cancelling that particular chequebook. Mr W has since complained that a cheque or cheques on a different chequebook have been blocked. He hasn't made this complaint to TSB so it's not something that I can make a decision about as TSB has not had the opportunity to investigate it.

Mr W referred his complaints to this service soon after the letter from TSB of 9 January so there was no further correspondence between them. However I do think that TSB could have advised Mr W earlier about the nature of the cheque and provided a copy to him so that he could check his records.

As regards paying in a cheque that had been written some eight months previously, there is no rule which prevents such a cheque from being paid in. If it is more than six months old then we would expect the business to ensure that paying in such a cheque didn't cause the customer financial difficulties. From the information I have seen, the cheque was paid in via the post office in February 2023. But the actual cheque went missing and only turned up some eight months later when it was paid out from Mr W's TSB account. It does appear that he had enough in the account to cover the payment, so I don't think that TSB needed to contact Mr W about it. As far as I can see the Post Office rather than TSB was responsible for the cheque going missing.

As regards contacting Mr W, he did make it clear that he preferred not to be contacted by telephone but TSB then sent further letters asking him to contact it in that way. I appreciate that its fraud team operates by phone contact but it could have been more sensitive to Mr W's situation. It's not surprising if he felt harassed.

So far as Mr W's assertion concerning his debit card is concerned, TSB has advised that the

chequebook and debit card have different systems so cancellation of one should not affect the other. From the evidence I've seen, Mr W was able to make debit card payments in January 2024 so I can't say that the debit card was affected.

Finally, whilst Mr W has made a complaint to this service about an international payment he was attempting to make, he hasn't made that complaint to TSB. Our rules require that a business be allowed to investigate a complaint before it can be referred to us. So if Mr W wants that complaint to be investigated together with the complaint about cheques in a subsequent cheque book being cancelled, he should refer those complaints back to TSB.

Overall, I think that the appropriate payment of compensation is £250 (on top of the £50 already paid). This takes account of the distress and anxiety caused to Mr W over the cheque, particularly of the delay in getting a copy sent to him. And in him being asked to contact TSB by phone when he had said that he didn't want to be contacted in that way.

### **Putting things right**

TSB should pay Mr W £250 compensation.

### **My final decision**

I uphold the complaint in part and require TSB Bank plc 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 20 November 2024.

Ray Lawley  
**Ombudsman**