

The complaint

Mrs G's attorney, who I'll refer to as L, complains that Lloyds Bank PLC won't allow her to access Mrs G's accounts through a mobile banking app. L says Lloyds are treating her unfairly by not allowing her to access the full range of online services that are offered to people who are able to manage their own accounts.

What happened

L holds a lasting Power of Attorney for Mrs G, which has been registered with the bank since April 2022. L explains that she had been managing Mrs G's account since then without any problems.

In 2024, Mrs G's home was sold. The proceeds from the sale were paid into her current account. When L started to move the funds into savings accounts, the transactions flagged as being unusual and out of character for Mrs G, requiring L to speak with the bank's fraud department. It came to light that L had been informally using Mrs G's mobile banking app to manage Mrs G's accounts. Lloyds restricted access to the app and said it could not be reinstated unless Mrs G could answer some security questions.

L explains that Mrs G has advanced dementia and wouldn't be able to answer the bank's questions. Lloyds told L that its mobile banking platform does not allow third party access. L complained. She wanted to revert back to the position she was in before the account was blocked as this arrangement had been convenient for both her and for Mrs G.

Lloyds didn't uphold the complaint. It said L needed to contact the fraud team to unblock the account, then L needed to register herself for online banking as she must use her own details to access Mrs G's accounts. Lloyds said digital access for an attorney can only currently be given via the desktop banking platform.

L registered for online banking with her own credentials but explains that accessing Mrs G's accounts from an internet browser on a computer is less convenient than accessing them via the mobile banking platform. L felt Lloyds should make reasonable adjustments to its services to ensure everyone is able to access them. Feeling frustrated and no further forwards, L referred the complaint to us.

As part of her investigation, our Investigator asked Lloyds about its policies and procedures. Lloyds said that the mobile banking platform is not currently available for representatives, but L can still manage Mrs G's accounts using a desktop browser. L then attempted to use the desktop banking platform from an internet browser on her device, but it didn't work. She provided us with a screenshot to show the error message she received.

We asked Lloyds to contact L to provide support. After speaking with the bank, L confirmed that she could now log in and access Mrs G's account using the internet browser on her mobile phone, but the user experience was not the same as using the mobile app. She said it is clunkier and doesn't have the same features such as transaction notifications. L said she would still like to use the app and thought Lloyds' position was discriminatory under the Equality Act 2010.

Our Investigator thought it was reasonable of Lloyds to not reactivate Mrs G's mobile banking app because she is not able to bank on her own. She noted that L could log into the internet browser using her mobile phone, so online banking was not limited to just desktop computer access. Our Investigator recognised that it had taken time to reach this point and the end position was not as convenient as it used to be when L was informally using Mrs G's log in details, but she went on to explain that our rules do not allow us to award compensation for the impact of events on attorneys personally.

L didn't agree. She said that as an attorney, she has become Lloyds' customer in order to manage Mrs G's accounts, and as such, she would like equal access to the mobile banking app in the same way that any other customer can. L said she didn't understand Lloyds' security concerns because the bank is aware of the Lasting Power of Attorney, so it will know that any transactions or access coming from Mrs G's profile are really being made by L. She referred to guidance published by the Office of the Public Guardian which says providers of regulated services should treat the attorney or deputy as they would treat the customer they are acting for.

As no agreement could be reached, the complaint has been referred to me.

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.

First, I should explain my role. During the course of the complaint, L has said that Mrs G is being discriminated against because she is not being allowed equal access to mobile app banking, and also that Lloyds should make adjustments which enable L to be treated the same as any other bank customer. It is not for me to decide whether or not Mrs G has been discriminated against. In a case involving the Equality Act 2010, it's not our role to say whether a business has acted unlawfully or not – that's a matter for the Courts. Our role is to decide what's fair and reasonable in all the circumstances. That being said, I am not persuaded that the Equality Act 2010 does apply in this situation. I am mindful that the adjustment that is being asked for here is for L as attorney, rather than for Mrs G. There is no dispute that Mrs G cannot manage her own financial affairs, so the focus is on what access L has when supporting Mrs G.

I've thought carefully about whether Lloyds' position is fair. From L's perspective, she's stepping into Mrs G's shoes, and she would like access to the same features, benefits and services that Mrs G would have enjoyed. L has suggested that Lloyds could reinstate Mrs G's access so that she could use the mobile banking app on Mrs G's behalf. But I am mindful that the way L was accessing Mrs G's accounts through Mrs G's mobile banking app was never permitted by Lloyds. The bank's internet banking terms and conditions say that security details must be kept secure and not shared, and only the account holder's biometric information should be registered on devices such as smart phones and tablets.

The Financial Conduct Authority, the financial services regulator, considers that where a person is authorised by a customer, or by law, to assist in the conduct of the customer's affairs (such as where power of attorney applies), firms should provide the same level of support to that person as they would have provided to the customer.

But this does not mean that Lloyds must be compelled to provide support to L through her preferred channel. Lloyds is expected to provide an appropriate standard of support to L so that she does not face unreasonable barriers when acting on behalf of the bank's customer, Mrs G.

In all the circumstances as they are here, L is able to access and administer Mrs G's accounts from her mobile phone by logging in from the internet browser. Lloyds has explained that the functions offered through the internet browser are broadly comparable to the functions offered in its mobile banking app. It has explained that it would require significant technological development of its systems for an attorney to use their separate online banking credentials to use the mobile app and access the donor's accounts, involving much more than the issuing of compatible username and password credentials. The bank has indicated that it would like to provide attorneys with mobile app functionality in the future, but it takes time and will incur significant cost to build and deploy this functionality successfully.

I do understand L's frustrations. Nowadays day to day banking takes place in an increasingly digital environment and I appreciate her sentiments that the experience of using a mobile banking app on a smartphone is more convenient than logging into an online banking browser. But Lloyds has made its current procedures clear, and by doing so, it has given L the information she needs to make an informed decision about whether Lloyds' financial products and services are still right for Mrs G now that her personal circumstances have changed. It might be that other financial services providers are a better fit if access to Mrs G's accounts through a mobile banking app is the most important feature to L.

I know my answer is going to come as a disappointment to L. But I am not a regulator, and I am unable to fairly conclude that Lloyds must facilitate mobile app banking for attorneys. This remains a commercial decision Lloyds is entitled to make based on its own appetite to risk, amongst other factors. Whilst Lloyds isn't currently able to communicate and provide support through L's preferred channel, it has shown flexibility and facilitated a way for L to use her device to access Mrs G's accounts when she needs to.

My final decision

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask L on behalf of Mrs G to accept or reject my decision before 8 May 2025.

Claire Marsh
Ombudsman