

The complaint

Mr N complains that National Westminster Bank Plc gave him poor customer service following his raising an issue of a possible fraudulent payment from his account.

What happened

In September 2024, Mr N contacted NatWest because he had an issue with a payment from his account to an internet company. In his first call to NatWest, he made it clear that he didn't recognise the payment of £6.49. He was put through to an adviser who suggested that he contact the company concerned. He said he had done this, so the adviser then told him that in order to raise a fraudulent payment claim, and to stop the payment recurring, he would need to cancel his card and order a new one. That call was terminated so Mr N had to call back.

A different adviser agreed to cancel his card and order a new one, Mr N said he wanted to log a complaint. In the course of that call he explained that he was a vulnerable person who had mental health issues. He called back the next day and spoke to two further advisers. He was told that his complaint was in a queue and would be looked at within 15 days. He explained that he'd been told that because of his vulnerability his complaint would be dealt with urgently.

He called NatWest again that day and said he wanted to log complaints about the calls in respect of some of the advisers. This was duly done for him, On the following day he was contacted by an adviser from the complaints team, who went through his complaints with him. He wanted the result communicated to him by phone, so the adviser rang him back and went through which parts of his complaint they would be upholding. He was offered £100 which he said he would be turning down.

The £100 was credited to Mr N's account, and he made several more phone calls which he also had complaints about. He believed that the response to his complaints was racist. He pointed out that he hadn't accepted the £100.

NatWest issued two final response letters, offering (and paying) £100 in respect of some parts of his initial complaints. It also upheld parts of his further complaints, but advised they didn't merit any further payment.

On referral to the Financial Ombudsman Service, our Investigator upheld some of Mr N's complaints and proposed that NatWest increase its compensation payment to £300.

Mr N didn't agree, advising that he would accept a payment of £500. NatWest also didn't agree with increasing the compensation from the original amount paid.

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.

NatWest has accepted that it provided Mr N with poor customer service. Mr N doesn't see it that way. He believes that what NatWest has done goes beyond poor customer service. He's felt discriminated against. I can understand why Mr N feels this way, and I do think that in some ways NatWest hasn't quite grasped how its actions have made Mr N feel. Although I don't consider there was any racism involved here, I'm going to consider what action NatWest should now take.

First of all Mr N has told us that he suffers from mental health problems which can cause in particular anxiety and depression. Although NatWest did not have a record of this at the time he made the first phone call, he did subsequently tell the adviser about it and I understand that his record has now been marked accordingly.

Mr N's complaints concern how he was treated over various telephone calls that he had with NatWest advisers. I have listened to all the calls from 4 to 12 September 2024. I will address below the main points that I picked up in those calls. Although I will not go into detail in respect of each and every call.

4 Sept @ 13:39. Apart from a couple of technical issues at the beginning of the call which NatWest was not responsible for, I can see nothing wrong with the adviser's conduct of this call.

4 Sept @ 13:48 the adviser did become frustrated in my view understandably as Mr N was arguing minor points. However towards the end of the call the adviser read out Mr N's email address hurriedly and added an extra digit which Mr N then tried to point out. The call was terminated, I think wrongly and without warning.

4 Sept @ 14:02 Mr N was able to log his complaint and was happy with the call

5 Sept @ 11:44 The adviser didn't give a clear explanation about the status of his complaint to Mr N at the start of the call.

5 Sept @ 12:00 Mr N's name had been recorded incorrectly (surname first) so he was addressed incorrectly by the adviser. NatWest accepted that the adviser interrupted Mr N and came across as being rude. They also told Mr N his complaint would be looked at within 15 working days and wouldn't be prioritised. As in a previous call he was told the complaint would be dealt with urgently and had told NatWest about his vulnerability I'm surprised he wasn't given some assurance that the matter could be looked at more quickly. (In fact it was).

5 Sept @ 12:28 and 12:41 Mr N was happy with these calls

6 Sept @ 9:08 The call was from the complaints adviser, who went through Mr N's complaint with him. They were a little unclear at the start about the purpose of the call. I understand it was a bit early in the morning for Mr N but otherwise I couldn't hear anything wrong with the way the adviser spoke to Mr N.

6 Sept @ 10:22 the same adviser spoke to Mr N about the results of the reviewing of his complaints. They offered a payment of £100 compensation which Mr N turned down. I understand he was disappointed with this. However I think the adviser spoke professionally and clearly to Mr N. And told him what points of his complaints they upheld.

9 Sept @ 9:12 Mr N had had a final response letter (FRL) from NatWest and he was requesting a further copy be sent to him. The adviser offered an opinion about Mr N's

complaints though admitted that they had not read them and this likely antagonised Mr N.

9 Sept @ 9:36 Mr N called back to say he still had not received the FRL. He was assured it had been sent and Mr N then asked what email address it had been sent to. The adviser read out the address. Mr N pointed out then that as he had not been put through security the adviser was in breach of GDPR (General Data Protection Regulation). The adviser apologised for this and then tried to go through security with Mr N. I think at that stage it was right not to proceed further without going through security. But I think it was unfair for the adviser to accuse Mr N of swearing during the call and using a number of expletives. The only instance the NatWest could point out was a slang word he used at the beginning of the call to explain that he was annoyed. I think this was an issue for Mr N as he had in previous calls explained that because of his mental health problems he had tried very hard in the course of the calls not to use swear words.

In respect of the breach of GDPR, I don't think it's appropriate for me to direct any further action since it was clearly an accidental slip up. NatWest will be fully aware of what action it would need to take for data purposes. I don't think it had any consequences for Mr N.

9 Sept 10:12 Mr N was happy with this call

10 Sept 11:34, 11:36 Whilst Mr N was unhappy throughout these calls, I could hear nothing wrong with the advisers' conduct of them.

12 Sept @ 16:29 Mr N made personal accusations of racism towards the adviser which caused them personal upset. I think it was fair to terminate the call, which is what they did, but the adviser shouldn't have engaged in arguments with Mr N.

Overall I do think that all the advisers involved would have found Mr N challenging. And a dispute over a small payment seems to have escalated. I can see that NatWest did subsequently deal with Mr N's complaint urgently and overall I think its response to his complaints was reasonable. In respect of the compensation of £100 paid into Mr N's account, he didn't have to accept it and it didn't prevent him pursuing his complaints further.

As regards my consideration of Mr N's complaint, I should point out to both Mr N and to NatWest that I can't take account of any previous complaints or any previous compensation NatWest might have paid Mr N. In respect of the issues I have found, and bearing in mind that some of these occurred after the initial complaints were looked at, I think that the Investigator's proposal that NatWest increase the compensation to £300 is fair and reasonable. This takes into account the distress and inconvenience caused to Mr N. It's in line with awards we have made in other cases, although every case is decided on its own merits.

I'm aware that Mr N would like a breakdown of this or a more detailed explanation. However there is no scale of awards and we don't award compensation in respect of each individual point. Our Investigator shared with Mr N our general reasoning for complaints where we might award up to £300. I should point out that the compensation is in respect of the customer service provided by NatWest in the course of the various telephone calls. I think this was resolved over a couple of weeks. And I should explain that we don't award compensation for the time that Mr N has waited for this Service to investigate his complaints.

Putting things right

NatWest should pay total compensation of £300. It has already paid £100 so should pay a further £200.

My final decision

I uphold the complaint and require National Westminster 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 N to accept or reject my decision before 2 January 2025.

Ray Lawley
Ombudsman