

## **The complaint**

Mr K complains that he couldn't apply a cashback offer to his American Express Services Europe Limited (AESEL) credit card account.

## **What happened**

Mr K opened an American Express (AmEx) credit card account in September 2023. He said his main reason for doing so was to benefit from a cashback offer advertised by AmEx. In November 2023, Mr K told AmEx he was having trouble applying the offer to his card – and that trying to do so gave an error message.

AmEx said it wasn't aware of any problems that could stop Mr K from applying the offer, and that its customer service team could guide him through the process over the phone. It asked Mr K to send screenshots of the problem so it could investigate.

AmEx looked into the problem – but it wasn't getting the same error and couldn't work out why Mr K couldn't apply the offer. It gave him some ideas to try. It again offered to speak to Mr K over the phone and said its customer service department could add the offer to the account for him if needed.

Still unhappy, Mr K referred his complaint to this service. He said he'd spent a lot of time and energy trying to resolve the problem, and that the situation affected his emotional health and wellbeing. He said AmEx being unable to get the same error didn't mean there wasn't a problem. He asked that AmEx compensate him for the stress it had caused and that it pay him the amount he would've earned in cashback if he'd been able to apply the offer.

One of our Investigators looked into the complaint and didn't uphold it. They said AmEx had done enough to try to resolve things for Mr K. Mr K disagreed and asked for the complaint to be referred 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 accept the problems Mr K had would've been frustrating for him – especially as the cashback offer was the main reason he applied for the account. I understand Mr K has now closed his account with AmEx – so it's no longer possible for him to benefit from the cashback offer. I've considered if AmEx made an error here, and if it did enough to support Mr K.

Mr K says there was a technical problem on AmEx's website that stopped him from applying the offer. AmEx says there are no known problems that would've stopped Mr K from doing this. I've considered what's more likely than not to have happened here. Where the information I've got is incomplete or unclear, as some of it is here, I have to reach a decision based on the balance of probabilities.

The screenshots Mr K provided include an error page, which Mr K says appeared when he clicked the link on AmEx's website to apply the offer. AmEx investigated – but wasn't able to get the same problem or find a reason for it.

Mr K says the fact AmEx wasn't aware of a wider problem with its website didn't mean there wasn't one. Overall, it isn't clear based on the available evidence whether the problem was with AmEx or with Mr K's browser. But if there was a problem with AmEx's website, it's likely that other customers would have reported the issue as well. Based on the available evidence, I can't fairly say – on balance – that an error caused by AmEx stopped Mr K from applying the offer.

I've also considered if AmEx did enough to support Mr K to help him resolve the problem. AmEx gave Mr K some different things to try – like using a different browser or clearing his cache. When these didn't work, AmEx gave Mr K the option of calling – so that its customer service team could either guide him through the process or apply the offer to his account over the phone. I can't see that Mr K called AmEx to discuss the problem – or that he responded to AmEx's suggestion.

Mr K's preference was for email contact – and he told AmEx at least once that he didn't want to be called. I know Mr K may not have wanted to speak over the phone. But I can see that he sometimes contacted AmEx by phone – including when he cancelled the card in October 2024. So, although it knew his preference, I don't think AmEx had any reason to believe that its offer to speak over the phone wouldn't have been a suitable option for Mr K. I'm satisfied it offered Mr K appropriate support to help resolve the problem. Because it didn't hear back from Mr K about this, I don't think it needed to do anything else.

I understand my conclusions will come as a disappointment to Mr K, but based on everything I've seen I don't agree that AmEx is responsible for him not being able to apply the cashback offer to his account, and I'm satisfied that it took reasonable steps to try and help him fix the problem. So, I don't think it needs to reimburse Mr K for the cashback he would have earned through the offer, and I won't be asking it to do anything else.

### **My final decision**

For the reasons I've explained, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 21 February 2025.

Stephen Billings  
**Ombudsman**