

## **The complaint**

Mr H complains about the service he received in a Bank of Scotland plc trading as Halifax branch and how his subsequent complaint was handled.

## **What happened**

Mr H went to a Halifax branch to withdraw £1,000 in cash. He says he successfully withdrew £500 from a Halifax cash machine inside the branch. But when he went to the counter to withdraw the remaining £500, his Personal Identification Number (PIN) wasn't accepted.

Mr H says he was told that his PIN had been locked and that a Halifax staff member left him at the counter whilst they went outside alone with his card. He is concerned that the staff member either knew his PIN number or that his PIN hadn't been locked in the first place, as when they returned to the counter, the PIN worked. Mr H has also said that he feels this was an attempt to stop him withdrawing his money without explaining why he needed it. So, he complained to Halifax.

Halifax said that the staff member recalled Mr H having difficulty using his card in the cash machine and that they asked him to enter his card and PIN at the counter so they could check if the card and PIN was working. And that they accompanied Mr H to a cash machine to ensure Mr H didn't have any further issues with his PIN. It added that the staff member simply used its systems to identify if the PIN was locked and its staff do not know customers' PIN numbers.

Mr H was unhappy with the outcome. He says Halifax's account of what happened was incorrect and that it was doubting his integrity. So, he referred his complaint to this service.

At this point Halifax issued a further response to Mr H complaint. It acknowledged that it could have explained things more clearly in its original response to Mr H's complaint, and it credited his account with £50 compensation in recognition of this. But it didn't agree it had done anything wrong. Further correspondence was issued in which Halifax provided an explanation of when and why Mr H's account was accessed at the branch on 6 June 2024.

One of investigators looked into what had happened. But she didn't uphold the complaint. She said that it was most likely that Mr H's PIN had been unlocked at the counter. She added that while it was unclear if the staff member had taken Mr H's card to a cash machine, she said there was no evidence to suggest his card had been used without his consent or that Halifax staff are aware of his PIN. She acknowledged the upset and worry this matter had caused Mr H, but she felt the £50 offered by Halifax in recognition of it not explaining its process more clearly in the first instance was fair.

Mr H didn't accept the outcome. He said Halifax didn't consider CCTV when it investigated his complaint. He feels this would have shown that his version of events was accurate.

The investigator considered what Mr H said but she didn't think this altered the outcome she had reached. She didn't think that further compensation was due because Halifax had not viewed CCTV footage when investigating his complaint. She said that even if CCTV footage was available, it wouldn't show whether Mr H's PIN had been accessed by Halifax staff. She

added that she hadn't seen enough evidence to suggest his PIN had been compromised or that Mr H had suffered a financial loss.

Mr H asked for an ombudsman to consider his complaint, so it's been passed to me. Since then, Halifax has confirmed to this service that CCTV footage is only held for 30 days and is no longer available.

### **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 appreciate Mr H is unhappy about the service he received in branch. And that he feels Halifax hasn't investigated his complaint thoroughly. But overall, having considered all the evidence provided by Mr H and Halifax, I've reached the same overall conclusion as the investigator. I know Mr H will be disappointed so I will explain why.

Mr H and Halifax have given different accounts about the events in branch on 6 June 2024, so I can't be certain what happened. Where information is contradictory - as the testimonies provided by both parties are here, I must decide the complaint on the balance of probabilities. In other words, what I consider is most likely to have happened based on the information that is available to me.

Halifax has provided a copy - in confidence to this service, of Halifax's computerised records showing when Mr H's account was accessed on 6 June 2024. These records show:

- 12:17pm: £500.00 was successfully withdrawn from cashpoint machine.
- 12:21pm: Halifax accessed Mr H's account at the counter in branch.
- 12.23pm: A second £500 cash withdrawal was attempted at the same cash machine in branch which was declined.
- 12.31pm: Halifax completed a £500 cash withdrawal for Mr H.
- 12.34pm: Halifax existed Mr H's account.

In light of the above I'm satisfied that there was an issue with the second withdrawal Mr H carried out. I think this was either due to a) an incorrect PIN being entered or b) by withdrawing £500 Mr H had already fully utilised his card's daily cash withdrawal limit. In any event, I'm persuaded that Halifax accessed Mr H's account at the counter to assist him with the cash withdrawal.

Mr H has compared the locking of his PIN in this case to a similar experience with a PIN relating to an account he holds elsewhere. In this example, Mr H says he had to enter his card and PIN into a cash machine to get the PIN unlocked. And I have no reason to dispute this. But Halifax has provided this service with a copy of its laid down procedures for unlocking a PIN.

This says that a cash machine PIN becomes locked when entered three time incorrectly. It explains that a cash machine PIN is held centrally and there are two ways to unlock it. If the customer knows the PIN, the card can be entered at the branch counter to check if it's been locked and, if so, the PIN status can be amended to active. Or, if the customer has forgotten the PIN, a new PIN a new PIN number must be ordered. So, I'm persuaded that here Halifax branch staff most likely followed its laid down procedures for checking if Mr H's PIN had been locked.

I acknowledge Mr H's point about CCTV. But Halifax has said this is no longer available as CCTV is only retained for 30 days for the prevention and detection of crime. In my experience, the process of retaining CCTV for 30 days is not unusual in the banking industry, so I don't think Halifax has done anything wrong by not providing this service with the CCTV footage.

Even if it had been available, like the investigator, I'm not persuaded it would have clarified everything that had happened. I accept it's possible it may have shown whether the staff member took Mr H's card to a cash machine while leaving him at the counter. But even if that had happened, it doesn't necessarily mean that the staff member knew his PIN or that Mr H's account has been compromised.

It's not in dispute that Mr H intended to withdraw £1,000. And ultimately, that's what happened – via two separate £500 withdrawals. Mr H clearly feels strongly about what he perceived to be unfair treatment at the branch. But overall, I haven't seen enough evidence which would make me think Mr H's PIN was compromised or that he was treated unfairly in the branch.

As Mr H was unhappy with what happened, he complained to Halifax which he was entitled to do. Mr H has made several points about how his complaint was handled by Halifax. As mentioned above, he feels the branch CCTV should have been viewed. And by not accepting his version of events, Halifax has doubted his integrity. He is also unhappy that Halifax's complaint handler contacted the branch for its version of events.

It's not for this service to tell a business how it should run its complaint handling process. And I have already referred to why I don't think CCTV would have altered the outcome of this complaint.

I understand that Mr H didn't agree with Halifax's outcome, but that doesn't mean that Halifax failed to investigate his complaint properly or doubted his integrity by believing its staff over him. I find that like this service – as there is a dispute over what has happened, Halifax put more weight on the other evidence that was available i.e. the footprint showing when and why his account was accessed at the branch on 6 June 2024.

Halifax provided Mr H a written response – as its required to do, within the required timescales. Halifax has accepted that it could have provided a clearer explanation in its first response, and it has paid Mr H £50 compensation in recognition of this. But it has since provided Mr H with a more detailed explanation. In providing a more detailed response and paying £50 compensation. Overall, I find that Halifax has treated Mr H fairly when dealing with his complaint.

Given all of the above, I won't be asking Halifax to take any further action in respect of this complaint.

### **My final decision**

For the reasons given above, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr H to accept or reject my decision before 3 March 2025.

Sandra Greene  
**Ombudsman**

