

The complaint

Mr J complains that money was not debited from his account for a loan payment due to a company (F) by TSB Bank plc. And that it misled him about F's attempts to collect the money.

What happened

In April 2024 F attempted to take a payment for £150.41 from Mr J's TSB account for a loan but the payment was declined twice. Mr J noticed that the payment hadn't been taken and made a manual payment of slightly less than the full amount (£150.14).

TSB said that the payment of £150.14 was approved on 30 April and debited the account on 2 May. It told Mr J that there had been no attempts for that payment on or about 30 April. He pursued a complaint through this Service with F which was dealt with in a final decision by another Ombudsman. Following that, in October 2024, Mr J enquired again of TSB regarding the attempts by F to collect the payment. TSB responded again that it didn't receive any information concerning the payments Mr J had referred to.

After Mr J referred his complaint to this Service, TSB explained that F had in fact attempted to take the original payment twice on or around 30 April. TSB explained that Mr J didn't mention the £150.41 amount when he raised his initial query and a search was only done for the amount of the manual payment. When he raised the complaint again in October 2024, no declines were located or identified due to it being five months later. Then it conducted an in-depth review on Visa and discovered the attempts to collect the payments being declined due to insufficient funds.

Our Investigator said that looking at the information provided they couldn't say that TSB had done anything wrong.

Mr J disagreed and the matter has been passed to me for an Ombudsman's review.

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.

insufficient funds

Mr J says that there were sufficient funds in his account to make the full payment. TSB told him that F had not made a request for payment and I understand that Mr J pursued F initially. The complaint against F has been resolved by a final decision and I can't comment any further on that. However from consideration of the account, the balance at the time and all the expected payments, I think it right to say that it's likely that there weren't sufficient funds in Mr J's account to make the full payment. I understand that he subsequently made a lower payment, which equated to the amount of funds in his account at the time. So I can't say that there was any error made by TSB. As the declined payment was attempted through a CPA (continuous payment authority) it didn't appear on Mr J's bank statement.

misleading information

Mr J says he was misled twice by TSB who he says advised him that no payments requested by F were ever received or declined *“in any way, shape or fashion.”* TSB actually said in its response letter of May 2024 that *“Our records show the payment to [F] for £150.14 was approved 30 April and debited the account XXXX, 2 May. There have been no other attempts for this payment on or around 30 April.”*

Technically that answer was correct because TSB was referring to the payment of £150.14. It said that no figure was mentioned to it by Mr J on that occasion in his complaint so it only made a search for the lower figure. I can understand though that Mr J thought that meant that no attempt to collect any payment had been made by F.

Mr J referred the matter again to TSB in October 2024. He sent it a copy of our decision concerning F which did refer to both figures. TSB responded: *“I have reviewed your complaint again and records show, we received information about [a] payment for £150.14.... We did not receive any information regarding the payments you have referred to in your email.”*

TSB has told us that the information that it gave Mr J in its later response was correct from looking at its records and that it had to do an in-depth search following a request from this Service to find that the £150.41 payment had been declined twice.

So I do think that on the face of it that TSB's information was misleading, but only in respect of its response to Mr J's later complaint in October 2024, after the final decision in his complaint about F. And I do think that complaint essentially was not just about F not collecting the payments but he had other complaint issues with F, so I don't think that his time was wasted in pursuing that complaint. And his complaint to this service resulted in clearing up the issue with TSB. Whilst this caused him some inconvenience in referring the complaint back to us, I don't think it appropriate to make any further award.

My final decision

I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr J to accept or reject my decision before 10 March 2025.

Ray Lawley
Ombudsman