

The complaint

Mr L complains about a payment he instructed in a branch of HSBC UK Bank Plc (HSBC). Mr L says HSBC's mistake caused him inconvenience and an exchange rate loss. Mr L is represented by a third party but for ease of reading, I will generally refer to Mr L.

What happened

In July 2024, Mr L visited a branch of HSBC for help with an online payment he wished to send from his US Dollar (USD) account with HSBC to a USD account held with another bank. HSBC staff members helped Mr L to send the payment but afterwards, Mr L realised that the funds had been sent in GBP (Great British Pound) and the subsequent exchange rate conversion resulted in a loss of nearly 2300 USD.

Mr L then contacted HSBC asking to log a complaint about the error and the loss, explaining that he had made this payment recently in the same branch without issue.

HSBC investigated the complaint and did not uphold it. They said that whilst Mr L did the payment with a branch staff member's help, ultimately Mr L was responsible for the correct sending currency as it was input via his online access.

Remaining unhappy, Mr L brought the complaint to our service saying due to what he calls his very little understanding of English, he required more help from the branch staff. And, he brought with him on the day, clear instructions in English for the transfer to be made in USD.

Our investigator liaised with HSBC, requesting full information on the case, but despite allowing sufficient time for response, HSBC did not provide everything asked for. Therefore, our investigator issued their view with the information they had and upheld the complaint. Our investigator said Mr L did not receive the service expected for someone with his language vulnerability, and HSBC should refund the exchange rate difference, plus £100 for distress and inconvenience.

Mr L accepted our investigator's view, but HSBC did not. They went on to supply further detailed information about what happened in the branch on the day and accordingly, our investigator issued a second view in which they did not uphold the complaint. Our investigator cited the testimonies of the branch staff that had now been provided, and the lack of the aforementioned English instruction for the transfer to be made in USD. They concluded by saying they were persuaded that Mr L was able to understand how to input the payment.

Unhappy with this outcome, Mr L requested an ombudsman review his complaint. He reiterated his point about his understanding of English, that the clear instruction he provided did not mention a conversion to GBP, he had done the same payment recently without any problems, and it was an error on behalf of the branch staff.

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 have looked at the information HSBC has supplied to see if it has acted within its terms and conditions and to see if it has treated Mr L fairly.

It's always disappointing when we hear about something as straightforward as a payment request result in a prolonged complaint and financial loss. My role is to consider what both sides have said, along with evidence provided – to decide if HSBC has acted fairly. The Financial Ombudsman Service is not a regulatory body or a Court of Law, instead we serve as an informal, unbiased dispute resolution service. Although we consider relevant law and regulation when investigating complaints, our focus is to determine whether we believe a fair or unfair outcome has taken place, from an impartial standpoint, after considering all the factors and circumstances of a complaint. It's also important to identify if a business has made a mistake and if so, look at the impact this has had on the consumer.

From what I have reviewed, the crux of the complaint is the assistance the HSBC branch staff provided to Mr L that day, including the question of responsibility for the payment details before the funds were sent. From the detailed testimonies that the HSBC staff members in question provided, I agree with the investigator's revised view that Mr L understood what he was inputting, especially as he had done so before. I know Mr L says the staff member used a different process to that of previous visits but that's not supported by the evidence I've seen.

Furthermore, with a payment amount such as this one, I would have expected Mr L to thoroughly check the amount and currency before committing to it, despite his vulnerability with English but, especially in view of him having made the same payment recently. And ultimately, whilst I accept that the HSBC staff provided support to Mr L, he used his own online banking access, therefore I do hold him responsible for the payment details before deciding to send it.

I know Mr L has said that he showed the branch clear instructions in English for them to follow, which he feels adds weight to the argument that the staff made the error. But the testimonies from the branch staff that helped Mr L that day say this was not presented.

Because I haven't found that HSBC has caused any error with the payment, it wouldn't be fair to award Mr L the exchange rate loss, or compensation.

I know Mr L will be disappointed with my decision but as I stated earlier, I have to base my decision on the evidence and facts presented and in the absence of anything to the contrary, I cannot uphold the payment issue.

My final decision

For the reasons I have given it is my final decision that the complaint is not upheld.

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

Chris Blamires
Ombudsman