

## **The complaint**

Mr and Mrs L2 complain, on behalf of Mr L1, that Mr L1 has been excluded from opening a Digital Regular Saver with The Royal Bank of Scotland Plc due to its system constraints.

Mr and Mrs L2 have financial and welfare guardianship for Mr L1, but due to RBS' system constraints were unable to open their required savings account for Mr L1. RBS credited £150 to the parties involved in this complaint and initially said it couldn't facilitate the opening of Mr L1's account. However, following a view from our Investigator, RBS escalated the issue and has since opened the account.

Mr and Mrs L2 have requested that a decision still be issued on the matter. As the details of this complaint are well known to both parties, I won't repeat everything again in detail here. Instead, I'll focus mainly on giving the reasons for my 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.

Having done so I agree with the conclusions reached by the Investigator and have upheld this complaint for the following reasons:

- Firms are expected to respond flexibly to the needs of customers with characteristics of vulnerability and to their representatives. This means representatives shouldn't face unreasonable barriers when acting on behalf of customers.
- When the complaint initially came to our service, RBS' systems didn't allow for the Digital Regular Saver account to be opened or operated in the way Mr and Mrs L2 wanted. RBS said this was because the mobile app needed to be set up under the name of the person applying, but there wasn't an option for customers with guardianship to apply. RBS told us it had raised the issue internally to see if anything could be done – but at that point in time it couldn't open the account for Mr L1.
- Following a view from our Investigator, which said she didn't think RBS had demonstrated appropriate flexibility, RBS looked into the issue which prevented the opening of the account. As a settlement to the complaint, in addition to the money it had already paid, RBS said a way to open the account for Mr L1 had been found, and it confirmed this action had been completed.
- With the above in mind, having thought carefully about the fairness of this settlement, and considering the complaint which was initially brought to our service, I'm satisfied this outcome is fair in the circumstances and a suitable way to resolve this dispute. Because of this I won't be directing RBS to do anything else in relation to this complaint.

**My final decision**

My final decision is that I uphold this complaint. However, as The Royal Bank of Scotland Plc has already completed the applicable settlement actions, I won't be directing it to do anything further.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr and Mrs L2 to accept or reject my decision on behalf of Mr L1 before 4 April 2025.

James Akehurst  
**Ombudsman**