

The complaint

Mr F complains that Skipton Building Society failed to send statements for his accounts when requested and more particularly about its actions in initiating a welfare check on him and the impact this had on his mental health.

What happened

In early May 2024 Mr F contacted Skipton to make a transfer of a large sum of money between his accounts. He requested Skipton send to him details of the balances on his accounts through the post. He later contacted Skipton as he had only received an acknowledgement, but not details of the balances as requested.

He was misinformed that the letters had been sent out on 4 May, but was subsequently told the documents had been archived rather than sent out. By 29 May Mr F still hadn't received the documents. He called several times on that day and repeatedly asked to be passed to a manager. He was offered a call back, as he had been several times before but this was no use to him - he only wanted to be contacted after a particular time, as he worked shifts. He was told that a time couldn't be set for a call back.

On 30 May Mr F again called a number of times. He asked to speak to a manager and again was told this wasn't possible. He then rang the mortgage department and the adviser explained to him that a manager in that department wouldn't be able to help him with his savings issues. He was again told that a call back could be arranged. Mr F said he'd take his own life if he didn't get to speak to a manager. That call was terminated after Mr F began using offensive language.

As a result of that call the adviser became concerned for Mr F's welfare. In accordance with Skipton's vulnerable customer guidance, the police were called to carry out a welfare check on Mr F. He had in the meantime called back and managed to speak to a manager. Mr F was very upset that he was contacted by the police and he believed that Skipton had discriminated against him because of his mental health by not transferring him immediately to a manager. And by arranging the welfare check when it would have been aware that he had by then been able to speak to a manager

Skipton upheld Mr F's complaint on the basis that he was given wrong information about the statements that were sent to him, and for his frustration at not being able to speak to a manager. It offered compensation of £200.

On referral to the Financial Ombudsman Service, our Investigator said that Mr F was clearly distressed and that throughout his interactions with Skipton the advisers gave conflicting information on more than one occasion. Those mistakes caused Mr F frustration and had an adverse impact on his mental health. She didn't think that Skipton was at fault for arranging the welfare check with the police. She proposed that Skipton pay compensation of £300.

Mr F did not agree and the matter has been passed to me for an Ombudsman's consideration.

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.

In response to our Investigator's view Mr F has told us that he didn't ask us to examine the account based mistakes made by Skipton. He asked us to look at how poorly they handled the impact this had on his mental health. He was particularly concerned that the adviser he spoke to on 30 May initiated the welfare check. So I will look at Skipton's actions from the point of view of that welfare check although I will have to consider what led up to that check from the time he first contacted Skipton about the transfer between his accounts.

I note that Mr F has told us that he was subjected to further welfare checks initiated by Skipton later in the summer. I should emphasise that I don't know the details of these and if Mr F wants to raise further complaints with Skipton about them they will have to be referred there first. This is because our complaints handling rules set out that the business has to investigate complaints before they are referred to us.

Mr F complains that Skipton's actions discriminated against him in respect of his mental health under the Equality Act 2010 (the Act). I can't make a finding on whether discrimination as per the Act has occurred - that's a matter for the courts. I'll consider whether Mr F's been treated fairly and reasonably. And in doing so, I'll take into consideration along with the Act, relevant law and regulations, regulators' rules, guidance and standards, codes of practice and (where appropriate) what I consider to have been good industry practice at the relevant time.

When Mr F contacted Skipton in early May 2024, he asked for documents to be sent to him setting out the balances on his accounts. Over the course of a great number of phone calls leading up to 31 May 2024, he was given conflicting information about whether the documents had been sent. It appears that they were archived rather than sent out to Mr F. Although the information was given to him verbally, I understand that this concerned him as he clearly wanted to see for himself that the transfer had gone through and that his account was secure.

In the course of the phone calls Mr F made, he consistently asked to speak to a manager. He was told that a callback could be arranged. He explained that as he works shifts he didn't want to be called in the morning. And more than once he was told that he could not be called back at a set time. I don't think that was reasonable. I've noted that when he later spoke to an adviser in the mortgage department (which I'll deal with below), he was told that a manager should be able to call back within a particular window of time.

If such a callback could have been arranged then it should have been and as Mr F was caused increasing anxiety this could have at least been more help to him. Instead I've noted that as time progressed during May and he didn't receive the documents he wanted, he called Skipton more and more frequently. But each time he called he was told he couldn't be transferred to a manager. And whilst I'm not condoning some of the language I've heard during the calls, I am persuaded that some of the calls could have been handled better and may have unnecessarily escalated the situation.

Turning now to the call on 30 May, Mr F was aware that he had called the mortgage rather than the savings department. I think that throughout that call the adviser was helpful and sympathetic. They explained that a manager in their department wouldn't be the right person to speak to. They offered several times to put Mr F through to the savings department but he didn't want this. They did try to get a manager from that department to take the call but they weren't available. It seems likely that they didn't have any information in front of them about

Mr F's previous experience with that department.

So I think it's fair to accept that the adviser was unable to transfer Mr F through to a manager. At that stage Mr F threatened to take his own life if he wasn't put through to a manager. Skipton had to take this seriously; he had not made such a threat before. It also has advised us that until the calls on 30 and 31 May Mr F hadn't previously raised any issues with his mental health.

So, whilst I understand the distress caused to Mr F and his view that such welfare checks are inappropriate, Skipton has a duty towards its vulnerable customers. It had to make a judgement at the time and I don't think it would be appropriate for me to interfere with the exercise of that judgement.

I understand that Mr F was further upset when Skipton asked him to refrain from using offensive language. This was particularly in respect of the above call. Again, whilst I understand that he was upset and frustrated, the use of such language towards the end of the call really in my view made it impossible for the call to continue. And I don't think that it was wrong for Skipton to raise this with him.

As regards the remedy for Skipton's failures, the only appropriate remedy in my view is compensation. I've noted that Mr F now has his vulnerabilities noted on Skipton's records and that extra security has been added to his account. Mr F was caused a good deal of anxiety over a short time. And for that I do think that an award of £300 is appropriate in the circumstances of this case.

Putting things right

I think that Skipton should pay Mr F £300 compensation.

My final decision

I uphold this complaint in part and require Skipton Building Society to provide the remedy set out under "Putting things right" above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr F to accept or reject my decision before 30 April 2025.

Ray Lawley
Ombudsman