

The complaint

Mr W complains that Bank of Scotland plc trading as Halifax, in respect of a withdrawal from his ISA, refused to comply with his instructions not to send correspondence by post.

What happened

In August 2024, Mr W contacted Halifax as he wanted to make a withdrawal from his ISA.. He explained that he wanted communications to be by email and didn't want any documents sent by post. This was because his neighbours intercepted his post. He further advised that he is a vulnerable person and suffers from severe anxiety. So he thought that in accordance with the Equality Act Halifax should make reasonable adjustments for him and not send anything by post.

Halifax explained that for withdrawals from the account, once the deal has been placed, contract notes had to be sent to him via post, and it was required to do so. It offered to send a copy to him by email.

On referral to the Financial Ombudsman, Halifax noted that Mr W had been promised a callback by a manager and this was not done. For that reason it offered to pay £50 compensation.

After reviewing the complaint our Investigator said it wouldn't be reasonable to expect Halifax to change its system to ensure that Mr W wouldn't be contacted by post.

The matter has been referred 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.

Mr W has complained that Halifax has failed to make reasonable adjustments for him. In other words, has failed its duty to make reasonable adjustments under the Equality Act 2010 (the Act). I've taken the Act into account when deciding this complaint, but I've ultimately decided this complaint based on what's fair and reasonable. If Mr B wants a decision that Halifax has breached the Act, then he'd need to go to Court.

I do understand Mr W's position as a vulnerable person who suffers from severe stress and anxiety, He has also advised us he is housebound. So I have considered whether in light of his anxiety about receiving documents by post, Halifax could reasonably have done something about that.

I understand that Mr W has a stocks and shares ISA, so a withdrawal will require shares to be sold and for that reason contract documents have to be produced. I understand also that this ISA is not one that's operated online.

Our Investigator did enquire with Halifax the possibility of the posting of the documents being cancelled. I understand that a manual interception may have been theoretically possible.

However the system automatically produces the letter and it couldn't guarantee that this would be able to be stopped. Halifax has explained that it can't alter its system to put a block on all documents being sent by post to Mr W. Also in respect of this account certain documents like statements have to be sent by post .

I understand Mr W's concern about his post being intercepted. I can also understand it if he is reluctant to go to the police about it.

The Act says Halifax has a duty to make *reasonable* adjustments. But there are circumstances, such as in this case, where it wouldn't be reasonable to expect the business to make the adjustments as required by Mr W. If I were to make a decision requiring Halifax not to send any correspondence to Mr W by post, I don't think it could practically comply with this other than to redesign its system. And I don't think it would be reasonable to expect Halifax to do that.

I should also advise Mr W that this decision concerns the complaint as I've set out above. If he has further concerns about anything that has happened concerning Halifax since he referred his complaint to us, he should first of all raise these with Halifax.

In the course of Halifax's handling of his complaint, I have noted that Mr W was promised a call back by a manager and this was not done. Halifax has offered £50 compensation in respect of this and I think that's reasonable.

My final decision

Halifax has already made an offer to pay £50 and I think this offer is fair in all the circumstances.

So my decision is that Bank of Scotland plc trading as Halifax should pay £50.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 7 April 2025.

Ray Lawley
Ombudsman