

The complaint

Mr G complains that NewDay Ltd trading as Fluid declined a transaction on his credit card account. He's also unhappy with the service provided.

What happened

In October 2024, Mr G says he attempted to make a payment for a parking ticket, but it didn't go through. He also says he was unable to use his app at the time. So he contacted Fluid to raise a complaint.

He states his calls were repeatedly disconnected, and when he spoke to an advisor, he was laughed at. He was then passed to a manager, who Mr G says he had to push to raise his complaint. On this call, he also made a subject access request for the call recording which he didn't receive, and was promised a call back that didn't happen.

Fluid explained declined transactions would only show on its systems for seven to ten working days and it was unable to locate the transaction Mr G referred to. It confirmed his card isn't blocked and should be working as normal. It couldn't locate the calls Mr G says were disconnected, but agreed the way his call was handled on 26 October 2024 wasn't as it would expect. So paid £35 into his account to address the poor service. It later offered to increase this to £50.

In December 2024, after Mr G had asked us to look into things, Fluid made an offer through this service. It apologised the call recording wasn't sent to Mr G. To put things right, it escalated his request and offered a further £60, totalling £110 compensation.

Our Investigator reviewed matters and felt the compensation offered was fair and reasonable. They said there was no evidence that Mr G had issues with his card when trying to pay for his parking ticket and that it would be reasonable to expect Mr G to have an alternative method of payment.

Mr G disagreed. He said, in summary, he incurred a penalty charge of £40 and experienced significant stress and frustration as a result of Fluid's actions. He's also said Fluid failed to comply with data protection laws and the regulator's complaint handling rules.

As Mr G remained unhappy with the outcome, the case was passed to me to make a 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.

Firstly, I've carefully considered everything both parties have said, if I don't directly reference something in my decision it is not because I've not given this consideration. But I've focused on what I consider to be the crux of the complaint.

Mr G has said he incurred a penalty charge when his payment didn't go through. In its final response letter, Fluid explained it could only see declined transactions for seven to ten working days and couldn't find the transaction Mr G was referring to. In response to our service, Fluid shared a copy of the Mastercard report. It says this would show any requests for transaction approval, and as the report doesn't show any attempts, it believes the transaction didn't get to the stage of approval due to an external problem.

Based on what I've seen, it's not clear why the transaction didn't go through. So, I can't rule out that this could have been an external issue as Fluid has suggested. Therefore, I don't think it would be fair to ask Fluid to cover the penalty charge Mr G incurred. I can see Fluid has advised Mr G to contact its team as soon as possible if he has any problems with his card going forward. So, I'm satisfied it has treated him fairly here.

Mr G said his call was disconnected multiple times before he got through to the advisor. Fluid has said it was only able to locate one call where it was terminated. It mentioned it was terminated correctly as there was no response when the advisor answered. I can appreciate it would be frustrating to make multiple calls and not get through. Sometimes calls aren't successful, and it's difficult to determine exactly what happened. But I haven't seen any evidence to suggest Fluid were ending calls deliberately.

It's clear once Mr G got through to the advisor, the service he received wasn't in line with what I'd expect. Fluid has agreed the advisor was unprofessional and confirmed that feedback was given accordingly. It has also acknowledged Mr G didn't receive a call back or the recording of the call as requested, and had to chase this. Fluid has apologised and offered Mr G a total of £110 compensation. Having considered the poor service and the impact on Mr G, I think the offer is generally in line with what I would have recommended.

I understand Mr G feels Fluid has failed to comply with data protection laws. But our role isn't to determine or provide a ruling on whether a business has complied with data protection laws. That's the role of the Information Commissioner's Office (ICO). We are an informal dispute resolution service, and our role is to decide if the business treated the customer fairly and reasonably. Here, Fluid failed to send Mr G the call recording he requested. It has apologised for this and has told our service the request has been escalated for an urgent response. So I've considered the impact of its failing, and I'm satisfied the compensation offered for poor service is fair and reasonable.

Mr G has also raised concerns with Fluid's complaints process. As complaint handling isn't a regulated activity it isn't something I can look into as a separate issue. I can consider problems with complaint handling in some circumstances, where the concerns raised are an extension of the issues which relate to regulated activities. However, I can't say that's the case here. This means I can't consider Mr G's concerns about this further.

Taking everything into account, whilst I appreciate this isn't the outcome Mr G is hoping for, I think £110 is a fair way to put things right.

My final decision

My final decision is that I partially uphold this complaint and direct NewDay Ltd trading as Fluid to pay £110 less any compensation already paid.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 25 April 2025.

Tania Henry
Ombudsman