

The complaint

Mr K, director of P – a limited company – complains on its behalf that TSB Bank plc has sent it emails incorrectly.

What happened

In September 2023, Mr K complained on P's behalf about receiving a message from TSB that indicated he could view P's business account statements online. Mr K was surprised by this message and so he complained to TSB about this. TSB confirmed that it had been sent in error as this service wasn't in place at the time of the message and would only be put in place for business customers at a later date. TSB paid P £150 to apologise for the poor service.

After this though, TSB continued to send messages for several months during which time Mr K contacted TSB on a number of occasions to see what was happening and when it would fix this problem. He raised a further complaint on P's behalf in June 2024 at which point TSB apologised if he had received further emails in error and that he didn't receive an update from it.

Mr K brought P's complaint to this service where one of our investigators initially had to say why they thought the complaint had been brought in time for us to consider it under the rules we follow. Once that issue was resolved, our investigator gave their thoughts on the complaint. They felt that £150 was fair in the circumstances and didn't think that TSB needed to do any more. They considered that the situation wasn't resolved as quickly as Mr K would have liked, but that receiving the messages wasn't particularly impactful for P. Our investigator said that Mr K could always have ignored the messages until the service was put in place by TSB and that it was his decision to pursue the matter as he had.

Mr K was disappointed in our investigator's response – saying that the £150 may have been fair at the point that TSB sent its letter in September 2023, but it didn't reflect the impact of its subsequent failings. These included the fact that its September 2023 letter was sent to an address that wasn't linked to P, incorrectly advising this service about sending a letter in June 2024 and admitting that its letter of July 2024 had incorrect information in it. He also believed he was right to pursue a matter that hadn't been resolved when he expected it to be. He restated that he was promised calls that were never made and in never contacting him, it led him to continue his pursuit of the complaint.

As Mr K didn't agree on P's behalf – the matter was passed to an ombudsman to decide.

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.

The issue here is a simple one – TSB has been sending P messages that suggest that Mr K could view its statements online, when in fact he can't. That was an issue that persisted from September 2023 to July 2024. TSB has acknowledged that these messages were incorrectly

sent and so what is left for me to decide is what's fair and reasonable to put things right here.

As our investigator has reminded Mr K – P is a limited company and is TSB's customer, not Mr K in his own right. So my consideration of the impact here must focus on the impact on P, rather than Mr K personally. As a limited company, P can be inconvenienced, but it can't feel stress or frustration. In saying this, I don't doubt that it would have been frustrating for Mr K to receive these messages, but ultimately it's not clear what impact these messages have had on P.

I realise that Mr K may have been taken away from his duties as P's director by his pursuit of this issue, but I think his choice to pursue this matter as he did was just that – his choice. The messages that were sent only incorrectly suggested that he could access P's statements online – which Mr K was aware wasn't the correct position.

That's not to say that TSB acted correctly by sending these messages and continuing to send them – to be clear, sending them was clearly a mistake. But this service isn't here to make punitive awards even where a business like TSB has made errors. Instead, it's important that in being independent and impartial, I consider the impact of these messages in the wider circumstances of this complaint. Having done so, I think the impact on P here as TSB's customer was limited.

I've then considered Mr K's unhappiness with some of the other issues that have occurred after TSB responded to his complaint in September 2023, which I've referred to in the background of this decision. But just because TSB has made further mistakes – it doesn't automatically mean that P is due more compensation. All of these additional issues will have been frustrating and only compounded Mr K's frustration and unhappiness with TSB given the situation here. But that is an impact that seems to have primarily been further frustration for Mr K rather than a direct impact on P.

I note that in these responses, TSB apologised and restated the position in relation to the situation around the messages. The situation itself was then resolved in July 2024. So in the circumstances here, taking into account the impact up to September 2023 and including what happened afterwards – I think the £150 it paid is fair and that TSB's apologies are a proportionate response to the further issues P faced, given the limited impact on it. It follows that I won't be telling it to do any more here.

My final decision

I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K on behalf of P to accept or reject my decision before 18 April 2025.

James Staples
Ombudsman