

## **The complaint**

Mr T complains about the interactions he's had with HSBC UK Bank Plc, which he believes have been poor. He brings the complaint with the help of his son and attorney, but I will mostly refer to Mr T as this is his complaint.

## **What happened**

Mr T is unhappy with several aspects of the service HSBC have given him. I will summarise the core issues he's raised below:

- HSBC made an inappropriate assumption about his mental capacity (he has full mental capacity). He'd like to know who made that assumption and why. He'd like to know what has (or was) noted on his records about this.
- The bank requested Mr T's signature be updated in 2023. He'd like to know the basis for that and that there won't be any issues with this in the future.
- He'd like to know whether the person that provided information on his eligibility for premier banking is the same person that frustrated a transfer of a call to another member of staff.
- It's come to light that the bank can't locate some calls and/or these haven't been recorded. This is a breach of GDPR legislation and undermines his faith in the bank.

HSBC were made aware of the complaint issues, and accepted there were some shortcomings in the service it had provided. Collectively it paid £450. However, Mr T didn't think this was satisfactory. He said many of the questions he had raised remained unanswered, causing a continued lack of trust in the bank's ability to take the complaints seriously. So, he referred his complaint to us.

One of our investigators reviewed what had happened. But she didn't think HSBC needed to do more, because she noted it had already conceded its service had been poor, apologised for that and offered compensation, which she believed was fair in the circumstances. She tried to explain what she thought had happened with some of the things that had prompted the complaints. However, Mr T didn't think this moved things any further forwards and so he requested a decision from an ombudsman<sup>1</sup>.

## **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 T has provided a detailed analysis of why he is unhappy with the bank's handling of his affairs and the responses he's received. I can see he feels strongly and wants further action. However, our role is to consider and set out what we think is the fair and reasonable way to

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<sup>1</sup> Mr T said he wished to drop his complaint about the transfer of the call after the investigator provided an explanation.

resolve complaints. So, while I appreciate, he would like answers/information to his questions, in this case I don't consider it necessary for me to determine a fair and reasonable resolution.

I've weighed everything, and even if I were to accept the bank shouldn't have done the things it's alleged to have done, the appropriate way for me to deal with that is to ask it to apologise and compensate Mr T<sup>2</sup>. On this point, the bank has attempted to answer his concerns, apologised (re-iterating that to us), and paid £450. I think this was a fair way to resolve things. Particularly, as I can't see how any of the mistakes impinge on Mr T's ability to use the account now. HSBC has told us that there aren't any inhibitors on the account preventing its use. Of course, should something go wrong in the future, Mr T can raise that with the bank in the usual way. But all things considered, there's nothing further for me to direct it to resolve this matter.

### **My final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 26 May 2025.

Sarita Taylor  
**Ombudsman**

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<sup>2</sup> Our service doesn't make awards to third parties, such as, attorneys.