

## **The complaint**

Mr D complains about advice and service he received from HSBC UK Bank Plc.

## **What happened**

HSBC had previously placed restrictions on the accounts Mr D held with it. He says he was told by a member of HSBC's staff that he'd still be able to move money between his accounts. However, when he went into branch to move £100 from his current account to his savings account, he found he wasn't able to.

Mr D wasn't satisfied with this and says the branch staff denied that they had told him he would be able to move money between accounts. The branch visit became heated and he began shouting at staff.

Mr D complained about the experience. He has characteristics of vulnerability and is assisted by carers. He says the events in branch eventually led to his carer facility being removed. He has said he'd like an apology from HSBC for having applied blocks to his account without notice and for the misinformation it gave regarding his accounts. He was unhappy that he wasn't able to place money in his account for the specific purpose he was saving for. He said he accepted he shouldn't have lost his temper, but given the challenges he faces due to his health concerns, he expected some leeway.

HSBC didn't uphold the complaint. It said no one in the branches it contacted as part of the complaint's investigation remembered giving Mr D the advice he reports. But it apologised if any incorrect advice had been given, and assumed that any offer to transfer funds would have been prior to staff checking Mr D's accounts and noticing the blocks. It apologised for the frustration caused to Mr D, but reminded him it wouldn't tolerate abusive or unreasonable behaviour, and said this type of behaviour could result in the police being called.

Mr D wasn't satisfied with HSBC's response and asked our service to look into things. He was unhappy that there was no CCTV evidence or other recording he could use to support his testimony. He told us he was concerned that branch staff were lying about what happened.

Our Investigator didn't uphold the complaint. She wasn't persuaded that HSBC's staff had deliberately misinformed Mr D. She didn't think it was unreasonable that HSBC had limited evidence to prove what happened – such as CCTV – but found it unlikely that further evidence in that regard would be helpful for the complaint. The Investigator concluded that HSBC wasn't responsible for Mr D losing his carer facility, as she felt the cause of this outcome had been driven by Mr D's actions in branch.

Mr D disagreed with the Investigator's findings and asked for an Ombudsman's decision. He clarified that HSBC's staff had told him he couldn't have funds from his main account, but *could* from his savings account. He didn't think it was right that HSBC recorded calls, but not interactions in branch. He was unhappy with the Investigator's findings that his actions caused the loss of his carer provision. As no agreement was reached, the case was passed to me 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.

Having done so, I do not uphold this complaint. I realise this will be upsetting for Mr D so I've explained why below. However, before I give the reasons for the outcome I've reached, it's important to mention that the fairness of HSBC's decision to inhibit Mr D's accounts has already been considered by our service. Because of this I won't revisit it here.

I should also point out that my role here is to think about the individual circumstances of this complaint and whether HSBC did something wrong which caused Mr D to lose out as a result. If I think HSBC did something wrong, I can then think about what – if anything – it should do to set matters right.

I acknowledge Mr D's strength of feeling about the matters he reports, but I'm mindful that recollections can fade or alter over time. Where there is limited evidence available, I must decide what is most likely to have happened. On the one hand, Mr D reports being given incorrect information which led to him making an unnecessary visit to branch – and the heated interaction which took place there. But on the other hand, none of the staff HSBC has approached about the incident recall giving Mr D the advice he complains about.

The Investigator found there was no persuasive evidence to show HSBC deliberately misled Mr D – and I agree; none of the testimonies presented to our service demonstrate or indicate an intention to deceive Mr D. I wouldn't reasonably expect HSBC to record all of its staff's conversations in branch. Nor would I expect CCTV to assist here; CCTV doesn't generally include sound, but even if it did, it wouldn't show the *intention* behind any statement made by branch staff.

Further, I can't know the context or detail of any query from Mr D which may have led to the advice from HSBC. This is important because HSBC's branch staff would likely only know all of Mr D's accounts were blocked if he mentioned this as part of his query, or if they'd been looking at his banking profile at the time. And there's no information on file indicating this was the case.

Even if I were to find evidence which persuaded me Mr D was given the wrong information by staff, it doesn't automatically follow that compensation would be due. In many cases, even though there has been a certain amount of inconvenience or distress, it will not be appropriate for this service to tell a bank to pay compensation, particularly where the inconvenience has been slight, or the impact was mostly driven by the complainant's actions – rather than those of the bank.

In this particular case, HSBC has already apologised to Mr D for the frustration it might have caused, and I think that's fair. It appears the most severe impact – the loss of his carer service – was a decision made by the organisation responsible for its provision, not HSBC, and was likely a result of Mr D's conduct in branch. I accept Mr D's comments about his circumstances making interactions like this difficult. However, HSBC's notes from when Mr D first complained to it state that police were called and officers visited Mr D at home. This indicates Mr D's reaction was extreme, and I don't think HSBC could reasonably have been expected to predict such a strong reaction. As a result, I don't think it would be fair to hold HSBC responsible for the loss of Mr D's carer.

I appreciate the frustration Mr D felt, and likely still feels, but I'm unable to safely say a failing from HSBC was the sole or main cause. And while my findings in no way seek to diminish

the very challenging personal circumstances Mr D has reported, I don't think HSBC needs to do anything in relation to the matters covered in this decision.

### **My final decision**

My final decision is I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 11 July 2025.

James Akehurst  
**Ombudsman**