DRN-5583198

The complaint

Miss M complains about the service provided by NATIONAL WESTMINSTER BANK PUBLIC LIMITED COMPANY ('NatWest') when she wanted to take a large cash sum out of her account.

What happened

Miss M made a pre-arranged visit to a NatWest branch on 7 March 2024 to withdraw a five-figure amount from her NatWest account. She was unhappy about the way she was treated by bank staff and complained that her experience had been distressing and discriminatory.

NatWest said it was sorry for the poor service and paid Miss M £20 to cover travel costs and £130 for distress and inconvenience.

When Miss M brought her complaint to us, our investigator didn't think that NatWest had done anything wrong. She thought that NatWest had acted appropriately and in line with its own obligations and responsibilities to keep customers' money safe.

Miss M disagreed with the investigator's view. In brief summary, she mainly said that:

- NatWest had failed to make reasonable adjustments as required by the Equality Act 2010.
- She'd been treated in an intimidating way and she'd felt targeted because she'd made a complaint about the branch previously.
- She had concerns about the lack of privacy in branch and the risk of other people listening-in and being aware of the business she wanted to transact.
- She was worried that an attempted forced entry at her home later the same day was likely linked to this.
- She felt staff had been unprofessional and that she'd been treated unfairly and differently, including in the way branch staff had acted towards her carer.

Miss M asked for an ombudsman to review her complaint, so it has been 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.

This includes listening to the call recordings provided.

Having done so, I've decided not to uphold Miss M's complaint. I'll explain why.

My role is to consider the evidence presented by both parties and reach what I think is an independent, fair and reasonable decision based on the facts of the case. I must be impartial. In order to uphold Miss M's complaint and award the redress she is seeking I would have to find that NatWest made an error or acted in a way that wasn't fair and reasonable and this led to Miss M suffering financial loss or some other detriment. So I've looked at what happened with this in mind and I will consider the circumstances as a whole.

If I haven't covered every single point, it doesn't mean I haven't considered the evidence and what Miss M has said. It just means I haven't needed to refer to everything in the same amount of detail as Miss M to reach a decision. My focus is on the key issue I need to decide – whether NatWest has treated Miss M fairly and reasonably overall. And to keep things simpler, I've adopted the same headings as Miss M (in her response to the investigator's view) to make it easier for Miss M to see how I've addressed her specific objections and follow my line of reasoning in response to the various different aspects of her complaint.

<u>Failure to Make Reasonable Adjustments (Equality Act 2010)</u>

Our service is unable to make findings on whether or not something constitutes discrimination under the Equality Act 2010. This is because we are an informal alternative to the courts and only a judge can give a formal decision on whether or not the law has been broken. I have however taken into account the relevant law, including the Equality Act 2010, as well as regulatory requirements and best industry practice when deciding if NatWest has acted in a fair and reasonable way here.

Miss M told us '…*I made it clear that I required a carer, and NatWest was aware of my needs. My carer was unjustifiably excluded, despite other customers being served in pairs (e.g. the elderly couple). Later, the same carer was asked to assist with the transaction — a clear inconsistency in NatWest's approach. This exclusion directly caused me distress, confusion, and left me vulnerable*.'

NatWest has legal requirements it must observe and regulatory obligations imposed by the Financial Conduct Authority. It's normal bank process, especially where there's a large sum involved as here, for NatWest to take steps to check and verify that customers fully understand and are freely choosing to make transactions. There's information about this on NatWest's website, specifically telling customers about the in-branch process for making a withdrawal and advising that it can take up to 30 minutes to complete – even when advance notification has been provided. So I think Miss M could reasonably have expected to have to answer some more questions in branch, even though she'd pre-arranged the withdrawal.

Banks have an obligation to take steps to keep customers' accounts safe and prevent fraudulent transactions. Sometimes this can mean the bank asks questions that a customer might find intrusive or unnecessary and understandably, this can cause distress and inconvenience to a customer – but it doesn't necessarily mean the bank has acted incorrectly or unfairly. Checks undertaken as part of NatWest's security process are designed in the interests of NatWest's customers to help keep their money safe and prevent fraudulent activity on their accounts.

Despite what Miss M has said, there was nothing recorded on NatWest's system to suggest Miss M had previously made NatWest aware that she needed a carer to help her conduct banking business. And from listening to the call recordings provided, I am satisfied that this wasn't something she'd mentioned during the phone calls she had with NatWest when setting up the arrangements to collect her cash. Bank staff have said that it wasn't clear at the outset that the person accompanying her was her carer. Miss M hasn't commented on that, but it makes no difference to the outcome of this complaint. NatWest needed to carry out the verification process it was required to complete with Miss M in person as she was the only named account holder. It had a duty to keep the information it was asking her for private and to satisfy itself that no-one else might be influencing her answers to questions it needed to ask her. So it wasn't unreasonable that NatWest wanted to speak to Miss M out of earshot of the person accompanying her – and reasonable that they were able to rejoin Miss M at the counter once she'd completed the verification process.

The fact alone that Miss M observed other couples together at the counter isn't enough of a reason to uphold her complaint that she was treated differently. They may have been operating joint accounts or conducting over-the-counter business that didn't require the level of scrutiny and verification that needed to happen in Miss M's case. All in all, I don't consider I've seen enough to be able to say that NatWest acted unfairly, or that it treated Miss M any differently to any other customer wanting to make a substantial withdrawal from their account.

Emotional and Psychological Harm

Miss M said the investigator's view didn't appear to fully acknowledge or address the severity and long-term consequences of the way she was treated in branch. I'm sorry for how what happened left Miss M feeling. But I haven't found that NatWest treated her unfairly or unreasonably so I can't hold NatWest responsible for the way she's been feeling.

Harassment and Retaliatory Behaviour

Miss M has explained she felt scared in the branch when she believed she was being targeted in a hostile way when a previous complaint she'd made (that wasn't upheld) was brought up by bank staff.

I have no reason at all to doubt that Miss M is certain about what she's told us, but what she says isn't enough for me to be able to uphold this complaint. My role is to consider the evidence presented by both sides and reach an independent, fair and reasonable decision.

It is important to make clear that my findings are made on a balance of probabilities, in other words, what is more likely than not, based on the evidence that has been provided by the parties. In simple terms, to uphold this complaint there would have to be persuasive evidence that made it more likely than not that NatWest had done something wrong. But I have not seen any such persuasive evidence in this case. Set against what Miss M has said, I've seen statements from bank staff that describe what happened from their point of view. None of these corroborate Miss M's allegations that she was treated in an aggressive or intimidating way – and I haven't been supplied with any other independent information suggesting that she was. So I have concluded that, on balance, this part of Miss M's complaint is not supported by the evidence.

Privacy and Data Handling Concerns

Miss M said she raised privacy concerns and the risk of robbery but NatWest refused her request to handle the cash withdrawal in a private room. She said staff discussed things loudly in a public space and at one point she was put on loudspeaker without informing her which she felt was a potential breach of consent and confidentiality.

I don't consider that putting her on loudspeaker in the circumstances she has described was unfair or unreasonable.

I appreciate that the bank might not have felt a very private space in which to conduct business. I understand that this is an open plan branch and so I think it's unavoidable that business conducted at the counter is potentially able to be overheard or observed. It was for this reason that NatWest had urged Miss M to think about moving her money a different way instead of making a cash withdrawal. NatWest told Miss M it was able to transfer her money in accordance with her wishes and that this was a much more secure way to move her money. It advised her that taking cash home was risky – even to the extent of warning her that home insurance policies often do not provide cover for larger sums of cash.

From the information I've seen, it appears that Miss M had some difficulty hearing or understanding some of the things bank staff asked her. As I understand it, Miss M asked for some questions to be repeated several times, so this might explain why the discussion was loud. At one point, she wanted the questions written down for her – which NatWest did.

NatWest said it was bank policy not to hand count cash in the banking hall – particularly when it's a large amount. Reducing the visibility of large amounts of cash sounds sensible to me. I think NatWest took reasonable steps to try and limit the risk Miss M was exposed to when she chose to make the cash withdrawal in branch. She was handed her money in two sealed envelopes so it wouldn't have been obvious what was inside. At her insistence, NatWest offered Miss M the use of a private room to count the money herself, so it's possible that might have been seen as unusual if anyone had been watching her movements. But when she left the bank, NatWest said it was well after closing time and there were no other customers.

Causality and the Burglary

Miss M said that she acknowledges that no definitive link can be made between her withdrawing cash at the bank and the fact there was an attempted break-in at her home that same evening. I agree. For the reasons I have set out more fully above, I am satisfied that NatWest took reasonable steps to safeguard her interests. It was Miss M's choice to attend in person at the branch to withdraw the cash against NatWest's recommendation and I haven't made any findings that NatWest acted unfairly or unreasonably towards her when she did this.

Inconsistencies and Disproportionate Treatment

I have explained above why I don't consider that NatWest treated Miss M inconsistently compared to the way it treats other customers in her situation or that it treated her in any other way that was unfair or unreasonable. Responsibility for approving the withdrawal rested with NatWest and I am satisfied that it had valid reasons for concerns and that its actions in this situation weren't disproportionate.

For all the reasons I've set out above, I haven't seen enough here to uphold this complaint. To sum up, I've seen nothing to suggest that NatWest treated Miss M any differently to any other customer in this situation. Miss M hasn't shown me that she requested NatWest to make any reasonable adjustments or why she felt these were necessary. I haven't seen that she had arranged to have any specific needs recorded on her profile at NatWest. And, on balance, for all the reasons I've explained, there's not enough evidence to say she was treated unfairly by NatWest.

I hope that setting things out as I've done helps Miss M understand how I've reached my conclusions.

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 Miss M to accept or reject my decision before 6 August 2025.

Susan Webb
Ombudsman