

The complaint

M, a limited company, complains that Tide Platform Ltd declined to open an account how them. They believe this was discriminatory.

M is represented by Miss H, a director.

What happened

In November 2024 Miss H applied for M to open an account with Tide. But after asking further questions about the nature of M's business, Tide declined to open the account.

Miss H complained on behalf of M to Tide, saying that it was a legitimate business and had been unfairly categorised as an unsupported industry. Tide responded to say that they couldn't provide an exact reason for the account rejection, but they held no concerns over how the application was handled.

Not satisfied with this Miss H referred M's complaint to our service. One of our investigators looked into it, but she didn't think Tide had done anything wrong. She thought that Tide were entitled to choose who they did business with, and had acted reasonably when declining to open an account for M.

Miss H disagreed, believing that Tide had unfairly categorised M's business as adult services, and this had led to discrimination against her based on her sex. But our investigator didn't agree. As such the complaint has now 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.

Miss H has provided several points for me to consider around what she feels are the reasons for M's application being declined – which I have taken on board and thought about, but I'm not going to respond to each point individually. Ultimately the remit of our service is to resolve individual complaints between financial firms and their customers – or in this case potential customer. I will concentrate on what I consider to be the key points, that lead me to a fair and reasonable outcome.

The legislation that deals with discrimination in the UK is the Equalities Act 2010 – but I think it's important to point out that the act itself says that only a court can decide whether the act has been breached. Our service is an informal alternative to the court system, so this won't be a finding I can make for her. But I've considered the broader principles in deciding what's fair and reasonable.

Like all financial firms in the UK, Tide have a broad commercial discretion in which businesses they provide accounts to and on what terms, just as M can decide who they wish to have as customers. There's no obligation on Tide to provide accounts to all businesses

who apply for one. It would be exceptional for our service to intervene and say that an account should have been opened, without very good reason.

Tide have declined to discuss with Miss H their precise reasons for declining M's application. It isn't unusual for a business to decide not to discuss their reasons for not opening an account, and I'm not persuaded that Tide have been unreasonable in this. Because these decisions often come down to their own commercial risk appetite, they're not expected to publish their full account opening criteria.

The rules of our service allow us to treat certain evidence as confidential. For example, if the ombudsman considers it commercially sensitive or involves information about security checks or procedures. Tide have provided more detailed reasoning to our service. Having considered this carefully, I'm satisfied that it's appropriate that this information remain confidential. So, I'm sorry to Miss H that I won't be detailing it within this decision. But I'm satisfied that Tide declined to open the account in line with their commercial discretion, and own internal policies.

Miss H was said she believes that Tide had wrongly categorised her business as providing adult entertainment. While I don't intend to disclose Tide's reasoning behind the account rejection, I'm not persuaded that Tide did fundamentally misunderstand the nature of M's business, and I can see they asked some further questions to Miss H before declining the application. I've also not seen any evidence that Miss H's sex, or any of her other personal characteristics played a role in the decision to decline M's application. Nor that more broadly the decision to decline was discriminatory. I see that this was a legitimate commercial decision, that Tide were entitled to make.

I appreciate Miss H will find this disappointing, and I see that it's natural and understandable to want to know more about why an application was declined. But ultimately, I'm not satisfied that Tide have done anything wrong by declining this account. As such, I'm not asking them to do anything further.

My final decision

My final decision is that I do not uphold this complaint.

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

Thom Bennett
Ombudsman