DRN-5619928

The complaint

Ms B complains Bank of Scotland plc, trading as Halifax, failed to update her address for her statements. She says this caused a lot of difficulties.

Note:

Whilst this is Ms B's complaint, I will refer to her mother and attorney, Ms R as she has been dealing with this matter.

What happened

A summary of what happened is below.

Ms B holds an account with Halifax, on which there was a Power of Attorney registered, naming Ms R as her attorney.

Statements should have gone to Ms R, but Halifax sent these to Ms B instead. Ms R contacted Halifax about this, asking it to amend the address, explaining that her mother suffers with dementia and so, the matter was causing her a lot of unnecessary upset.

After several attempts and when the address still hadn't been changed, Ms R escalated things.

Halifax responded, apologising for its error. It acknowledged it should have amended the details, and this hadn't happened due to a system delay. It apologised for any trouble and upset caused, corrected the address and paid £250 compensation to resolve things.

Ms R didn't think this was satisfactory and contacted us. She said, the compensation didn't cover the distress her mother had experienced each time a statement had been sent. She said this had also led to her suffering trauma due to her mother having a negative response to money being spent on her care. The attorney was also unhappy that a simple issue had been delayed as it had.

One of our investigators considered the complaint but they didn't think Halifax needed to do any more. They explained they couldn't recommend an award to Ms R as she wasn't the customer of the bank under our rules and so, we couldn't make an award to her as a third party (attorney). Though the investigator acknowledged handling this situation on her mother's behalf would have been difficult for Ms R. Ultimately, the investigator thought the resolution communicated in the bank's final response letter was fair.

Ms R didn't agree. She didn't think the investigator had grasped the extent to which she'd had to pursue the matter or the impact on her mother and her as carer for someone with dementia. She said she'd like compensation to be reconsidered and training for staff dealing with such matters. When an agreement couldn't be reached, the complaint was put forward for a decision as the second and final stage in our process.

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.

In line with our quick and informal service, I will address what I consider are the key issues to reach a fair resolution. This means I might not comment on everything, though I have read all the information as part of my review.

I don't doubt Ms R has had to deal with a lot because of Halifax's error and I'm sorry to hear about what she's described. But, like the investigator explained, I can't make an award to her as a third party. She isn't the bank's customer for the purposes of this complaint – Ms B is. So, if Ms R experienced distress and inconvenience in her own right over a period, I can't award her any money, and any further investigation on this won't make a difference.

My role here is to decide how best the complaint should be resolved and after weighing all the relevant points, Halifax ought to have done better with the statements, but I feel its response to the complaint was reasonable. It made a payment of compensation for the trouble and upset caused, recognising how upsetting this situation would have been for Ms B. This wasn't an insignificant sum, and it also took other steps too. I can see that it apologised and and updated the address, which is what I'd expect in these circumstances. All things considered; I think this was a fair response in its entirety and no further award or direction is warranted. I appreciate Ms R may not see it this way, but these are my conclusions.

Finally, if there are any new issues on the account, these would need to be raised with Halifax, however, this decision completes my review of this complaint.

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 Ms B to let us know via her attorney if she accepts or reject my decision before 19 August 2025.

Sarita Taylor
Ombudsman