

The complaint

Ms D complains about the content of an internal call between two agents from Bank of Scotland plc trading as Halifax (Halifax), which she received following a data subject access request (DSAR). She says that the agents were disrespectful about her.

What happened

Ms D took out a mortgage with Halifax in 2009. She has previously complained about the way Halifax has handled her mortgage account and made a DSAR request.

Halifax's response included a copy of an internal call which took place on 20 October 2023 between a complaint manager and an agent from the customer financial assistance (CFA) team, during which they were discussing extending a hold on Ms D's account in response to a complaint she had made.

Ms D is unhappy about the language and tone used during call and feels that the way she was spoken about was disrespectful. She says that she was referred to as 'her' and that the term 'increased risk of harm' was used. Ms D says that she suffers from some health issues and that the impact of the call has caused her severe distress over a number of weeks.

Halifax accepted that the conduct of the call wasn't as professional as it could have been. It apologised for the impact this had on Ms D and paid her £750 for the distress and inconvenience it had caused.

Our Investigator looked into Ms D's complaint and didn't think Halifax needed to take any further action. She listened to the call and agreed that there were some parts of the call which seemed unprofessional, such as the suggestion that Ms D was refusing to pay her mortgage and that this was unacceptable. The Investigator understood why this would have caused Ms D distress when listening to it as the tone was inappropriate. However, she also found that parts of the call were not intentionally meant to be hurtful or disrespectful. Overall, the Investigator considered that the award of £750 offered by Halifax was fair and reasonable and in line with similar awards which would be offered by this Service.

Ms D disagrees with this, so the case has come to me to make a decision. She says that Halifax's employees should have remained professional, as they didn't know that she had requested access to the calls and could listen to them. Ms D says that it was not just once that she was referred to as 'she' and says that she has never refused to pay her mortgage. Ms D says that this has impacted her mental health for weeks after listening to the call and that she has had sleepless nights, has been unable to deal with day-to-day activities and been left too afraid to make another call to Halifax about her mortgage. Ms D therefore says that the £750 offered by Halifax is insufficient to cover the distress she has suffered.

I am aware that Ms D has made a number of complaints about the way Halifax has handled her mortgage account. As the Investigator has said, this decision is only looking at the issue in relation to the call which took place on 20 October 2023.

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 looked at the evidence, I agree with the Investigator's view for broadly the same reasons and I've explained my reasons further below.

Halifax has accepted that it did something wrong in this case, so it is not necessary for me to make a finding on this. I will simply be considering whether Halifax has done enough to put things right.

Ms D is unhappy that the agents on the call used the term 'increased risk of harm'. I can appreciate that Ms D found this term distressing. However, I am satisfied that it wasn't used in a disrespectful way and was simply a reference to the name of the internal process used by Halifax in Ms D's circumstances.

At the time of the call, Ms D had what Halifax call an increased risk of harm (IROH) hold on her mortgage account. Halifax has explained that an IROH tag is designed to support a customer through a period of their life where they're dealing with the impact of a severe vulnerability. The tag is used as a control to ensure that such an account does not progress to litigation.

The IROH hold was first added to Ms D's account by the CFA team in February 2023. It was subsequently reapplied in July 2023 and October 2023.

Ms D raised a complaint in relation to some of the conversations she had with the CFA team. Her complaint was allocated to a complaints manager who contacted the CFA team on 20 October 2023 to ask if the IROH hold could be extended as part of the complaint resolution.

I have listened to the call which took place. The complaints manager set out the background and explained that Ms D was vulnerable and that an IROH hold had been put on the account. She asked whether the IROH hold could be extended for a further month until December 2023. She explained that Ms D had been told in October 2023 that she could only have a two-month hold but that she had previously been told that the hold was for three months. The manager referred to giving Ms D the benefit of the doubt because Halifax had let her down.

The agent from the CFA team reviewed the file and commented that the income and expenditure checks had said that Ms D could afford the mortgage but that she was refusing to pay the mortgage when it was affordable for her. He later repeated that Ms D was someone who could afford to pay the mortgage and was refusing to do so which was 'just not acceptable'.

It was agreed that the hold which was currently in place would be removed and a new hold would be applied to ensure that this remained in place until the end of December 2023. The CFA agent said that there would be no more holds and that they would move forward with litigation if Ms D did not get in touch and no arrangement was made in January. The complaint manager agreed and said that the final response to Ms D's complaint would make it clear that the IROH hold would be put in place for one more month but that this would be the final time.

I can appreciate that Ms D is unhappy that she was referred to as 'she' and I agree that this happened on multiple occasions. However, I am satisfied that this was not intended in a derogatory manner or to be disrespectful – it appears to be simply as both parties had already established that Ms D was the customer they were discussing so it was not necessary for them to refer to her by name each time.

I can understand why Ms D was distressed by the suggestion that she was refusing to pay the mortgage and that this was unacceptable. Halifax had agreed to put a hold on the account by this stage and I note that the complaints manager had explained earlier in the call that Ms D's support needs were valid. So I think it was inappropriate and unprofessional for the CFA agent to suggest that Ms D was refusing to pay.

In light of the above, I have considered whether Halifax's offer of £750 is fair and reasonable. I should say that the purpose of this Service is not to punish a business for something it has got wrong.

I can appreciate that the call was distressing for Ms D to listen to and I don't underestimate the impact of this on her. However, in the circumstances of this case, I am satisfied that the offer made by Halifax is fair to recognise the distress caused to Ms D in the circumstances. I know my decision will come as a disappointment to Ms D, but I am not going to ask it to increase this and therefore I don't uphold this complaint.

My final decision

For the reasons I've explained above, I don't uphold this complaint and don't require Bank of Scotland plc trading as Halifax to do anything further.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms D to accept or reject my decision before 18 September 2025.

Rachel Ellis
Ombudsman