

The complaint

Mr P is unhappy that HSBC UK Bank Plc recalled a balance transfer from another bank without his knowledge or permission.

What happened

Mr P undertook a balance transfer from HSBC to another bank (which for ease of reference, I'll refer to as 'X'). On 4 December 2024, Mr P called HSBC on several occasions because he wanted to discuss an issue with a balance transfer his wife had undertaken on her account which was solely in her name. On several of those calls, Mr P tried to connect his wife – who was overseas – to the call but was unsuccessful. Mr P was aware that he didn't possess the authority to discuss his wife's account himself, but on the sixth call, HSBC's agent mistakenly looked at the matter of Mr P's wife's account with Mr P and without obtaining permission from Mr P's wife to do so.

Because HSBC's agent was speaking with Mr P, they had Mr P's profile loaded when they referred the issue about Mr P's wife's balance transfer for further investigation. This led to the further error of the HSBC staff member who investigated the matter mistakenly reviewing Mr P's balance transfer, and not Mr P's wife's balance transfer. HSBC's agent then recalled Mr P's balance transfer from X while considering the issue. Mr P later learned of the recalled balance transfer via a letter he received from X, and he then contacted HSBC and raised a complaint about what had happened.

HSBC responded to Mr P and confirmed that their agent shouldn't have discussed Mr P's wife's account with Mr P without his wife providing her express consent. HSBC apologised to Mr P for mistakenly recalling his balance transfer from X and confirmed that it was their error in doing so. HSBC also paid £100 to Mr P as compensation for any trouble or upset he may have incurred and offered to consider any charges Mr P may have incurred from X because of what happened. Mr P wasn't satisfied with HSBC's response, so he referred his complaint to this service.

One of our investigators looked at this complaint. But they felt that HSBC's response to the complaint already represented a fair outcome to it and so didn't uphold the complaint. Mr P remained dissatisfied, so the matter was escalated to an ombudsman for a final decision.

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 note that Mr P has provided several detailed submissions to this service regarding his complaint. I'd like to thank Mr P for these submissions, and I hope that he doesn't consider it a discourtesy that I won't be responding in similar detail here. Instead, I've focussed on what I consider to be the key aspects of this complaint, in line with this service's role as an informal dispute resolution service.

This means that if Mr P notes that I haven't addressed a specific point that he's raised, it

shouldn't be taken from this that I haven't considered that point – I can confirm that I've read and considered all the submissions provided by both Mr P and HSBC. Rather, I have considered that point, but I don't feel it necessary to address it directly in this letter to arrive at what I consider to be a fair resolution to this complaint.

I'd also like to confirm that this service isn't a regulatory body or a Court of Law and doesn't operate as such. Instead, this service is an informal, impartial dispute resolution service. And while we do take relevant law and regulation into account when arriving at our decisions, our remit is focussed on determining whether we feel a fair or unfair outcome has occurred – from an impartial perspective, after taking all the factors and circumstances of a complaint into consideration.

In this instance, it isn't in dispute that HSBC made a mistake here. HSBC feel that they have already fairly compensated Mr P for the frustration and inconvenience he's incurred resultant from that mistake. But Mr P disagrees and feels that a larger payment of compensation by HSBC to himself is merited.

When assessing a complaint, this service seeks to understand whether there were any mitigating factors that led to the mistake, or whether the complainant or the business could have taken any alternative action that would most likely have mitigated against the outcome that the complainant is unhappy with.

In this instance, I feel that Mr P making repeated calls to HSBC about his wife's credit card account is a significant mitigating factor. I say this because Mr P had made five prior calls to HSBC on the morning of 4 December 2024, and having listened to those calls, it's clear that Mr P understood that he didn't have the authority to discuss his wife's account without his wife being present on the call to provide her authority for him to do so. However, despite this, Mr P continued to call HSBC, and on the sixth call, HSBC's agent made the mistake of discussing Mr P's wife's account with Mr P.

While it was a mistake for HSBC's agent to discuss Mr P's wife's account with Mr P, I feel that Mr P must bear some accountability for enabling that mistake to be made. This is because Mr P was aware that HSBC's agent shouldn't have been discussing his wife's account with him, but didn't raise this point with HSBC's agent at any point during the call and allowed HSBC's agent to make that mistake while being in full knowledge that a mistake was being made.

What should reasonably have happened here is that Mr P should have asked his wife to have called HSBC from overseas. Indeed, given that Mr P's wife was on the phone with Mr P but couldn't be connected to the calls Mr P was making, I can see no reason why Mr P's wife couldn't have called HSBC herself, despite being overseas. And if Mr P had asked his wife to call HSBC herself, rather than asking HSBC's agent to access his wife's account without her being present, the mistakes that followed would never have occurred.

All of which isn't to say that HSBC didn't make a mistake in recalling Mr P's balance transfer from X – it's not in dispute that they did make a mistake in doing so. But it is to say that I feel that first step in the chain of events that unfolded here was Mr P knowingly accessing his wife's account when he shouldn't have done with HSBC's agent.

Furthermore, when X received the mistakenly made recall request from HSBC, they issued a letter to Mr P, dated 10 December 2024, which explained that HSBC had requested a recall. This letter then went on to explain that if Mr P felt that recall was a mistake and wanted the balance transfer to remain with X, that Mr P should contact X within 15 days. And if Mr P had responded to that letter and had contacted X in line with what the letter suggested, he could have explained that the recall by HSBC hadn't been authorised by himself such that the

return of the balance transfer to HSBC most likely wouldn't have taken place.

So, while I accept that HSBC did make mistakes here, and that these mistakes were impactful on Mr P, I feel that Mr P should bear some accountability for his actions that influenced the start of the chain of events about which he is now unhappy, and I also feel that Mr P could and reasonably should have contacted X upon his receipt of the 10 December letter, which would in all likelihood have prevented the recall to HSBC from going through.

In consideration of all the circumstances of this complaint, including the mistakes made by HSBC and the mitigating factors I have described, I feel that the £100 compensation already paid by HSBC to Mr P does represent a fair outcome here. This is because if I were to consider a higher compensation amount as a starting point, the mitigating factors I've discussed would cause me to reduce that compensation amount – because I don't feel that HSBC alone can fairly be considered responsible or accountable for the outcome about which Mr P now complains.

I realise this won't be the outcome that Mr P wanted, but because I feel that HSBC have already fairly compensated him for the impact of their mistakes (in consideration of the mitigating factors I've outlined), it follows that I won't be upholding this complaint or instructing HSBC to take any further or alternative action. I hope that Mr P will understand, given what I've explained, why I've made the final decision that I have.

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 Mr P to accept or reject my decision before 3 September 2025.

Paul Cooper
Ombudsman