

The complaint

Mr E's representative, has complained about how HSBC UK Bank Plc has handled her request to register her as a Power of Attorney (PoA) on his account. I will call Mr E's representative, 'Ms E'.

What happened

On 22 November 2024, Ms E received PoA to handle Mr E's financial affairs. Accordingly, she then applied to HSBC, where he was an account holder, to have the PoA registered. But, she feels the process has been unduly problematic.

HSBC has explained that where a consumer lacks capacity to deal with their finances, it may freeze the account. It then conducts checks before it will proceed with registering a PoA. However, despite the account being 'frozen', direct debits and standing orders will still be paid, and small sums of cash may be withdrawn in branch. Funds towards bill payments can also be accessed, if invoices are provided.

One of our investigators looked into what had happened. She said she appreciated why dealing with these matters may be frustrating and upsetting, but HSBC has a duty to safeguard customers and their accounts. She was satisfied HSBC was following its process correctly. She also explained that our service wouldn't get involved in a civil dispute between previous and/or current attorneys.

Ms E disagreed. In summary, she feels HSBC has had sufficient time to make the necessary inquiries, and a delay of seven months is unreasonable. It hasn't provided any information as to when or how this matter might be resolved. Further, it's made no reasonable adjustments for the fact she lives abroad, so cannot visit a UK branch. The co-attorney has visited the branch and staff were unable to make payments for car-related expenses from Mr E's account. This is causing frustration for the co-attorney.

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.

I have significant sympathy for Ms E. But, I'm satisfied that HSBC is entitled to take such reasonable steps as necessary to safeguard all of its customers' accounts, including Mr E's. That said, I would expect it to fully engage with Ms E in reaching a conclusion as soon as possible, because I appreciate the arrangements are challenging. It's unclear to me why the car payment wasn't made, but I'm satisfied that HSBC does have a system in place for allowing payments if the criteria for them are met. Although Ms E is abroad, I don't think this means HSBC should alter its security systems. This is a matter, I think, that Ms E and her co-attorney will need to navigate.

I don't think HSBC has behaved unfairly. But, I would urge it to settle matters as a matter of high priority, particularly given the logistics involved for Ms E. I have considerable sympathy for the position she's in.

I'm aware that Ms E has also complained about how HSBC has treated her, but this falls outside our jurisdiction, as Ms E isn't an eligible complainant in her personal capacity, as the account is not hers.

My final decision

For the reasons given above, it's my final decision not to uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr E to accept or reject my decision before 3 November 2025.

Elspeth Wood
Ombudsman