

The complaint

Miss J complained that Nationwide Building Society ('Nationwide') failed to action her request to downgrade her fee-paying bank account.

What happened

Miss J had a bank account with Nationwide for many years. She said she upgraded to a FlexPlus packaged bank account (PBA) in 2016. This account had a number of benefits attached to it and Nationwide charged a monthly fee for the account.

Miss J said she contacted Nationwide in 2020, both online and by phone, to request that it downgrade her account to a fee free one. She said she found out in January 2025 that this had not been done. So Miss J complained to Nationwide about its failure to downgrade her PBA account and about poor customer service when she rang to discuss her complaint.

Nationwide did not uphold Miss J's complaint and said it had not found evidence of a request being made to downgrade the account. It also said it sent communications to Miss J after 2020 which showed the account was still a FlexPlus. Looking at the customer service issue, it said a copy of the relevant call was not available as in-branch calls were not recorded, so said it gave Miss J the benefit of the doubt and offered £50 compensation.

Miss J remained unhappy and so brought her complaint to this Service. She was concerned that Nationwide was unable to provide her with a copy of the call recording between her and the Nationwide complaint handler. Miss J also told us that she recently made a subject access request to Nationwide and thought the information sent to her was incomplete, as she said messages exchanged with Nationwide agents were not sent to her. Miss J asked for the PBA fees paid since 2020 to be refunded.

Our Investigator did not uphold Miss J's complaint. He said Nationwide provided Miss J's contact history from 2019 to 2025 and while this showed some contact by Miss J in relation to her account, it did not show any contact in 2020 about an account downgrade request. Our Investigator said he also took into consideration that since 2020 Nationwide has sent communications to Miss J that would have alerted her to the fact she still had a PBA.

Miss J did not agree with the outcome and provided additional evidence showing contact she had with Nationwide in 2019 and 2020. She said her request to have the account downgraded was clearly stated in these communications. Miss J said that a recent subject access request she made to Nationwide raised concerns with her about the completeness and reliability of the data held on file by Nationwide.

Our Investigator let Miss J know that he had considered the new information provided by her but it did not change the outcome reached by him. He said that if Miss J had concerns about Nationwide's compliance with her subject access request, then this matter would need to be referred to the Information Commissioner's Office.

Miss J did not agree with what our Investigator said so this came to me for a 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.

The crux of Miss J's complaint is that she said she contacted Nationwide online and by phone to downgrade her PBA, but this didn't happen. Miss J also told Nationwide she sent a letter to it. It's clear the account wasn't downgraded until 2025, so I've considered all of the evidence provided to see whether Miss J made just such a request to Nationwide in 2020 that was not actioned.

I want to first of all address a point made by Miss J in relation to the information from Nationwide being, potentially, incomplete. Miss J feels that if incomplete information is provided by Nationwide then the outcome should be weighted in her favour. I want to clarify, however, that where evidence might be missing or incomplete, I will make a decision on the balance of probabilities, which is what I think is most likely to have happened based on the evidence that has been provided to me.

Nationwide provided details of a contact log showing some of the contact it had with Miss J between 2019 and 2025. There was nothing here to suggest a downgrade was requested. However the information provided was, to my mind, just a brief overview of the fact that contact had been made and it lacked detail about what was said between both parties. So it was of limited use here. Nationwide said it had been unable to locate any online interactions or telephone calls with Miss J at around the time she said the downgrade was requested.

Miss J was able to provide this Service with copies of two emails sent by her to Nationwide in December 2019 and February 2020. These were sent when Miss J made a complaint about her address being incorrectly listed on Nationwide's system and about her not being made aware of a FlexPlus account fee increase. Nationwide's formal response to the complaint, issued in January 2020, was also included.

Miss J said that these emails show she requested that the account be downgraded. She also thinks that Nationwide telling her how to downgrade the account in its complaint response demonstrates that it recognised it was Miss J's intention to downgrade. However, having reviewed everything, I do not agree that a request was made to Nationwide to downgrade the account. I'll explain why I say that.

I want to first of all say that I am not dealing with any aspect of the complaint made in 2019 and responded to by Nationwide in 2020 as that is not the complaint that Miss J has raised with this Service. What I am doing is relying on the final response issued by Nationwide, and related correspondence, as evidence of whether a downgrade was or was not requested at that point in time.

In Miss J's email to Nationwide in December 2019, Miss J clearly stated she was reconsidering whether the FlexPlus account was right for her. She asked for confirmation of whether there would be more changes to the account in 2020 and whether there was a notice period for downgrading. While it's clear Miss J was giving some thought to whether to keep this FlexPlus account, the email did not contain a request to downgrade the account. So I would not have expected Nationwide to move Miss J to a fee free account based on what was said in this particular email.

Nationwide responded to Miss J's complaint raised in the December 2019 email in January 2020 and included instructions on how to downgrade the account in its response. It said *'I'm sorry that you feel this account may not be right for you. We understand that members banking needs may change, therefore give you the option to change your current account if*

you wish. So, I'm satisfied that the instructions to downgrade were not provided in response to an explicit request to downgrade, as a request to downgrade was not made.

Miss J then responded to Nationwide's complaint response on 4 February 2020. In this email Miss J thanked Nationwide for looking into her complaint in relation to her address, but it did not make mention of downgrading the account.

I can see that Miss J had concerns about the information provided to her by Nationwide when she made a subject access request to it after it had dealt with this current complaint. I am not in a position to deal with this complaint point, as I cannot see that it has been raised directly with Nationwide first. Nationwide need to be given an opportunity to try and resolve complaints before they are escalated to this Service. Our Investigator let Miss J know, and I agree, that she might want to consider escalating her complaint to the Information Commissioner's office in the first instance, given that it relates to compliance with a subject access request.

Miss J has also complained about the customer service provided by Nationwide while it was dealing with her complaint. Miss J was unhappy about an interaction with a Nationwide agent and felt the agent was rude towards her. While Nationwide was not able to look into the actions of the agent as it said in-branch calls are not recorded, it awarded £50 compensation to Miss J as a gesture of good will. But, as explained by our Investigator, we are not able to look into this particular complaint point. This is because the rules that we operate under, the Dispute Resolution (DISP) rules, tell us that we can only consider complaints about regulated activities (DISP 2.3.1R). As complaint handling is not a regulated activity, we are unable to consider this particular complaint point.

I know my decision will disappoint Miss J, but I am not asking Nationwide to take any further action here as I'm satisfied, based on the evidence that's been provided to me, that it was most likely the case that it was not instructed to downgrade Miss J's account in around 2020.

My final decision

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss J to accept or reject my decision before 23 October 2025.

Martina Ryan
Ombudsman