

## **The complaint**

Mr S has complained about how Nationwide Building Society (“Nationwide”) dealt with a request to add a third-party mandate to his account.

Having reviewed this complaint, I don’t think Nationwide needs to do anything further in relation to this complaint. This means that I don’t uphold this complaint.

## **What happened**

Mr S wanted to obtain a third-party mandate (“TPM”) for his mother on his account. Mr S was told to attend a Nationwide branch, but when he did that, he was then told he needed to phone a specialist team. When Mr S contacted the specialist team, the member of staff didn’t arrange the TPM for him.

Unhappy with how matters had been dealt with, Mr S complained to Nationwide. In response, Nationwide acknowledged that it should’ve provided Mr S with a better level of support initially and agreed to pay Mr S £75 for the inconvenience caused to him.

After Mr S referred his complaint to this service, one of our investigators assessed the complaint, and overall, they thought that what Nationwide had already done to put matters right was reasonable. So they didn’t uphold the complaint.

As Mr S didn’t accept the investigator’s conclusions, the matter was referred for an ombudsman’s 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 reviewed everything, I agree with the outcome reached by the investigator for broadly the same reasons. I will explain why.

It’s not in dispute that Nationwide could’ve provided Mr S with better levels of support regarding his query about obtaining a TPM for his mother. For example, during a webchat, Mr S was only given the option of attending a branch - when actually he could’ve also phoned Nationwide’s specialist support team. And when Mr S did then visit the branch, Mr S was instructed to phone the Specialist support team, rather than the branch staff trying to deal with Mr S’s query themselves (and if necessary, phone the specialist support team for Mr S).

This caused some inconvenience and frustration for Mr S. And given what Mr S has said about his circumstances, overall, I agree that the compensation that Nationwide paid Mr S for the failings in the service that he received, is reasonable in the circumstances.

The main issue in this complaint is Mr S wanted to obtain a TPM for his mother on his account. Mr S says that, when he spoke to Nationwide’s specialist support team, they didn’t do what he’d instructed and were discriminatory towards him.

I note that Mr S says that Nationwide has breached the Equality Act 2010. However, as the investigator explained, only a court can decide whether such legislation has been breached. I am limited to considering whether Nationwide dealt with him reasonably and fairly. Although I will take into consideration various things, including what the law says, when deciding such matters.

To understand what was said, I have listened to a recording of the conversation in question. Having listened to the phone call, I don't think Nationwide dealt with Mr S unreasonably or unfairly.

When it was explained that Mr S wanted to obtain a TPM for his mother on his account, the member of staff explained that there were limitations to adding a TPM. For example, it would only apply to his account for a year, his mother wouldn't be able to phone about his account or monitor the account.

Mr S says that the member of staff said that 'he must have full mental capacity'. Mr S says he finds this as discriminatory, dehumanising and invalidated his lived experience. But having listened to the phone call, the member of staff did not say he 'must have full mental capacity'. Instead, the member of staff said that as Mr S "*has capacity*" and can speak on the phone, then his TPM application would be rejected.

I'm not sure it's correct to say that, as Mr S has capacity and could speak on the phone, that this would necessarily mean an application for a TPM would be rejected. But in any event, Mr S's mother then clarified that, although Mr S was speaking on the phone at the time, speaking on the phone was something that he really struggles to do. The member of staff acknowledged this and explained that they wanted to ensure that Mr S is given the right support, because the TPM is generally designed for someone who can't manage their account and cannot go into branch themselves either.

Mr S explained that his mother had a TPM on his account before. And in response the member of staff agreed to submit a TPM application for Mr S. Although they did warn Mr S that the application could be rejected and explained that specifics may be needed from him by the case managers.

The member of staff then went on to complete security checks. But Mr S's mother failed security as she gave incorrect initial answers to security questions or was given assistance by Mr S to answer the questions. The member of staff explained that, as the security checks had been failed, they'd need to phone the specialist support team again, and providing they pass security, they'd be able to process the TPM application.

Having considered how the phone call went, I think that Nationwide dealt with Mr S fairly.

I'm satisfied that the member of staff's hesitancy in initially processing a TPM application for Mr S was not because they didn't want Mr S to have the TPM applied or because they didn't want to do what he'd instructed. In my opinion the hesitancy was only because they were concerned that a TPM wouldn't necessarily meet Mr S's specific needs.

In the circumstances, I can see why the member of staff was concerned that a TPM won't necessarily achieve what Mr S and his mother wanted. For example, Mr S told this service that he wanted the TPM for his mother so she could help him manage payments, monitor account activity, communicate with Nationwide on his behalf, deal with correspondence, and support his financial decisions. But a TPM wouldn't necessarily do all of these things. A TPM wouldn't give Mr S's mother access to his account through Nationwide's app or its online banking portal; nor would it enable Mr S's mother to access Mr S's account through

telephone banking. And there were a range of other limitations in terms of what she could do with the account, as explained on Nationwide's website:

<https://www.nationwide.co.uk/help/third-party-access/third-party-mandate/#what-is-a-third-party-mandate-and-how-does-it-work>.

So, although Mr S is unhappy with the member of staff's initial reluctance to start a TPM application, I think the member of staff was only trying to help Mr S by warning him about the limitations. And again, I think they were only trying to be helpful by suggesting that he consider alternative options as well: such as Power of Attorney or making the account a joint account.

But given that Mr S said he still wanted the TPM applied to his account, the member of staff did then start the process to complete a TPM application for Mr S. So the member of staff did try to do what Mr S instructed - once it was established that a TPM was something he definitely wanted. However, unfortunately as Mr S's mother failed the security checks, I can't say that Nationwide was being unreasonable in not then proceeding further with the application. The member of staff did explain that, if Mr S (and his mother) phoned the specialist support team again, once they'd passed security, they'd be able to apply for the TPM. So, I'm satisfied that Nationwide provided Mr S and his mother with reasonable information, so he knew what to do to apply for a TPM.

Mr S has also complained that when he contacted Nationwide by webchat, he says it took a long time to get a response. However, Nationwide's webchat is not necessarily a live chat, and Mr S was made aware of this from the outset. So, I don't think Nationwide dealt with him unfairly because it didn't respond immediately to Mr S's messages.

So in summary, I accept that the initial support given by Nationwide could've been better, and Mr S was inconvenienced in having to attend branch, when he could've just phoned the specialist support team from the outset. But, when taking into consideration what Mr S has told us about his circumstances, I think the £75 that Nationwide has already paid Mr S is reasonable amount of compensation. And I don't think that Nationwide dealt with Mr S unfairly or unreasonably when discussing and starting to process his TPM application. I therefore don't think that Nationwide needs to do anything further in relation to this complaint.

### **My final decision**

Because of the reasons given above, I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 26 February 2026.

Thomas White  
**Ombudsman**