

## **The complaint**

Mr A complains HSBC UK Bank Plc (HSBC) failed to protect his account and discriminated against him when he raised concerns about transactions made on his account without his consent.

## **What happened**

Mr A complains about how he was treated by HSBC when he reported transactions made using his card, which had been stolen. He says that an agent on HSBC's chat facility service racially profiled and discriminated against him based on his name and background.

Mr A says that although HSBC acknowledged what had happened and issued an apology, HSBC did not provide a personal apology from the agent who was responsible for what happened and that it has not taken accountability.

HSBC on reviewing Mr A's concerns, made a payment of £150 towards the distress caused to Mr A by its actions and said the matter was also being investigated internally and apologised for any offence that may have been caused.

On referring the complaint to this service, HSBC also made an offer to refund the disputed payments totalling £34.32 plus 8% simple interest. This was in addition to the £150 it had already awarded Mr A. But Mr A declined the offer and said it was an insult considering the impact he had suffered.

Mr A states he wants a formal written apology from the HSBC agent involved, along with HSBC guaranteeing that his account has the highest level of security going forward. Mr A says that he accepts no less than £10,000 compensation in recognition of what happened, and the harm HSBC caused.

Our investigator considered Mr A's complaint but didn't uphold it. Whilst she acknowledged how Mr A had been made to feel by HSBC's actions; she was satisfied that it had acted reasonably towards Mr A. She felt that the award it had made to Mr A in recognition of the distress caused was fair.

As Mr A remained unhappy with the outcome, he asked that an ombudsman consider his complaint.

## **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, my review of the evidence has led me to the same overall conclusion as the investigator for much the same reasons.

I've taken into account Mr A's very detailed submissions about what happened at the time and I'm very aware that I've summarised this complaint in far less detail than it may merit. Instead, I've focussed on what I think are the key issues here. The investigator's view set out the full facts, the transactions that were in dispute, and the evidence that was presented. So, I won't repeat every detail here, only those which form the basis of my decision. Our rules allow me to do this. If there's something I've not mentioned, it isn't because I've ignored it. I haven't. I'm satisfied I don't need to comment on every individual argument to be able to reach what I think is the right outcome. I will, however, refer to those crucial aspects which impact the decision I'm making.

Firstly, I was sorry to hear about Mr A's current health concerns and the impact this matter has had on him. I hope he is receiving the support he needs. I also appreciate the upset caused by his experience with HSBC, and how he was made to feel by the agent's comments on its chat function which Mr A considered both discriminatory on the grounds of race, and dismissive based on his nationality and limited use of the English language. And I have carefully considered this when reviewing this complaint in its entirety.

I note HSBC has already agreed to refund the disputed transactions made on Mr A's account without his consent, including interest. So, what remains in dispute is HSBC's actions in dealing with Mr A's concerns and what represents a fair and reasonable payment in recognition of the impact this matter had on Mr A.

I should start by explaining that it is not my role to make a finding on whether something amounts to discrimination under the Equality Act 2010. That's because as a service we are an informal alternative to the Courts and only a Court of Law can make a legal finding based on the definitions set out in the Act. But I can make a finding in line with the powers we do have, which look at whether HSBC acted fairly and reasonably towards Mr A. In doing so I've taken several things into consideration, including the Equality Act 2010.

HSBC has provided evidence of the chat history that took place between Mr A and HSBC when he contacted it to raise his concerns, and I have given this considerable thought. Having done so, I can see that Mr A shared on the chat that his use of the English language was limited, and I can see that he interacted with a few agents before the interaction with the agent that caused him the upset took place.

Having reviewed what was said, I agree it was unacceptable and insensitive on the part of the agent, especially given that Mr A was worried that his wallet had been stolen and that his card had been used to make unauthorised transactions on his account. So, this would only have added to the level of stress Mr A was under at the time.

Mr A says he was making an effort to express himself in English, which is not his first language, so I can understand Mr A's strength of feeling on this matter. But I am satisfied that it wasn't the agent's intention to cause offence to Mr A. I say this because having reviewed the full chat history and the events that occurred, I think the agent was trying to express that chat's with the previous agents had timed out on a number of occasions and that Mr A was having to repeat himself, and there may have been alternative ways to raise his concerns to help prevent any further delays or inconvenience to Mr A during this already stressful time.

That doesn't however mean that Mr A wasn't impacted by the comments that were made towards him. I am of the opinion that they were insensitive and unnecessary, and it would have been helpful instead for the agent to have highlighted other options available to Mr A - if it was the agent's true intention to ensure Mr A's concerns were dealt with without delay.

I can see that HSBC attempted to assist Mr A with his concerns once raised. It acknowledged the upset Mr A was caused by its agent's comments, and to resolve matters it made an award of £150 in recognition of this failure and apologised for how Mr A was made to feel. I am pleased to see HSBC acknowledged its mistake quickly and acted promptly to put things right, and its award is in line with what I would have suggested.

Our website further outlines the awards made by this service and explains that the awards made are intended to recognise the upset caused by an error. But they are not intended to punish the business.

I understand Mr A says that although HSBC has extended an apology, he would like to receive one made personally by the agent, but I am satisfied that HSBC's apology made in recognition of what happened is reasonable and appropriate given the circumstances.

Mr A also says he remains in fear of his account being compromised again and says that this is due to HSBC's inability to ensure the security of his account. And I can understand that the unauthorised access to his account would have caused him considerable concern and fear of it happening again.

I don't doubt this was a troubling time for Mr A and I can understand how Mr A is feeling but although banks have measures in place to prevent such compromises, preventing all incidents of fraud is not always possible. Here the fraudsters, not HSBC are to blame for the unfortunate situation Mr A found himself in and I can't reasonably say that HSBC didn't respond to the situation once Mr A made it aware of what had happened. I can see it took the relevant action required to prevent further loss to Mr A given the circumstances.

I can understand that this will be disappointing for Mr A, and I'd like to assure him I haven't taken this decision lightly. I can appreciate that he feels that an award of around £10,000 should be made by HSBC in recognition of what happened, and I fully appreciate the impact has been significant on him. But for the reasons given, I feel the award of £150 HSBC has made in recognition of the impact its actions had on Mr A, is fair. I hope my explanation gives Mr A some assurance that his complaint has been considered with the degree of integrity it deserves.

### **Putting things right**

For the reasons explained, I am satisfied that the further offer made by HSBC to refund Mr A for the disputed payments totalling £34.32 plus 8% simple interest is fair.

Should Mr A wish to accept it, he can get in touch with HSBC directly.

### **My final decision**

My final decision is that I uphold this complaint against HSBC UK Bank Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr A to accept or reject my decision before 12 January 2026.

Sukhdeep Judge  
**Ombudsman**