

## **The complaint**

Mrs H complains about Nationwide Building Society and how it treated her when she was in one of its branches.

## **What happened**

Though there are conflicting accounts of what happened in this case, the general background to the complaint is well known to both parties, so I will cover it only briefly here.

Mrs H went into a Nationwide branch and was speaking on the phone while in the queue to be seen. A member of staff was approaching customers in the queue, including Mrs H, to offer assistance. Mrs H said the staff member began speaking to her without saying excuse me and the staff member invaded her personal space.

Mrs H said she asked to speak to a manager about what happened and was told by the manager that she'd been shouting. Mrs H said she didn't raise her voice, but her tone did change due to surprise and at other times her voice may have gone to a higher pitch.

Mrs H complained to Nationwide about what happened in the branch. Mrs H said when the staff member approached her in the queue, she felt uncomfortable because she was left with no ability to move away given the wall behind her and other customers on either side. Mrs H said Nationwide hadn't behaved with appropriate or professional conduct.

Nationwide considered the complaint and issued a final response. In its response Nationwide didn't agree it had done anything wrong. Nationwide said it was satisfied its staff had acted with the intention of helping its customers and it didn't agree it had acted inappropriately. Nationwide went on to say its staff felt Mrs H had raised her voice in the branch and this type of behaviour was unacceptable so it had added an alert to her profile which will be visible for up to six months.

Mrs H didn't think Nationwide's outcome was fair or accurate and she disagreed with how her actions in the branch had been described so she took her complaint to this service. Our investigator looked at the complaint. She said she appreciated the situation in branch made Mrs H feel upset, but she couldn't say Nationwide had acted unfairly and she felt overall Nationwide had acted reasonably in the circumstances.

Mrs H didn't agree with the investigator's view and so the case has been passed to an ombudsman to decide.

## **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 generally agree with the outcome the investigator has reached. I appreciate this will be disappointing to Mrs H, and I know this complaint is important to her. But I'm not persuaded it would be reasonable to ask Nationwide to do something more in

this complaint. I'll go on to explain why.

In the background above I've not detailed everything that happened or that was said between the parties – it is intended to be a brief overview of what the complaint is about. This is in line with our service's remit as an informal alternative to the courts.

I'll now explain how we approach decisions.

As an informal dispute resolution service, we are tasked with reaching a fair and reasonable conclusion with the minimum of formality. In doing so, I've considered everything each party has said and all the evidence provided. Though I won't necessarily respond to every point that's been made, both parties can be assured I've looked at everything that's been raised. Instead, I'll consider the circumstances of the complaint as a whole and focus on the key points which lead to my decision.

I'll move on to what happened in the branch now as this contains the crux of the complaint. I've reviewed the CCTV footage from the branch. Unfortunately, having done so, it remains very difficult to say precisely what happened or what was and wasn't said by either party.

Mrs H and Nationwide have both provided detailed and conflicting accounts of what took place in branch. And though the CCTV footage shows the interactions between each party, there isn't audio, so it's very challenging to determine what was said or how it sounded and particularly how it came across to the other person involved in any given interaction.

I've not seen definitive evidence to wholly support or undermine either parties' description of what happened. Nationwide said Mrs H shouted and was aggressive. However, I don't think the CCTV footage is clear in showing that. And Mrs H has said Nationwide acted inappropriately and unprofessionally, again the CCTV footage isn't clear in showing that.

I can see Mrs H was approached by Nationwide staff while she was on the phone. Overall, I don't think it was substantially rude or inappropriate for staff to have approached Mrs H while she was on the phone and in the queue. On balance, I think the staff member's intentions were to try to assist customers and provide a swifter service and shorten the queue where possible. And based on the footage I've seen I don't think the staff member got closer to Mrs H than I would reasonably expect, though I appreciate this is a subjective matter.

I think it is the case, that in a complaint like this, the crux of what took place is split across the experiences of separate people who hold subjectively different recollections and perspectives on what happened. And for me, the CCTV footage I've seen hasn't conclusively ruled in or ruled out either parties' description of events or how it made them feel. I think it's fair to say how each party was made to feel is something that is exclusive to them and it makes a complaint like this uniquely challenging to determine.

Ultimately, I've not seen evidence that categorically makes me think Nationwide did something significantly or explicitly wrong here or behaved in an unprofessional manner. And I think it is at Nationwide's commercial discretion to add an alert to a customer's profile if it feels this is appropriate based on the testimony of its staff.

Though I will note, I understand Nationwide suggested in future Mrs H could have removed herself from the queue while she was on the phone. Though I understand Nationwide's thinking on this, in that doing so might avoid Nationwide approaching Mrs H while she was on the phone and didn't want to be approached. I also don't think it's an overly appropriate suggestion as I expect Mrs H would likely prefer to keep her position in the queue and simply not be approached while on the phone - despite being in the queue. And I don't think that's an unreasonable expectation or position to take.

Having said that, I also don't think it was significantly rude or inappropriate for Nationwide to have approached Mrs H. And my interpretation of the CCTV footage doesn't definitively reflect the staff being unprofessional when they approached Mrs H nor can I see that staff unreasonably continued to press Mrs H once she'd informed them that she was on the phone.

Where testimony and evidence are incomplete, inconclusive, or contradictory, I have to make decisions on the balance of probabilities – that is, what I consider is more likely than not to have happened in light of the available evidence and the wider surrounding circumstances.

And where we have conflicting accounts of a situation, we often can't say, with any certainty, precisely what happened. It is difficult in such circumstances, to uphold a complaint and to find a business did something wrong – as I would need a suitably persuasive reason to prefer one parties' account over the others.

In the circumstances of this complaint I don't think there is enough evidence to support Nationwide having acted unfairly or unreasonably when Mrs H visited one of its branches. And I think it's fair to consider we would need further evidence to support the allegations that have been made regarding what happened in branch. To be clear, I'm not saying what Mrs H has said did not happen, I am saying I can't, on the balance of probabilities, say what happened with any necessary degree of certainty.

In summary I realise Mrs H will be disappointed by my decision. But having looked at all the evidence and circumstances of this case, I won't be telling Nationwide to do anything more to resolve Mrs H's complaint.

Our service investigates the merits of complaints on an individual basis and that is what I've done here. I think it's important to explain that my decision is final. I realise that Mrs H may be disappointed by this outcome, but I hope she will appreciate the reasons why it had to be this way.

### **My final decision**

For the reasons I've given, my final decision is I do not uphold this complaint.

I make no further award against Nationwide Building Society.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs H to accept or reject my decision before 11 May 2026.

Gordon Candlish  
**Ombudsman**