

## **The complaint**

Miss G complains about multiple service issues she has experienced with her HSBC Bank UK Plc account over several years.

## **What happened**

The details of this complaint are well-known to the parties, so I won't repeat all of them again.

However, I've summarised below the key issues addressed by our investigator in her view of the case which Miss G remains unhappy about.

### *Unprofessional Chat Conduct*

Miss G states she was unhappy that the adviser she spoke with via chat 3 November 2025 used an emoji inappropriately.

Our investigator reviewed all the chat transcripts provided by HSBC and said advisers didn't use emojis on 3 November.

Evidence of Miss G's chats show she contacted HSBC on 2 November, the adviser used a smiley face emoji when they greeted her and thanked her for contacting HSBC chat support.

Our investigator said she believed the adviser was trying to approach the conversation in a friendly manner and that as Miss G uses emojis freely herself, didn't think it an unreasonable way to communicate or likely to have a detrimental impact.

### *The intrusive message*

HSBC confirmed this relates to a live chat which took place on 18 October 2025.

HSBC confirmed Miss G was logged into the app at the time the message was sent, and a number of security checks had been successfully passed to allow access to the app.

Our investigator said it was likely Miss G had sent the message. She didn't think HSBC had made an error.

### *Intimidation/Poor Service Calls*

Miss G has explained these issues occurred during calls on 2 and 3 November 2025. The evidence didn't show any calls occurred on these dates and so our investigator was unable to say any poor service or intimidation took place.

### *HSBC Health Care app*

Miss G said HSBC advisors haven't suggested or provided details of the health benefits available to her as a Premier customer. Our investigator said that information regarding account benefits are provided at the time the account is opened, and full details of HSBC Online Health Services can be accessed from its website. She said it's not HSBC's responsibility to remind customers of any additional benefits associated with a specific account. She didn't think HSBC had done anything wrong.

### *Malicious payment to a consumer credit company*

The final response was dated 10 June 2024.

Our investigator explained Miss G needs to bring a complaint to our service within six months of the final response being issued, and so she was unable to consider this complaint.

### *Covid 19 Financial Misconduct*

The final response was dated 13 December 2021.

Our investigator explained Miss G needs to bring a complaint to our service within six months of the final response being issued, and so she was unable to consider this complaint.

### *Malicious and unprofessional behaviour*

Miss G accused HSBC of malicious and unprofessional behaviour, the investigator said she hadn't seen any evidence which suggested this and so didn't agree.

The investigator didn't think HSBC had made a mistake or treated Miss G unfairly in any of the issues she raised and didn't ask it to do anything further.

Miss G didn't agree with the investigator's response and asked that the complaint be referred to an ombudsman.

## **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.

Where the evidence is incomplete or inconclusive, I've reached my decision based on the balance of probabilities. In other words, on what I consider most likely to have happened considering the available evidence and the wider circumstances.

Having done so I won't be upholding this complaint and I'll explain why.

There's been a lot of detailed correspondence around the evidence for which I'm grateful. But this is an informal service so I'm not going to comment on everything included within this complaint. Instead, I'm going to stick to what I think are the central points that apply here. I can confirm all the evidence provided by both sides has been considered.

I should also explain that I can only address complaints for which a final response letter has been issued.

I will begin by explaining there are limits to the types of complaint our Service can consider. These limits are set for us by the FCA and apply to activities that are regulated by the FCA. The FCA's Dispute Resolution (DISP) rules outline what activities fall within this Service's jurisdiction.

DISP 2.8.2R (1) says I can't consider a complaint brought more than six months after the final response unless the failure to do so was because of an exceptional circumstance.

DISP gives an example of what an exceptional circumstance might be, it says this is where a complainant has been or is incapacitated.

#### *Covid 19 Financial Misconduct*

Miss G claims HSBC charged her overdraft and credit card fees during the Covid 19 epidemic. HSBC issued a final response letter to this complaint in December 2021.

I can't consider a complaint brought more than six months after the final response unless the failure to do so was because of an exceptional circumstance.

I haven't seen any evidence to support Miss G having any exceptional circumstances in the intervening time. As she continued to raise complaints with HSBC during this time I am convinced she could have brought the complaint to this service if she was unhappy with the response provided by HSBC.

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#### *Unprofessional Chat Conduct - use of emojis*

HSBC has provided me with comprehensive copies of the online chats between Miss G and its advisers, I can't see any evidence of the use of emojis on 3 November by an adviser. Miss G did use emojis herself on the chat that same day.

However, Miss G contacted HSBC via its online chat service on 2 November and I think this is the incident Miss G is referring to.

The adviser greeted Miss G with 'Thank you for contacting HSBC chat support' and a smiling face emoji.

I think this was intended to set a friendly tone. Whilst I appreciate Miss G says she

interpreted this differently, I don't think any offence Miss G took from the use of an emoji could reasonably have been foreseen.

This was the opening exchange in the chat, the advisor could not have known that Miss G was contacting HSBC to report misconduct by HSBC and so it follows its use was not intended to be intimidating or mocking as Miss G claims.

I've reviewed all the chat exchanges for 2 November. I think each advisor maintained a professional tone throughout.

As I don't think HSBC has done anything wrong, I won't be asking it to do anything more.

#### *Intimidating conduct by staff*

Miss G hasn't been specific in providing dates on which this intimidation occurred. Our investigator asked Miss G for more information, but this has not been provided.

Therefore, I can't say that HSBC did anything wrong.

#### *Intrusive messages via mobile app*

Miss G says messages appeared on her mobile app chat that she didn't send.

HSBC has provided me with evidence that these messages originated from Miss G's device. It also seems these messages are pre-populated shortcuts for messages a consumer might want to send

On the balance of probabilities, I think it likely that Miss G selected an option on the chat which generated these messages. I don't agree that this is evidence of a security breach within the HSBC app.

#### *HSBC Health Care app*

This was raised by HSBC as a query. As such a final response letter wasn't issued. For this reason I am unable to consider this element of Miss G's complaint.

Miss G should request a final response letter from HSBC if she remains unhappy.

Miss G has raised multiple complaints with HSBC about many different aspects of its service, and I am sorry to hear of the impact she says this has had on her health. Because of the effect on Miss G's health, and because it seems the relationship between Miss G and HSBC has broken down, Miss G might want to think about moving to another bank that better suits her needs.

### **My final decision**

For the reasons given above, my final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss G to accept or reject my decision before 6 May 2026.

Petina Edwards  
**Ombudsman**