

complaint

Mrs S complains about the charges that have been applied to her account by Bank of Scotland plc, trading as Halifax. She also complains that it gave her incorrect advice.

background

Mrs S switched her Halifax current account to an account with another bank in March 2015. She asked for her salary and direct debits to be transferred. But her March 2015 salary was paid into her Halifax account before it was closed at the end of the month. Halifax also applied some final overdraft fees. Halifax then provided incorrect advice to Mrs S when it told her that she could withdraw money from her Halifax account – that was not possible because the account had been closed. Mrs S complained to Halifax which refunded the £105 of charges that it had applied to her account in 2015 as a gesture of goodwill. It also paid her £25 compensation for the inconvenience that she had been caused by its incorrect advice. She was not satisfied with Halifax's response so complained to this service.

The adjudicator did not recommend that this complaint should be upheld. She concluded that Halifax had dealt with Mrs S's complaint in a fair manner. She noted that it had: apologised for the incorrect information that it had provided and paid her £25 compensation for her inconvenience; and refunded charges totalling £105 as a gesture of goodwill.

Mrs S has asked for her complaint to be considered by an ombudsman. She has not provided any further information but says that Halifax still owes her money.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

The Supreme Court has said that bank charges are generally not considered to be penalties and cannot be challenged on the basis that they are too high. The charges that were applied to Mrs S's account have been calculated in accordance with the account terms and conditions. I am not persuaded that there is enough evidence to show that they have been applied incorrectly. In any event, as a gesture of goodwill, Halifax has refunded to Mrs S the £105 of charges that it had applied to her account in 2015. Mrs S's account with Halifax has been closed and I am not persuaded that there is enough evidence to show that it owes any money to her.

Halifax accepts that it did give some incorrect advice to Mrs S. It has apologised for doing so and has paid her £25 compensation for the inconvenience that she has been caused.

I therefore find that Halifax has responded to Mrs S's complaint fairly and reasonably. And I find that it would not be fair or reasonable for me to require it to take any further action in response to her complaint.

my final decision

For these reasons, my decision is that I do not uphold Mrs S's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mrs S to accept or reject my decision before 20 November 2015.

Jarrold Hastings
ombudsman