

## **complaint**

Mr D complains that NewDay Ltd, trading as aqua, imposed irrational restrictions on him when attempting to make debit card payments to his credit card account. He further complains about the poor customer service he received in relation to this matter.

To keep matters simple, I'll refer to "NewDay" in the rest of my decision.

## **background**

Mr D attempted to make a payment to his credit card through one of his debit cards in May 2019 using NewDay's online account service. The payment was unsuccessful. Mr D then attempted to make this payment on several occasions but the payment was similarly unsuccessful.

Mr D then called NewDay to query the matter and was told the payments had not gone through because of the number of multiple debit cards he was using and that this was not permitted under NewDay's policy.

Unhappy with this explanation Mr D complained to NewDay who then sent him a final response. Mr D then referred his complaint to this service. One of our investigators looked into Mr D's complaint and they thought NewDay had not done anything wrong.

Mr D remained dissatisfied and the complaint has now been passed to me to decide.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. And having done that, I've decided not to uphold Mr D's complaint. I know this will disappoint Mr D, so I'll explain why.

Mr D says that NewDay's policy to decline his debit card payments was irrational. To be clear, my role isn't to interfere with the broader reasons NewDay has this payment policy in place. But I do have to determine if NewDay have acted fairly and reasonably in the circumstances of this individual complaint.

Mr D has provided a screenshot of the message he received when attempting this payment, and I note it says *'Your payment has been unsuccessful. Maximum number of different payment cards has been reached for the last 30 days. Please use a card that was used previously or try again on a later date'*.

NewDay has given me information that shows four attempted payments to Mr D's credit card account were declined in May 2019. NewDay has also given me screenshots from its internal systems which show that Mr D called it to say he couldn't make a payment with a third debit card. The agent Mr D spoke to has left further notes that say he told Mr D that he could use other methods of payment. NewDay have also given me information from its training guide that shows *'a customer can only use 2 different debit cards in any 30 day rolling period...'*

Given the above, I'm satisfied from the payment attempt details I've seen that Mr D's attempted payments were declined because he was using a third debit card within a 30 day rolling period and that this isn't permitted under NewDay's policy.

So, I now need to ask myself if NewDay acted unfairly by doing this. I note that on one of NewDay's internal screenshots related to Mr D's account it says that this measure is in place for security reasons. It's not clear if this information was communicated to Mr D, but I'm satisfied this is a plausible and credible reason for having such a payment policy in place. So it follows that I don't think NewDay did anything wrong by declining these payments.

I note that Mr D was made aware he could make his payment through other methods such as faster payment. That means Mr D could have made the payment using other methods which wouldn't likely have been onerous to carry out. I also note that his credit card account incurred 0% interest for his outstanding balance. So even if he feels he couldn't clear his balance for that month, he hasn't suffered any loss financially.

#### Customer service

Mr D says he was given mis-leading and incorrect information by NewDay's agent when he spoke to them about why the payment was being declined. He adds that this has caused him distress. From the information I've mentioned above from NewDay's systems, it doesn't appear likely he was given incorrect or misleading information. I also note that the screenshot he has provided to us also gives a clear explanation as to why his payment attempts were being declined. So because of this I'm satisfied a reasonably clear explanation was most likely given.

I also note that NewDay's final response letter was issued some six days after Mr D made his complaint. Given the expedient response to his complaint, and what I've said about the information given to Mr D about why the payment was declined, I'm satisfied NewDay hasn't done anything to have caused Mr D trouble or upset through its customer service.

I've also considered what Mr D has said about being given a different address to complain to by the agent in contrast to the 'aqua app'. But even if that happened, I can't see that this has caused any meaningful delay to Mr D making his complaint.

So taking everything into account, I'm satisfied that NewDay hasn't acted unfairly or unreasonably by declining Mr D's payments. Nor has it caused him any meaningful trouble or upset by the way it dealt with the matter.

#### **my final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 11 December 2019.

Ketan Nagla  
**ombudsman**