

complaint

Mr M complains that National Westminster Bank Plc ("NatWest") continued to apply interest and charges to his account when he was in financial difficulties.

background

Mr M says he told NatWest he was unemployed and in financial difficulties in 2011. He adds that he asked the bank for help with charges three times after that, but it only waived the occasional charge.

Our adjudicator recommended the complaint should be upheld. He explained that, due to the Supreme Court's ruling in 2009, bank charges couldn't be refunded on the grounds that they were unfair or too high. But he found NatWest had identified ways to assist Mr M in 2011, but hadn't followed it through. He recommended the bank should refund interest and charges from January 2011 until November 2011, when Mr M found work.

NatWest agreed to this recommendation.

Mr M responded to say, in summary, that he also told NatWest when he became unemployed in 2012, but it didn't offer to help. He says he would like interest and charges also refunded from 2012 to September 2015.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I can see from NatWest's contact notes that it completed an income and expenditure form in 2011 and considered Mr M should transfer to a different type of account to reduce charges. However, the transfer was never completed and Mr M found work again in November 2011.

NatWest refunded or waived interest and charges each time Mr M contacted it between 2013 and 2015, but, although I accept Mr M says he lost his job in 2012, I cannot see he told NatWest about it. Therefore, I can't conclude NatWest acted unreasonably during this time.

However, like the adjudicator, I find NatWest could have done more to help Mr M in 2011 and find its offer to refund charges and interest from January 2011 to November 2011 to be fair and reasonable.

my final decision

My decision is that National Westminster Bank Plc should refund charges and interest it applied from January 2011 to November 2011, totalling £588.51, as it has offered to do.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 15 February 2016.

Amanda Williams

ombudsman