

summary of complaint

Mr K has complained that National Westminster did not provide assistance when he had difficulty paying his debts to it. He is seeking compensation and would like the bank to change its procedures. Mrs K has conducted the complaint on Mr K's behalf.

background to complaint

Mr K opened his business current account with National Westminster in early 2008. He has said he began to have difficulty making payments towards his debt after that time, as his family grew in size.

The bank became aware of Mr K's difficulties in September 2010. To help him, National Westminster transferred Mr K's account to a specialist department. It also agreed to refund a number of charges and provided a refund of interest together with £50 in recognition of any distress caused by its handling of Mr K's concerns.

Unhappy with this, Mr K asked this service to consider his complaint. One of our adjudicators investigated his concerns but did not recommend the complaint should be upheld. In summary, the adjudicator concluded the refunds provided by the bank and the suspension of interest amounted to sufficient compliance by the bank with its obligations.

Mr K did not agree with this assessment and asked for his complaint to be considered by an ombudsman. Mrs K wrote in late December last year that she might make some further points once she had received statements which Mr K had ordered. No further comments have been forthcoming.

my findings

I have considered all the available evidence and arguments from the outset, in order to decide what is fair and reasonable in the circumstances of this complaint. Having done so, I have reached broadly the same conclusions as the adjudicator, for much the same reasons. There is little I wish to add.

When National Westminster is aware of potential financial difficulties, and by that I mean a customer is having difficulty repaying debts owed to it, it is expected to act in a positive and

sympathetic way. This does not mean the bank is expected to write off the debt, nor is it expected to suspend interest or charges which are due under the terms and conditions of the account.

In this case, National Westminster agreed to refund some charges and no interest has been applied since October 2011. The bank has also agreed to refund any charges applied from that time, thus preventing the debt from increasing.

While National Westminster has acknowledged that there was a delay in transferring the account it refunded a number of charges and made a payment of £50. As I see it, this was a reasonable way for the bank to address Mr K's concerns.

my decision

For the reasons explained above, my final decision is that I do not uphold this complaint.

Roger Yeomans
ombudsman