

complaint

Miss T complains that Bank of Scotland plc (trading as Halifax) have wrongly failed to block telephone banking on her account. She wants to be compensated for the distress and inconvenience this has caused her.

background

Miss T holds an account with Halifax. She says she has never used nor wanted to use telephone banking, but does her banking online.

Miss T had an indicator on her account which opted her out of telephone banking registration. The bank says that this was removed in order to process an application, and ought to have been reinstated afterwards.

But it was not reinstated and Miss T received text messages letting her know that she would receive telephone banking access details. This has happened on numerous occasions.

The bank says that the proper indicator is now in place. It says that the previous failures were the result of human error.

Miss T's account has been the subject of fraud, which removed funds from her account. These funds were repaid to her, but the bank has not shared the outcome of its investigations with her.

The bank has agreed that the text messages were wrongly sent, and has paid Miss T a total of £647 in relation to the distress its actions have caused.

The adjudicator thought that the bank had got things wrong, but that the money paid had put things right.

Miss T did not agree and so this has come to me for a final decision.

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 must be very clear about what this decision is about and what it is not. I am not considering whether or not the fraud was in some way improperly facilitated by the bank. There is nothing in the complaint to suggest that it was.

But I have to decide whether the bank's communications were a mistake. I am satisfied that they were.

I can perfectly understand the distress that the bank's mistakes have caused Miss T. While unwanted texts might seem innocuous to most, she was a victim of fraud and was extremely concerned that the texts were a sign that this was ongoing or else that she was not protected.

Miss T wanted a specific service to be blocked and it was not. In her circumstances the distress caused by this mistake was more serious than for most. But I must have regard to the amounts awarded by this service in other cases.

With that in mind, I am satisfied that the £647 already paid adequately reflects the distress and inconvenience caused by the bank's mistakes here.

While I appreciate Miss T's frustration, I agree with the adjudicator that it falls outside my remit to order the bank to share the result of internal investigations with her.

I do not think that the bank needs to do anything more in relation to this complaint.

my final decision

For the reasons given above, I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss T to accept or reject my decision before 8 September 2017.

Marc Kelly
ombudsman