

complaint

Mr D complains that HSBC Bank plc, trading as first direct, telephoned him about his account, including at work, despite being requested not to do so. He says that these calls were harassment, and he wants compensation for the distress and embarrassment he has been caused.

background

Mr D had an overdrawn current account with first direct. He told the bank that he was having financial difficulties, that he did not want further telephone calls about the outstanding debt, and that he was working with a debt advisor on a debt management plan. He subsequently received several telephone calls from first direct, including at his work, and he says that these were contrary to his instructions and were harassment when he had a debt management plan in place.

Our adjudicator did not recommend that the complaint should be upheld. He concluded, in summary, that it had been reasonable for the bank to try and contact Mr D, and that the bank employee who called him at work had been very careful not to say to anyone but Mr D that he was calling from first direct or what the call was about.

Mr D does not accept the adjudicator's conclusions.

my findings

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

Mr D had told first direct that his preferred form of communication was by email, and that he was arranging a debt management plan. At the time of the calls about which Mr D is complaining, however, first direct had been told by the debt advisor that it was still awaiting Mr D's authority and signature before it could put the debt management plan in place. In calling Mr D, first direct was trying to let him know that the arrangement was not in place and that he needed to contact the debt advisor to make the final arrangements. I do not consider that this is harassment, but rather an attempt to help Mr D, who did not know that there was a problem. I am satisfied that the bank was not trying to harass or upset Mr D.

Having reviewed the content of the telephone call made to his work, I am satisfied that no-one else was told that first direct wanted to speak to Mr D and why. When he then took the call, Mr D says he found it embarrassing, but I do not consider it unreasonable for first direct to have contacted him in the circumstances. It is also not unreasonable for first direct to have telephoned him at work when it had proved impossible to contact him by any other means.

my final decision

My decision is that I do not uphold this complaint.

Malcolm Rogers
Ombudsman