

complaint

Ms A complains about the customer service that she received from Lloyds Bank plc when she was experiencing financial difficulties. She is being helped with her complaint by her partner.

background

Ms A spoke with Lloyds in 2014 about the charges that had been applied to her account and to tell it that she was experiencing financial difficulties. Ms A and her partner went to a Lloyds' branch and they complain about the customer service that they received when they were waiting, including that they had to wait for two and a half hours, that they were not offered refreshments when other customers were and that they were discriminated against. Lloyds refunded £455 of unplanned daily fees and unpaid direct debit fees without admitting liability and credited £10 to Ms A's account to cover the cost of her trip to the branch and £21 for the costs of the phone calls that she made to it. Ms A was not satisfied with Lloyds' response so complained to this service and says that, to resolve her complaint, Lloyds should apologise and pay her further compensation.

The adjudicator did not recommend that this complaint should be upheld. She concluded that Lloyds had acted positively and sympathetically to Ms A's situation and she was satisfied with the actions that Lloyds had taken to resolve this complaint.

Ms A's partner has asked, on her behalf, for this complaint to be considered by an ombudsman. He says, in summary, that he and Ms A were caused considerable inconvenience by Lloyds and that it should apologise to them and pay them more compensation.

my findings

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

A bank is required to respond to a customer's financial difficulties positively and sympathetically. That does not mean that it is obliged to refund charges, or to take any other particular action, as what is appropriate in each case will depend on the customer's individual circumstances.

I have not seen enough evidence to show that Lloyds knew, or ought to have known, about Ms A's financial difficulties before she contacted it in 2014. It then refunded £455 of unplanned daily fees and unpaid direct debit fees that had been applied to Ms A's account and it also paid her compensation for the costs of her visit to the branch and the phone calls that she had made to it. In doing so, I consider that it responded positively and sympathetically to Ms A's financial difficulties and that it acted fairly and reasonably in the circumstances.

Ms A's partner and Lloyds give very different accounts of what happened when they visited the branch. Lloyds says that Ms A's partner was abusive and threatening towards members of its staff, although I note that Ms A's partner disputes those allegations. However, I am not persuaded that there is enough evidence to show that Lloyds acted unfairly or unreasonably towards Ms A (or her partner) when they visited the branch. Although there does not seem to be any dispute that Ms A and her partner had to wait a long time before they were seen, I

am not persuaded that there is enough evidence to show that they were discriminated against in any way or that they were treated unfairly or unreasonably. In any event, Ms A is the complainant in this complaint and I would only be able to award compensation to her for any inconvenience that she was caused (and I would not be able to award any compensation for any inconvenience caused to her partner).

I consider that the refund of charges and the compensation credited to Ms A's account for the cost of her visit to the branch and the cost of her phone calls are fair and reasonable in the circumstances. I therefore do not consider that it would be fair or reasonable for me to require Lloyds to pay any more compensation to Ms A or to take any other action in response to her complaint.

my final decision

For these reasons, my decision is that I do not uphold Ms A's complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Ms A to accept or reject my decision before 8 July 2015.

Jarrold Hastings
ombudsman