

## **complaint**

Ms L complains about the way that The Royal Bank of Scotland Plc handled her joint account during a period of dispute.

## **background**

Ms L had a joint account with a relative. RBS's records show that early in 2010 the other party to the account told it that there was a dispute. RBS applied a no operations marker to the account.

Not long after the marker was applied, Ms L complained that she'd been told that nothing could go in or out of the account, but she'd then discovered that the other account holder had arranged for direct debit and standing order payments from the account to continue. RBS explained that when the no operations marker had been put on the account, special instructions had been given that some transactions would be allowed, but that neither party could access the account directly. It apologised that she'd been misinformed.

Ms L complained again, later in 2010. She repeated her dissatisfaction that the no operations marker had been put on the account. And she complained that various direct debits had been cancelled on the account without her authority. She said that no action should have been taken without the authority of both account holders. This had led to her incurring charges on other accounts. RBS again apologised to Ms L. And it paid her £100 to apologise for giving her incorrect information and refunded £124 to the joint account to cover the charges that had been incurred on other accounts. The account was closed in 2011.

Ms L says RBS gave her several pieces of conflicting information about the no operations marker. She says this worsened an already difficult situation, and caused her significant stress and problems in her personal life. Ms L would like RBS to apologise to her, and to compensate her for having handled her complaint poorly.

RBS has apologised again that it provided incorrect information to Ms L when the no operations marker was first applied. But it says it resolved the complaint in 2010, and the compensation it paid her was fair. It has no record of Ms L contacting it about the issues surrounding the no operations marker before she brought this complaint. But having seen the documents that Ms L's provided, it acknowledges that she raised her concerns again in 2014 and it seems to have failed to log her complaint on its systems.

Our adjudicator thought that the compensation and refund of charges that RBS had paid Ms L in 2010 was fair to reflect the problems with the no operations marker and the conflicting information she'd been given. But he thought that RBS should pay Ms L a further £100 to reflect the fact that it didn't respond when she contacted it in 2014. And he suggested that RBS reimburse Ms L for the cost of sending information by recorded delivery from overseas in 2014. The adjudicator attached a copy of Ms L's postal receipt to his recommendation to the bank.

RBS agreed to the adjudicator's recommendation And it apologised for the fact that it hadn't acknowledged Ms L's correspondence in 2014. But Ms L remains unhappy. She says she was offered £250 and a further refund of charges by a member of RBS's staff in 2012. She says she asked for time to think about it, but was subsequently unable to get through to the member of staff. When she finally heard back from her, she claimed Ms L had rejected the offer, and told her she'd need to start the complaint process again. Ms L says that the offer

wasn't enough at the time. And now she's had to spend even more time trying to finalise the matter, and has suffered more stress.

### **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so, I've reached the same conclusion as the adjudicator.

RBS has explained that where a no operations marker is put on an account, certain categories of payment may still be made. Due to the time that's passed, it has limited information available about the account. I don't consider that to be unreasonable. But it's clear from the records that it does have that it had been notified that there was a dispute between the account holders. And I can't conclude, from the evidence available, that RBS was at fault for applying the marker to the account, or for allowing certain categories of payment to be made. Nor can I conclude from the available evidence that it treated the other account holder more favourably than Ms L, as she claims.

It isn't in dispute that during 2010 RBS gave Ms L several pieces of incorrect information about what payments could and couldn't be made from the account. I can see that this caused confusion, and I accept that it will have added to Ms L's trouble and upset at what was already a difficult time. RBS reimbursed Ms L for charges that she incurred when direct debit payments were subsequently cancelled. And it paid her £100 compensation at the time. I consider this to have been fair. I acknowledge that Ms L says that RBS offered to reimburse further charges. But RBS has no record of this, and without evidence to support what Ms L says, I can't require it to make any further reimbursement.

RBS has apologised to Ms L that it didn't acknowledge her communications when she raised the issue again in 2014. I understand that Ms L spent time writing to RBS several times. And it was expensive for her to post documents from abroad. But RBS has agreed to the adjudicator's recommendation that it pay Ms L a further £100 and cover the cost of sending documents to it by recorded delivery from overseas in 2014. I'm sorry to disappoint Ms L, but having considered everything that's been provided, I don't find that I can fairly require RBS to do more.

### **my final decision**

My decision is that The Royal Bank of Scotland Plc should pay Ms L £100. And it should reimburse her the cost of sending documents from overseas in 2014, as shown on the receipt that the adjudicator forwarded to RBS on 1 February 2016.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms L to accept or reject my decision before 11 April 2016.

Juliet Collins  
**ombudsman**