

## **complaint**

Ms D complained about NewDay Ltd. She said:

- She'd completed online queries which NewDay hadn't replied to;
- When she spoke to NewDay, the advisor was argumentative.

## **background**

In December 2015, Ms D's NewDay card was rejected in one shop, but then accepted in two others. She sent two online messages from within her account. NewDay didn't reply by online message. Instead, it sent her a paper letter asking her to ring.

Ms D complained. She was unhappy that NewDay hadn't replied to her online message by online message. Ms D pointed out that NewDay had taken over as the organisation managing her card a couple of years previously. She'd been able to use online messages with the previous card provider, both to send and receive messages. She also still wanted to know why her card had been rejected in one shop and accepted in others.

The phone adviser told Ms D that NewDay was working on its systems. She said she'd send feedback, but it would take some time before NewDay's systems were able to reply by secure message. The adviser told Ms D that NewDay no longer had a record of why her card had been rejected in December. She explained that if Ms D wanted to know why any transaction had been rejected, she'd have needed to ring up within seven days. The information about December had by this time been deleted. Ms D pointed out that she had asked within seven days – by secure message.

After the call, NewDay sent its final response to Ms D. It said its emails weren't currently classed as secure, and that it was working on this. It credited Ms D's account with £10 compensation.

Ms D wasn't satisfied and complained to this service.

The adjudicator said that although the previous card provider had different procedures, NewDay was a separate company. She explained that this service can't tell financial businesses how to run their business, as that's the job of the Financial Conduct Authority (FCA). She also considered the phone adviser had dealt with Ms D's query in a professional manner. She suggested that if Ms D had future queries, she should phone NewDay.

Ms D wasn't happy. She said that when she'd complained online, she'd only received a general letter. This gave no information about NewDay's complaint handling processes and timescales. The phone adviser had told her the complaint couldn't be looked at because Ms D hadn't rung within two weeks of its letter. But Ms D hadn't been aware that this was NewDay's procedure.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. This includes listening to the phone recording of the call between Ms D and the phone adviser.

*NewDay not replying to online queries*

I can understand why Ms D was frustrated because she felt the processes and systems being run by NewDay weren't as good as she'd had with the previous provider. She's told us it was more convenient to her to use secure messaging, not phone calls. She pointed out it had been two years since NewDay took over. She believed this was far too long for NewDay to take sorting out systems to match what she'd been able to do before. Replying to Ms D's online messages by paper letter also made it less likely Ms D could ring up before the card transaction data had been deleted. Ms D would also have liked clear information about complaint processes with that general letter.

But it's accurate that this service can't look at a financial business's processes and computer systems. That's the role of the regulator, the Financial Conduct Authority (FCA). So it's not open to me to make findings about NewDay's practices or computer systems.

*Whether NewDay's adviser was argumentative.*

I've listened to the call recording. I find that NewDay's adviser wasn't argumentative. She wasn't able to provide what Ms D wanted, but she wasn't argumentative. Ms D was frustrated by NewDay's processes, but the adviser was calm and clear and tried to explain NewDay's position. The call also ended in a calm way with an agreement that the matter would be referred on for NewDay's final response. So I consider NewDay's adviser behaved professionally.

### **my final decision**

My final decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms D to accept or reject my decision before 18 July 2016.

Belinda Knight  
**ombudsman**