

complaint

Miss M complains that TSB Bank plc hasn't administered her credit card accounts correctly. As a result she's not received benefits she's entitled to.

background

I sent my provisional decision to both parties on 11 December 2019. A copy of this is attached and forms part of this final decision. In it I set out the background to this complaint, and I explained why I thought it should be upheld. I said that I thought TSB should pay Miss M an additional £200 compensation to resolve this complaint, taking the total amount of compensation to £350.

Miss M accepted my provisional decision. But TSB didn't. It acknowledged it could have handled the situation better and said this is why it had agreed to our investigator's recommendation of a total of £250 compensation. But that it feels this amount is more than sufficient. It said it hadn't been aware Miss M had intended to use her Avios points for flights and felt it was unfair I had used this as justification to award her further compensation. And that the matter could have been resolved sooner if Miss M had spoken to Avios again earlier. It also advised that TSB cannot issue Avios statements.

my findings

I've reconsidered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I know TSB will be disappointed, but I've reached the same conclusions I did in my provisional decision.

To clarify, my recommendation of compensation is not based on the fact Miss M hadn't been able to use her Avios points for flights. In my provisional decision I said that as she now has access to the Avios points to use for future purchases, I didn't think it would be fair for me to ask TSB to reimburse the cost of her earlier flights.

Nor was my recommendation based on the full length of time these issues persisted. In my provisional decision I noted Miss M had continued to experience problems with her account balance after TSB had told Avios of the points she'd accrued, but said that I didn't think TSB could resolve this point.

TSB paid Miss M £150 by way of compensation and expenses for the delay in it responding to her complaint. But at this point it also told her it couldn't be of any assistance with her query about her Avios points. Although it had arranged for the missing points to be credited to her Avios account, it made a mistake not letting Miss M know about this. And over six months passed before she was made aware of the action it'd taken. Had TSB explained this sooner, I've no doubt some of the considerable inconvenience and frustration she experienced as a result of these problems could have been avoided. And I still feel it would be fair for TSB to pay Miss M a further £200 compensation to acknowledge this.

I appreciate TSB is not able to issue Miss M statements showing her actual Avios account balance. It's told us it has asked Avios to issue a new statement to Miss M, which is helpful. But to be clear what I have asked it to do is to issue a breakdown of the points she has accrued through her monthly spending with TSB, so that she can be assured her Avios account balance is correct. TSB has been able to provide our service with a lot of this information, but we do not have statements for recent months. And I think it would be helpful if TSB could collate this information for Miss M so that she does not have to go back through her individual bank statements to find it.

my final decision

My final decision is that TSB Bank plc should;

- pay Miss M a total of £350 to recognise the inconvenience, trouble and upset caused by its poor service.
- provide Miss M with a breakdown of the number of Avios points she has accrued through her spending with TSB to date.

Under the rules of the Financial Ombudsman Service, I'm required to ask Miss M to accept or reject my decision before 13 February 2020

Jenette Lynch
ombudsman

complaint

Miss M complains that TSB Bank plc hasn't administered her credit card accounts correctly. As a result she's not received benefits she's entitled to.

background

Miss M took out two credit cards with TSB in 2007. She was supposed to receive Avios points for eligible purchases made with these cards. One of the credit card accounts was closed in September 2018. The other remains active.

In August 2018 Miss M complained that she'd never seen any confirmation of the total number of Avios points she'd accumulated. TSB told her to contact Avios directly. But when she did she found her balance was zero. Avios told Miss M she'd need to speak to TSB about this, as TSB hadn't correctly linked her credit cards to her Avios account.

Miss M complained to TSB. TSB offered her £100 compensation to acknowledge that it took longer than it should've done to respond to her complaint, and a further £50 to cover expenses she would have incurred contacting it about the matter. But it said that it couldn't assist her any further and reiterated she'd need to contact Avios.

Miss M wasn't happy with this response so she brought her complaint to our service. To put things right she wants TSB to ensure she's credited with her the Avios points. And to compensate her for the distress and inconvenience she's suffered.

When our investigator contacted TSB it showed her evidence that the missing Avios points had been added to Miss M's account in September 2018. It said it was unfortunate Miss M hadn't been notified of this. And that it had now arranged for a statement to be sent to her.

Our investigator concluded that the fact TSB had now been able to correct Miss M's Avios points balance meant it could've helped her sooner. She recommended that TSB should pay Miss M a further £100 compensation for the additional inconvenience she experienced trying to resolve this matter. And asked it to provide Miss M with a breakdown of the Avios points that should have accumulated from the spending on her credit card accounts.

TSB agreed to this. But Miss M said she wouldn't accept less than £1,000 compensation. She also told us that she still couldn't see any Avios points in her account. And said she's lost out financially as a result of having to pay for flights she could have otherwise have spent them on.

The case was been passed to me to review.

my provisional findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

It's clear something went wrong here and Miss M didn't receive the Avios points she should've accrued through spending on her credit cards.

TSB has provided us with a copy of the terms and conditions for her credit card accounts. I can see these state that it's Miss M's responsibility to check her monthly statements and notify it if she doesn't agree with the Avios points collected during that period. I appreciate Miss M has made reference to the length of time this problem has been on-going when setting out how much compensation she'd like TSB to pay her to resolve this complaint. But I haven't seen any evidence she told TSB her statements weren't showing an accumulated points total prior to August 2018.

Like our investigator, I think it's clear TSB could've given Miss M a more helpful response when she first raised this complaint. It's shown us it subsequently arranged for 14,000 Avios points to be added to her account in September 2018, reflecting the amount she'd earned since she'd taken out the two credit cards. TSB has agreed it should have told Miss M about this. As far as I can see she didn't know this had happened until April 2019, after our service began investigating. I can appreciate it must've been very frustrating for Miss M when TSB told her they weren't able to resolve this matter. And I understand she spent a lot of time trying to correct the issue.

TSB offered Miss M compensation for the length of time it took to respond to her complaint. But, for the reasons I've outlined above, I also think it should compensate her for the poor service it gave her when it did respond. Our investigator suggested TSB should pay Miss M a further £100 compensation for the additional inconvenience she experienced. But I'm asking it to pay her a further £100 on top of this. In total I think it would be reasonable for TSB to pay Miss M a total of £350 for the distress and inconvenience caused by its poor service. To be clear that is the £150 it's already credited to her account, plus a further £200.

I can see this issue has continued to cause Miss M frustration throughout this year. She's provided us with screenshots to show that the Avios points TSB said it had now credited to her account still weren't visible to her.

I asked our investigator to explain to Miss M that I didn't think TSB could resolve this point. And that I'd seen evidence Avios had said she'd need to contact it again directly.

Miss M's told us that she's since spoken to Avios and it's confirmed it can now update her points balance. And TSB says it's provided Avios with further updates about points she's accrued since September 2018. It's also shown us evidence of points she's earned up until September 2019. Though I appreciate that if Miss M has used her credit card since then it's likely she's also accrued further points now.

Miss M likely has access to her account statements which detail the number of Avios points earned each month. But for the avoidance of any doubt, and so she can be assured that her balance is up to date, TSB should also issue her with a breakdown of the number of Avios points she has accrued to date as I can't see that an accumulated total is shown on the latest details we've been provided.

Miss M has complained that she wasn't able to use these Avios points previously. And has shown us evidence she's paid for flights she says she would otherwise have used them for. I appreciate why she's so frustrated about this. But as she now has access to the Avios points to use for future purchases, I don't think it would be fair for me to ask TSB to reimburse her for the cost of these flights. Whilst I appreciate she wasn't able to use the points as soon as she would've liked, she is able to benefit from them now.

my provisional decision

My provisional decision is that TSB Bank plc should pay Miss M a total of £350 to resolve this complaint. It should also provide her with a breakdown of the number of Avios points she has accrued to date.

Jenette Lynch
ombudsman