

## **complaint**

Mrs B complains that HSBC Bank plc did not handle matters properly when told of the Lasting Power of Attorney that she had given. Her complaint is brought on her behalf by her representative, Mr B.

## **background**

Mrs B gave Mr B a Lasting Power of Attorney ("LPA") to deal with her financial affairs. Mr B provided HSBC with a copy of the registered LPA, so that he could deal with Mrs B's banking.

Mr B says that HSBC delayed registering the LPA in its records, misunderstood its effect and did not respond to his communications. He says that this has caused delay and difficulty in managing Mrs B's money, and that HSBC did not deal with his complaint properly.

HSBC accepted that it had made an administrative error which had delayed registration of the LPA, but said this had now been done and Mr B was able to deal with Mrs B's bank account going forward. It apologised to Mr B.

Mr B did not feel that this was sufficient to put things right and so he brought the complaint to this service where an adjudicator investigated it.

From the evidence, the adjudicator concluded that there had been some failings in the way HSBC had handled things. She recommended that HSBC should pay compensation of £200 to reflect the inconvenience this had caused.

Mr B did not agree with the adjudicator's recommendation and said, in summary:

- HSBC should have allowed him to make changes to Mrs B's investments, as well as managing her banking, and the recommended compensation does not take account of the fact he was unable to do that.
- He has since received a letter from HSBC concerning termination of the investments, which is something new that needs to be taken into account when assessing compensation. Whilst Mrs B's investments are managed by a fund manager, he is entitled by the LPA to control where the money is invested.
- He still does not seem to have an appropriate dedicated point of contact at HSBC and HSBC has sent bank account balance information to him, contrary to his instructions.

## **my findings**

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

The complaint which Mr B brought to us (and which we have investigated) related to his inability to deal with Mrs B's banking because of HSBC's failure to deal correctly with the LPA. My final decision is about that complaint, and cannot cover the new issues he has raised about the management of Mrs B's investments. We have explained to Mr B how he may progress that new matter.

Looking at what happened here, I can understand why Mr B became frustrated and annoyed with Lloyds. Things were made more difficult for him by the fact that his own circumstances are such that conducting correspondence is burdensome for him. But, as I understand it, he has now been able to establish contact with the nominated Premier Manager.

I accept that the problems caused some inconvenience. Overall, though, I find that the adjudicator's recommendation represents a fair and proportionate settlement of this complaint and I am not persuaded that HSBC must do more.

I note that Mr B has provided particular instructions about where – and to whom – he wants any compensation to be paid. My award can only be made in favour of Mrs B (who is the eligible complainant under our rules) but I will leave HSBC to liaise with Mr B about payment arrangements, should Mrs B accept my final decision.

### **my final decision**

My final decision is that I direct HSBC Bank plc to pay Mrs B £200.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B (on behalf of Mrs B) to accept or reject my decision before 8 February 2016.

Jane Hingston  
**ombudsman**