

## **The complaint**

Mr L complains that Bank of Scotland Plc (BoS) have been unfairly deducting funds from his account. He'd like the funds returned to him and compensation.

## **What happened**

Mr L has a current account with BoS. In July 2022 BoS received a Regular Deduction Order (RDO) from the Child Maintenance Services (CMS), to take money from his account every Friday.

Since then, BoS have taken this amount from his balance. Mr L complained about this, but BoS said they were bound by the order from CMS and couldn't provide any further information about this.

Unhappy with this answer Mr L referred his complaint to our service. Our investigator didn't think the complaint should succeed. They were satisfied the order was in place, and hadn't been discharged, so it wasn't unreasonable for BoS to comply with the order.

Mr L disagreed, saying he had paid more back than he owed, and BoS should have questioned this. As no agreement could be reached the complaint has been passed to me to decide.

## **What I've decided – and why**

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

I've seen the RDO, and I'm satisfied that it applies to Mr L – it's ongoing and there's an order for payments from Mr L's account. Mr L has sent us a copy of the order, so it's clear he's aware of it. There doesn't appear to be any dispute that this is a legitimate order given by the correct body under the relevant legislation.

I've seen nothing at all to suggest the order has been varied or discharged in any way. So, in the circumstances it's not unreasonable for BoS to follow this order.

From the statements of Mr L's account, I can see the payments were taken on the rights dates for the right amounts. I'm satisfied that BoS have been following the order correctly, and in line with the instructions within it.

If Mr L has concerns about the amount he's paying, or the regularity, then he will need to raise these directly with CMS. It's not BoS' role to question this on his behalf.

## **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 Mr L to accept or

reject my decision before 16 October 2023.

Thom Bennett  
**Ombudsman**