

The complaint

Mr K complains about how Bank of Scotland plc, trading as Halifax, dealt with his chargeback dispute.

What happened

In July 2022 Mr K asked Halifax to refund him the £10 he had spent on a taxi journey using his debit card. He said the taxi driver had taken him to the wrong hotel. Halifax asked him for more information about the transaction, and his replies were not added to his file or acknowledged, and seem to have been overlooked. Mr K complained about that, and in October 2022 Halifax upheld his complaint, refunded the £10, and paid him another £40 for his inconvenience. That was Halifax's final response to that complaint, and it told him so. It said if he was not satisfied, he should refer his complaint to the Financial Ombudsman Service.

After that, Mr K continued to send emails to Halifax – Halifax has identified four. He received no response to those either, and he complained about that too. Halifax apologised and paid him another £40.

Being dissatisfied with Halifax's response, Mr K brought this complaint to our service. He said that the bank's poor communication had caused him great stress and a large toll on his emotional health. He said he had spent over twenty hours dealing with Halifax, and he wanted to be compensated for his lost time.

One of our investigators considered this complaint, but he did not uphold it. He thought that Halifax had already done more than enough to fairly resolve this complaint. He also did not accept that Mr K had really spent more than twenty hours dealing with it, based on the number of email she had seen. Mr K asked for an ombudsman to review his case.

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.

Having done so, I do not uphold it. I will explain why.

My main reason is that Halifax has already paid Mr K 900% of what his original chargeback dispute was worth. I think that is generous, and that any more compensation than that would be disproportionate.

I will take Mr K's word for it that he spent over twenty hours dealing with this matter, even though this is not reflected in the number of emails he sent, since he might have spent that time in other ways that are not immediately visible in the volume of correspondence. But I am quite sure that it is not the bank's fault that he chose to spend as long as that on trying to get a refund of ten pounds.

I am reinforced in that view by the fact that the bank's first final response letter in October

told Mr K that it had given him its final word on the subject and that if he was not satisfied then he should approach a third party, namely us. It was entirely his choice to carry on emailing Halifax, and although it would have been better if Halifax had at least acknowledged the first of those emails – even just to tell him that no further correspondence would be entered into – I do not think it would be reasonable to tell Halifax that it has to compensate Mr K further for the time he spent continuing to deal with Halifax after that.

So I am satisfied that £90 is more than enough compensation, and that I need not tell Halifax to do more to resolve this complaint.

My final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 6 December 2023. But apart from that, this decision brings our involvement in this matter to an end, and we will not entertain any further representations about the merits of this complaint.

Richard Wood
Ombudsman