

The complaint

Mr P, who is representing P has complained that RECOGNISE BANK LIMITED has acted in a discriminatory way by refusing to open a savings account for P.

What happened

The details of the complaint are well known to both parties, so I will not repeat them again here. Instead, I will focus on giving the reasons for my decision.

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 agree with the investigator's findings for broadly the same reasons, I will explain why.

- Mr P says Recognise has discriminated and as such has breached the Equality Act 2010 (EqA) because it declined his application to open a savings account for P.
- It's not my role to decide if the EqA has been breached as that is for a court to decide. However, I've looked at whether Mr P was treated fairly when Recognise declined P's application for a savings account.
- Recognise has said that it declined Mr P's application as he didn't meet the eligibility criteria. As such, I have reviewed Recognise's eligibility criteria.
- I am satisfied it says in order to be eligible for a business savings account, the business must be a sole trader, Limited Liability Partnership or Limited Company.
- At the time, P was operating as an unlimited company, as such, it didn't meet the eligibility criteria. Therefore, Recognise declined the application in line with its eligibility criteria, which it is entitled to do.
- Mr P hasn't presented any other evidence to suggest he was treated differently to any other consumer in the same position.
- So, with that in mind, I can't fairly conclude that Recognise has treated Mr P unfairly or unreasonably. I understand that Mr P will be unhappy with this decision, but I hope my explanation for how I arrived at this outcome gives him some assurance the complaint has been considered impartially.

My final decision

My final decision is that I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask P to accept or reject my decision before 23 December 2023.

Jade Rowe
Ombudsman