

## **The complaint**

Ms P feels that Metro Bank PLC didn't progress her application for a new account because of her nationality.

## **What happened**

Ms P applied online for a new account with Metro. She received an acknowledgement message from Metro which said she would receive a response to her application within three working days. But the next communication Ms P received from Metro was over two weeks later and was the same acknowledgement message she'd previously received, which again said that she would receive a response to her application within three working days.

Ms P didn't then receive any further responses from Metro and given the time that passed her application was closed. Ms P wasn't happy about this and felt that Metro were discriminating against her based on her nationality and weren't progressing her account application for this reason. So, she raised a complaint.

Metro responded to Ms P and apologised that her online application hadn't progressed as it should have. Metro accepted that they'd provided poor service by not progressing her application and offered £50 to Ms P as compensation for that poor service. But Metro also explained that their mistake wasn't in any way influenced by Ms P's nationality. Ms P wasn't satisfied with Metro's response, so she referred her complaint to this service.

One of our investigators looked at this complaint. But they didn't feel the evidence and information available to them reasonably suggested that Metro were discriminating against Ms P as she thought was the case. And they felt that what had happened here was most likely to be an instance of poor service unrelated to Ms P's nationality. Finally, our investigator felt that the apology and offer of £50 compensation already provided by Metro was a fair outcome to the poor service that Ms P had received. Ms P remained dissatisfied, so the matter was escalated to an ombudsman for a final 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'd like to begin by confirming that this service isn't a regulatory body or a Court of Law and doesn't operate as such. Instead, this service is an informal, impartial dispute resolution service. And while we do take relevant law and regulation into account when arriving at our decisions, our remit is focussed on determining whether we feel a fair or unfair outcome has occurred – from an impartial perspective, after taking all the factors and circumstances of a complaint into consideration.

I highlight this point because Ms P has asked this service to question Metro about how many other people of her nationality have had similar instances where Metro have failed to progress their new account applications.

But as explained, my remit as an ombudsman isn't regulatory in nature. Rather, my remit is to decide the merits of a specific complaint as it relates to the specific person bringing that complaint. This means that I can only consider what has happened to Ms P here. And I'm unable to consider anything that may or may not have happened to people other than Ms P.

In their response to Ms P's complaint, Metro explained that they have to make relevant checks when they consider a new application. And, in Ms P's instance, they needed to conduct further checks which caused an initial delay to her application. This was then compounded by further service errors, one being that they didn't contact Ms P about her outstanding application to let her know what was happening.

Metro's explanation here seems reasonable to me. I say this because I feel it's understandable that Metro would have to undertake checks on an applicant to satisfy their own security protocols before approving an account application. And it's also the case that in some instances further checks may be required. I don't feel that Ms P being selected for further checks was unfair but was a necessary consequence of Metro being unable to complete their security checks in the first instance.

Ms P says that she feels that Metro has discriminated against her given the issue she's experienced. While we do take any allegation like this very seriously, I'd like to explain that the Financial Ombudsman Service is unable to make findings about whether discrimination has taken place in terms of the Equality Act 2010. That's a matter of law and only the courts have the power to make a decision of that nature. I have taken the relevant law into account in relation to Ms P's concerns and whether I think Metro Bank has acted in a fair and reasonable manner. This involves taking a number of factors into consideration, including the provisions made in The Equality Act 2010.

Having considered everything, it appears as though Metro's mistake was just a mistake which took place after Ms P's application had been selected for further checks. Unfortunately, this mistake led to Ms P's application not being progressed as Metro failed to update her correctly.

Importantly, I feel that such a service error as Ms P experienced here could occur to any account applicant and I haven't seen anything to suggest that what happened was a consequence of Ms P's nationality. I hope that it helps Ms P to know that someone impartial and independent has investigated her concerns.

Finally, in consideration of the service issue that I feel took place here, as I've described it above, I'm satisfied that the apology and offer of £50 compensation that Metro have made to Ms P, as well as the invitation to apply for an account with them again should she still wish to do so, already represents a fair resolution to that service mistake.

All of which means that, while I will be upholding this complaint in Ms P's favour, I will only be doing so in order to instruct Metro to pay the £50 to Ms P that they've already offered to pay. And I won't be instructing Metro to take any further or alternative action beyond this.

I realise this might not be the outcome Ms P was wanting, but I hope that she'll understand, given what I've explained, why I've made the final decision that I have.

### **Putting things right**

Metro must make a payment of £50 to Ms P.

**My final decision**

My final decision is that I uphold this complaint against Metro Bank PLC on the basis explained above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms P to accept or reject my decision before 16 January 2024.

Paul Cooper  
**Ombudsman**