

The complaint

A limited company, which I will refer to as “G”, is complaining that National Westminster Bank Plc (NatWest) caused a delay in opening G’s business account, and in setting up online banking for the account.

The complaint is brought by Mr G, the director of G, on its behalf.

What happened

G applied to open a business account with NatWest. Its director, Mr G, had two other companies which had business accounts with NatWest, and he also had a personal account with them. He had access to online banking for these accounts.

On 22 July 2021 Mr G called NatWest. He said he was having problems applying for a new business account online, and online banking had been giving a message that something had gone wrong for about a week. The adviser talked through what had happened and advised Mr G that even though he himself was an existing customer, he’d need to select the option of “not an existing customer” to be able to proceed to open a new business account for G.

The account application went through on the following day, and G’s business account was opened on 9 August 2021.

On 29 August 2021 Mr G called NatWest again. He said he wanted to set up online banking for G’s new business account. He understood that his current customer profile would only allow two business accounts, so he’d need a new customer number to set up online banking for G’s account. The adviser took Mr G’s email address – which was the same email address he’d used on the application for G’s business account – and said she’d email him a link to use.

Later that day Mr G called again. He said he hadn't received an email with the link he needed. He asked if it was possible to add G's business account to his existing profile and he was told it wasn't possible. The adviser checked the email address Mr G had provided earlier, and on the application for G's business account, and identified it wasn't one they already had stored for Mr G for online banking. She went on to say that this didn't matter for the purposes of sending the link he needed. She explained the steps Mr G would need to go through online to add G's new business account.

On the morning of 17 September 2021 Mr G completed an application for online banking for G, using the email address he'd given in the calls of 29 August 2021, and which he'd also used on G's business account application. I can see this application was received by NatWest on 17 September 2021 and a confirmation and request for the online banking agreement to be signed through adobe docusign was sent to Mr G's email address. Mr G viewed that email on the same day it was sent.

On 20 September 2021 Mr G called NatWest again. He said that he'd been told there were system issues with adobe docusign so he'd been unable to sign the application for online banking. He said he'd been using his personal account to pay G's business expenses and this would have financial implications for him - and he just wanted online banking for G to be working.

The adviser said he wasn't aware of any systems issues. He logged Mr G's concerns but said the complaints team would look into things. He advised Mr G to keep a record of all the payments he'd made through his personal account instead of his business account to submit with his complaint.

Mr G signed the online banking application via adobe docusign on 24 September 2021.

NatWest received it, but were unable to process it because they said G's account was set up with both directors needing to sign. So, on 28 September 2021 they wrote to Mr G to explain this was why they couldn't process G's application.

On the morning of 28 September 2021 Mr G called NatWest again. He wasn't aware, at that time, that it was the requirement for the other director's signature that was holding things up. He said he'd been waiting for online banking access for G's account for over a month and had now signed and returned the online banking application, but it still wasn't up and running.

The adviser asked Mr G which email address he was using in the online banking application, and Mr G gave the email address he'd used when he opened the account. The adviser explained that it was this that was causing the problem – because the email address Mr G had used for G's business account wasn't an address NatWest held on file for him already.

She said to set up online banking for G, Mr G must use an address NatWest already held for him. She said the online banking application would appear to have gone through, and Mr G would still receive confirmation it had been received. But the application wouldn't arrive with NatWest and would go into a "black hole."

Mr G asked why nobody had told him this before – as he'd previously been told the problem was down to a systems issue. He said that if someone had explained this before it could have been resolved much earlier.

The adviser explained that it was a common issue and she was used to having similar conversations about this. She said the online banking application hadn't arrived at NatWest's end. She went on to explain that both Mr G and the other director of G needed to sign the application as it was set up as 'two to sign.' Mr G asked the adviser to raise a complaint and told her that he no longer wanted to bank with NatWest.

NatWest issued their final response to G's complaint which covered both the delays and the "two to sign" issue. In relation to the online application process, they apologised for the experience, and paid G £200 in compensation. Online banking was set up for G around November 2021.

Mr G brought a complaint about NatWest asking for two signatures to set up online banking for G, and we've already considered that complaint separately. He has now brought this complaint which is about the delays he said took place before the signature issue arose on 24 September 2021.

Mr G said, in summary, that he had been trying to open G's account and set up online banking from around June 2021. He said he called NatWest frequently during this time and was told there was a systems problem. He said he had to go into the branch and withdraw cash from G's business account to pay into his personal account to do the online transfers he needed to do - which was inconvenient and had tax implications.

We asked NatWest for some more information about what had happened. They said that there had been a systems issue with adobe docusign between 17 and 21 September 2021. But they weren't aware of any issues around an email "black hole." They said they had searched Mr G's mobile number for the calls he'd made to them about this issue from May 2021 onwards, and provided all the call recordings they held to us.

Our investigator looked into the complaint, but they didn't uphold it. They said, in summary, that there wasn't anything to show that Mr G, on behalf of G, was repeatedly applying for online banking unsuccessfully, so they didn't think NatWest had made a mistake.

Mr G disagreed with the investigator's view, so G's complaint was passed to me for review and a decision.

My provisional decision

I issued my provisional decision on 18 July 2023. This is what I said.

Mr G has raised a separate complaint on behalf of G about the "two to sign" issue which has already been considered. So, the complaint I'm considering is about the delays Mr G says he experienced when applying for G's business account and setting up online banking, before he signed the online banking application on 24 September 2021. What happened then and after this has already been considered in G's separate complaint.

As far as I can see, there are two sets of delays to consider here. The delay in opening G's business account in the first place. And the delay in setting up online banking for G's business account.

Mr G's told us he applied for G's business account originally in June 2021. But during his call of 22 July 2021 he said he'd been trying to apply online for about a week. So, I think it's more likely he tried to apply for G's account from around mid-July 2021, and this is when he first experienced problems with the application.

Having listened to the call of 22 July 2021 I don't think NatWest were at fault for the delay in opening G's business account online. I accept that Mr G was getting an error message on online banking for about a week, but this seems to have been easily cleared up by the adviser he spoke to telling him the correct option to select. And I think if he'd called NatWest sooner it's likely this issue would have been resolved sooner. The account application went through on 23 July 2021, and following some further standard questions and documents to sign was opened on 9 August 2021. I don't think this was an unreasonable timescale.

I'll now turn to the delays Mr G said he experienced in setting up online banking for G's account.

In the calls he made to NatWest on 29 August 2021 Mr G doesn't mention that G had already submitted an application for online banking or had experienced any problems with it.

He said he wanted to set up online banking for G's account and asked about the process. So, from this conversation I don't think there were any delays with the process of setting up online banking for G prior to 29 August 2021.

I can see that the online banking application was successfully submitted on 17 September 2021. The application contained the email address Mr G used in the account application.

The audit trail shows it was then emailed to G, at the same email address, to be signed. Mr G viewed the document on 17 September 2021, but was unable to sign it on that day because of the adobe docusign issues. He viewed it again on 24 September 2021 and signed it then.

So, it seems the only time the online application could have been delayed by NatWest was after Mr G's calls on 29 August 2021 and before he signed the document on 24 September 2021. We know that there was a delay caused by the adobe docusign issue between 17 and 21 September 2021, which I've taken into account. But I need to consider whether NatWest caused an additional delay between 29 August 2021 and when the application was successfully submitted on 17 September 2021.

NatWest don't have a record that G submitted any applications for online banking prior to the successful application of 17 September 2021. The investigator asked Mr G for evidence of any applications for online banking between 29 August and 17 September; for example, by way of an email confirmation. Mr G's not been able to supply that.

If G had attempted to submit an application prior to 17 September 2021, I think there would have been a record of it, because it would have gone through to NatWest – despite what the adviser said about the email "black hole." I say this because G's application of 17 September 2021 didn't go into an email "black hole." It did go through successfully even though it contained an "incorrect" email address according to NatWest's adviser. And NatWest acknowledged G's application by sending an email to the same email address.

At present, I just haven't seen enough evidence to show that G attempted to submit the online application earlier than 17 September 2021, to say NatWest caused a delay here. But I'd like to give Mr G, on behalf of G, an opportunity to submit any further comments or evidence about this point.

After the adobe docusign issues were resolved, Mr G was able to sign the online banking agreement on 24 September 2021. After this point, the delay was because NatWest had asked for the signature of the other director of G at that time, rather than due to any systems or email address issues. So, I don't think the adviser Mr G spoke to on 28 September 2021 gave him the correct reason about why online banking wasn't yet set up. I can fully understand why Mr G was frustrated at being told his email address was incorrect at this point in the process. But as far as I can see, this simply wasn't the correct information about what was causing the delay.

I can see that the whole process of applying for online banking for G's business account has been frustrating for Mr G. And I do think he's received some incorrect information about the position of the application from NatWest which hasn't helped matters. But I'm not persuaded, from what I've seen so far, that NatWest caused any significant delays in G's online banking application being processed, other than the relatively short delay between 17 and 21 September 2021 due to the adobe docusign issues.

Having listened to the calls, I do think some of the information given by NatWest's advisers was confusing, and appeared to have been incorrect at some points. Understandably, this served to heighten Mr G's frustration with the overall process, which doesn't seem to have been straightforward to navigate. But I don't think the incorrect information caused any delay in setting up G's online banking. And G is the eligible complainant here, not Mr G. G, as a company, can't experience frustration or upset, so I can't award it compensation because of how Mr G felt.

As I've said, there was a short delay in setting up G's online banking due to the adobe docusign problems between 17 and 21 September 2021, which NatWest accept. But they have already paid G £200 to recognise that things didn't go smoothly with the online banking application process overall. I think this is fair and reasonable, taking into account the length of the delay. And I don't think they need to do anything else here.

I asked G and NatWest to reply with anything else they wished to add before I issued my final decision.

NatWest replied to say they accepted the provisional decision.

G replied with various points about our findings and the progress of the investigation, but in relation to the outcome of the complaint about NatWest it said, in summary:

- NatWest admitted there was a problem with their system and accepted fault;
- Proof that the document was signed via docusign was provided; and
- We said that if evidence was provided that confirmed NatWest was at fault we'd find in G's favour.

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.

As I've said in my provisional decision, NatWest have accepted (and I agree) that a problem with the docusign system caused a delay to G's online banking application. This delay was between 17 and 21 September 2021. NatWest have already paid G £200 to recognise things didn't go smoothly here.

I've not found that NatWest caused any other delays to G's application – and I've not seen anything in response to my provisional decision to change my decision on that point.

Overall, I still find that NatWest have already paid fair compensation for the delay caused by the docuSign system, taking into account the impact this relatively short delay would have had on G. So, I don't think NatWest need to do anything else here.

My final decision

My final decision is that I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask G to accept or reject my decision before 13 October 2023.

Helen Sutcliffe
Ombudsman