

The complaint

Mr D complains that TSB Bank plc have provided him with poor customer service on multiple occasions.

What happened

Mr D says he visited a TSB branch in June 2023 to cancel a £10,000 bond he had opened with them, and to add his wife onto his account. He says the staff cancelled the bond, but they refused to transfer £10,000 to another account in his name and he says they told him to transfer this online. He says TSB were unable to add his wife onto his account despite them making an appointment to do this. Mr D said he subsequently failed security with TSB's fraud department, and the £10,000 payment he had tried to make had been blocked. Mr D says that he was sent an online form to complete, but he was unable to do so.

Mr D says he visited a TSB branch on 5 July 2023 as the TSB message he received informed him that if he didn't have a smartphone, or he was unable to complete the form, then he should visit a TSB branch with the appropriate documents. But Mr D says that when he visited the branch, the staff sent him away to do this online. The staff later tried to complete the form, but they were also unsuccessful, and they had to get support from other colleagues. He said that a member of staff who attempted to try this left him as she had a personal appointment she needed to go to, and Mr D was sent away from the branch so the branch could close for staff to get something to eat.

Mr D says TSB told him to never transfer more than £500, which impacted interest being earned on the account he wanted to transfer the £10,000 to. Mr D says that his wife tried to record on her phone the conversation with TSB, so there would be no confusion with what was said, but the branch manager refused her permission to record the conversation. He says he was without access to his £10,000 for nearly a month and he has lost out on interest because of this. Mr D asked the branch staff to raise a complaint for him, but he says they refused to do this, and they told him that a complaint could only be made online, which Mr D found out to be incorrect. Mr D made a complaint to TSB and asked them to view the closed-circuit television (CCTV) footage as it would show the message informing him to bring his identification to the branch. He also said that they had discriminated against him due to his age and disability.

TSB did not uphold Mr D's complaint. They said that with the allegations of the service provided and the behaviour of the staff, whilst they were not casting doubt on his view of the events, they also considered the recollections of the staff involved. TSB said the branch staff provided a very different recollections of the events to those which Mr D described, therefore, based on all of the information they had, they were unable to agree that they acted in any inappropriate way. They said the colleague who had been supporting Mr D on 5 July 2023 had to stop helping Mr D before the situation was resolved as she had a pre-booked hospital appointment which she had to attend, but another colleague took over.

TSB said that without a pre-booked appointment, they do their best to attend to customer requests, where possible on the same day, so Mr D was asked to call back in at 2pm, after the branch had re-opened after lunch where he was offered a private room and the attention

of a branch colleague, and after the meeting the block was successfully removed. TSB said that at no time was there any form of discrimination as any customer in the same circumstances would have been treated in exactly the same way. They confirmed they don't allow filming in their branches. Mr D brought his complaint to our service.

Our investigator did not uphold Mr D's complaint. She said TSB have explained that when it needs to verify a customer, they also now offer the option for customers to send their documents online in an effort to save another journey to branch. She said TSB denied that they refused to assist Mr D in transferring £10,000 to his third party account, and they also denied that they told him to complete the transfer in smaller amounts.

Mr D asked for an ombudsman to review his complaint. He made a number of points. In summary, he said he asked them to keep the CCTV as this shows him providing documents, and it would also show the branch decided to close for lunch an hour earlier than advertised in the branch. He said he was told to transfer funds from his account at £500 a day, which caused him to lose out on interest elsewhere as it would take 20 days to transfer £10,000, and the staff kept directing him to do things online such as raising the complaint and uploading his identification, instead of dealing with this in the branch.

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.

Firstly, I'm aware that I've only summarised Mr D's complaint points. And I'm not going to respond to every single point made by him. No discourtesy is intended by this. Our rules allow me to take this approach. It simply reflects the informal nature of our service as a free alternative to the courts. If there's something I haven't mentioned, it isn't because I've ignored it. I haven't. I'm satisfied I don't need to comment on every individual point to be able to reach what I think is a fair outcome. But I can assure Mr D I have read everything he has said – including information about his health.

I must make it clear to Mr D that it is not within this service's remit to tell a business how they should operate their security procedures, such as what questions they should ask Mr D, when they should block a transaction and internet banking, and what they require from their customer's to remove any blocks on the account – even if attempted payments are in the same name of their customer. It would be the role of the regulator – the Financial Conduct Authority, who have the power to instruct TSB to make changes to their policies and procedures, if necessary.

Mr D has asked for compensation to compensate his wife for the time she's spent complaining to TSB and the distress and inconvenience she had with this. But I must make it clear to Mr D that our rules only allow us to award compensation to an eligible complainant. Here, Mr D is the only eligible complainant. So I'm unable to award any compensation to his wife as part of this complaint, as she is not an eligible complainant here.

TSB's personal banking terms set out how they can refuse to make a payment. As they had concerns about a payment Mr D was trying to make, they took measures to block this payment from completing when Mr D did not pass their security process on the phone. Banks and building societies have an obligation to try and keep their customers' accounts safe and prevent them from being victims of fraud and scams. Sometimes they identify and block legitimate payments due to security concerns. This can cause distress and inconvenience to a customer – but it doesn't necessarily mean they have acted incorrectly.

Mr D has raised age and discrimination points with how TSB have treated him. I've taken the

Equality Act 2010 into account when deciding this complaint – given that it's relevant law – but I've ultimately decided this complaint based on what's fair and reasonable. If Mr D wants a decision that TSB has breached the Equality Act 2010, then he'd need to go to Court. However, based on what Mr D has said in relation to TSB discriminating against him, I am not persuaded that TSB has treated Mr D any differently to other customers in similar situations, and I will explain why.

Mr D and the TSB staff have very opposing testimonies about what happened in the branch on 5 July 2023. Mr D is adamant he was told he needed to complete the form online and the staff weren't assisting him to remove the block, he has also told us they refused to transfer the £10,000, they refused to log a complaint for him, and he was told to never transfer more than £500 a day, which impacted interest being earned on the account he wanted to transfer the £10,000 to.

TSB staff have a different testimony to Mr D about all of these points. As the CCTV would be unlikely to contain audio, then I wouldn't be able to rely on that to listen to exactly what was said, and given the time that's passed, it's unlikely to be available now. Although Mr D asked them to review the CCTV as part of the complaint, they are not obliged to indefinitely retain CCTV footage. And it is outside of our remit to tell them what their procedures should be regarding their CCTV footage, and how they should investigate complaints.

And while Mr D's wife suggested filming the conversations on her phone which might have been able to demonstrate what was said, TSB have confirmed in their final response to Mr D that they don't allow filming in their branches. TSB are entitled to take this stance, so I can't say they have made an error in not allowing Mr D's wife to record in the branch. Mr D has been consistent that TSB refused to raise a complaint in branch, and TSB are consistent that they would not refuse to raise a complaint in branch if Mr D himself as an eligible complainant asked them to do this.

On the balance of probability, I'm persuaded that it is unlikely Mr D was told he couldn't complain in the branch. I say this as when Mr D did make a complaint he sent the letter to the branch. So if the branch had told him he couldn't complain with them, I would have expected him to send the letter to the complaints address shown online, when Mr D had found out the information online that he could complain in the branch.

As Mr D has said he was unable to pass the security procedures on the phone with TSB's fraud department, then I would expect TSB to have controls in place to need extra verification from Mr D. While the smartphone upload or the online forms may have been one option, they weren't the only option, as Mr D told us about the message he received from TSB saying he could visit a branch, so I don't think they treated him any different to any other customer in this instance when he didn't pass the security procedure.

Mr D asked TSB to review their CCTV footage before it was deleted as this would show that the branch decided to close for lunch an hour earlier than advertised in the branch. It would also show the message he was sent, and it would show him providing the documents. But it is not in dispute that TSB staff have confirmed that the branch needed to close when it did due to staffing issues, and this had been agreed by TSB management prior to the closure.

I can understand why this may have been inconvenient to Mr D, especially given what he's told us about his health, but I'm not persuaded that this was avoidable given the circumstances that I've been made aware of. As this concerns TSB's security procedures, then I would be unable to disclose any further information as part of this decision, but I can assure Mr D that the closure was not as a result of anything he had done. While this undoubtedly inconvenienced Mr D as he had to leave the branch, given how long Mr D says the process took to complete, it's unlikely that if TSB had taken the advertised lunch break,

that the process would have been completed before this time, so I'm persuaded that Mr D would've needed to return back to the branch even if the advertised lunch break hadn't been brought forward due to security concerns from TSB.

I can sympathise with Mr D that a member of staff who had tried to help him had to leave him to go to a pre-booked hospital appointment, which meant another member of staff had to start over again. But as Mr D didn't have a scheduled appointment with TSB on 5 July 2023, then I can't say that this could have been avoided when the first staff member was unable to remove the block prior to her appointment.

TSB have said that there was a sign on the door that day which said the branch would be closed between 1-2pm, which was the change as the branch doesn't normally close for lunch. They said their understanding is that at 12pm they asked Mr D if he could return at 2pm because there was only two staff present in the branch at 12pm and to resolve the issue they would need to go into an office, leaving only one member of staff, which would be a security risk. I'm not persuaded that it's in dispute Mr D agreed to come back at 2pm, since he did re-visit the branch and when he did, the block was able to be removed.

I'm satisfied that reasonable adjustments were made for Mr D as when their normal process of filling in the form online wasn't successful, they were able to speak to the payment verification team from the branch who confirmed Mr D's identity and the block was removed. It could be considered with hindsight, that if TSB had rung through to the payment verification team when Mr D first visited the branch then this may have been completed without him having to return to the branch, but I'm also mindful that they would expect the online process to be a quicker process than ringing another department, potentially being on hold for a while, and have multiple questions to answer over the phone. So I can't guarantee that Mr D would have been able to complete this process either before the staff member left for her appointment.

I'm also not persuaded that CCTV would have been able to see exactly what the message showed. I say this as CCTV would tend to cover large areas of a branch. I would not expect footage to be able to be zoomed in to the extent that a message could be seen on a smartphone. I can see from TSB's system information that the block was removed due to Mr D bringing in his passport and his driving licence, so I'm satisfied that he did bring in the identification he needed to, to have the block removed from his account.

While I'm unable to say one way or another what exactly was said in the branch, I've considered what Mr D has said about him being told by TSB that he should never transfer more than £500 a day and this meant he lost interest for the near month it took him to transfer the £10,000 to his third party account.

I've looked at Mr D's account statements. This shows that after the block was removed on 5 July, there were occasions where he transferred to his third party account more than double £500. On 15 July 2023, he made two payments totalling £1,000, and on 18 July 2023, he made two payments totalling £1,200. He also made payments to his third party account for £700 after the block had been removed. So Mr D should have been reasonably aware that he could transfer more than £500, so I can't hold TSB responsible for any interest he may have lost out on if the full £10,000 wasn't transferred as soon as the block was removed. The block had only affected the payment he attempted to make and his access to his internet banking, and when this was removed on 5 July 2023, there were no restrictions on his account. So it follows I don't require TSB to do anything further.

My final decision

I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 5 January 2024.

Gregory Sloanes
Ombudsman