

The complaint

Mr S is unhappy with the service TSB Bank plc ("TSB") provided him when he wanted to get a bankers draft in a branch. He says that the members of staff in the branch were rude to him. He is also unhappy with the service that he received when he raised a complaint about this matter.

Mr S has also complained that a member of staff did not call him back as promised.

What happened

Mr S visited one of TSB's branches and asked for a banker's draft for £5,000 from a Passbook Saver account. My understanding is that Mr S was told that there would be a fee for this. Mr S says at this point, the staff in branch were rude and dismissive to him. The TSB staff member involved said that Mr S was rude and aggressive to him.

Mr S raised a complaint with TSB in relation to this. During this complaint process, Mr S also raised an issue that he was told by a member of staff that he would be called about a transfer. But when he chased this up, he found out that the member of staff who promised to call him was not working that day, despite him saying that he was.

TSB did not uphold Mr S' complaint. Mr S tried to contact the complaint handler and the director of TSB about this matter and he was not called back and was not responded to by the director of TSB. I issued a provisional decision on 29 August 2023 saying the following;

I've provisionally considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint. Having done so I am currently not upholding Mr S' complaint. I'll explain why.

In instances like this where there are two parties with competing versions of what happened it is difficult to determine exactly what happened. The CCTV footage is unavailable, though I should add that footage in branches generally does not have sound, so even if it were available, it would be of limited use.

Overall, given the lack of evidence there is not enough for me to say that either party acted inappropriately, so it follows that I can't make an award of compensation for this matter.

In relation to the promised call back for the transfer, I understand that it would be frustrating that there was no call back and more so when the member of staff turned out not to be working on the day that he said he was.

But from the looks of it, the matter was resolved relatively quickly as the manager from the branch then called to confirm that the transfer had been actioned correctly. So whilst I accept that something may have gone wrong, I don't think compensation is merited for this matter as we all suffer some form of inconvenience when dealing with large organisations and compensation is not merited every time something small goes wrong.

In relation to the service received during the complaint handling process, I should explain that the rules which apply to all complaints referred to us are called the Dispute Resolution rules and rule 2.3 (found at the website: fshandbook.info/FS/html/handbook/DISP/2/3) sets out which activities fall within our remit. I have looked at these activities and complaint handling is not one that is listed and therefore it is not something this service can look at. I understand that Mr S will be frustrated by this as he clearly feels very strongly that his complaint was not handled well by TSB. But due to the rules by which I am bound, I am unable to look into this part of Mr S' complaint.

Overall, there is not enough for me to say that either party acted inappropriately in the branch, nor do I think the issue with the transfer merits compensation in the circumstances. It is also the case that I can't look into the service that Mr S received during the complaint handling process, as that is not a regulated activity.

It follows then that I currently do not uphold this complaint.

In response to this provisional decision TSB agreed with my outcome. Mr S did not agree with my outcome, he raised a number of points. I will not list each one, but in summary:

- The CCTV footage is not of limited use as it denotes body language
- The statement that it likely did not contain sound is an assumption rather than fact
- The CCTV footage being destroyed in itself suggests wrongdoing on the part of TSB

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 reconsidered everything, including all the points that Mr S has raised, I see no reason to change the outcome I reached in my provisional decision.

Mr S does not agree that the CCTV footage would have been of limited use. But regardless of how useful the CCTV footage could have been, or whether it would have contained sound, the fact remains it has not been retained. My understanding is that branch CCTV footage is rarely kept for a long period of time unless it relates to a serious security issue, it not being retained when relating to what is a relatively minor matter is not unusual. So I don't think it not being retained is enough for me to say that TSB were in the wrong.

So, in summary, there is not enough for me to say that either party acted inappropriately in the branch. Nor do I think the issue with the transfer merits compensation under the circumstances. It is also the case that I can't look into the service that Mr S received during the complaint handling process, as that is not a regulated activity.

So having reconsidered everything I'm not upholding this complaint. I should add at this point that this decision represents the final stage in this service's process and there is no further recourse to appeal or discuss the merits further. That said, Mr S may be able to pursue this matter elsewhere, such as court, if he wishes to do so.

My final decision

My decision is that I do not uphold this complaint for the reasons set out above.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or

reject my decision before 13 October 2023.

Charlie Newton
Ombudsman