

## **The complaint**

Mr T is unhappy that TSB Bank plc (TSB) have been sending him emails regarding his credit card during the night.

## **What happened**

Mr T has held a credit card with TSB since 2021 and his account is set up to receive paperless statements.

In February 2023, Mr T received an email from TSB at 12.53am. This email was a reminder that his online statement hadn't yet been viewed. Mr T says receiving this email woke him up and kept him awake for most of the night. He tried to resolve why he had been sent an email at that time of the night regarding a balance he had already repaid. However, TSB's online chat bot couldn't help. Mr T was then passed to a live adviser who explained the email had been sent as a statement had recently been produced.

Unhappy with this, Mr T logged a complaint. TSB responded on 10 February 2023 and explained why the payment Mr T had made to clear his balance wasn't showing on the statement. TSB said it was sorry the time the email was sent had disturbed Mr T. TSB also said that if Mr T needs it to work differently with him, for example due to a physical or mental need, he should get in contact.

Mr T responded and said his complaint hadn't been answered and again asked why he had been sent an email at 12.53am, for a matter that wasn't urgent. Mr T also said he was very unhappy with TSB's comments about discussing life changing event or mental health needs.

After some further correspondence from Mr T, TSB issued a further response. This said that the sending of emails like the one Mr T received, was an automated process. TSB advised that Mr T could opt out of paperless statements and that it didn't mean to upset him with the wording around working differently with him. This was merely to let him know TSB could try to tailor its support.

Mr T remained unhappy with TSB's response and referred his complaint to our service. One of our investigators considered the complaint and said the emails sent at night were due to bandwidth use and this was a fair decision. The investigator advised that Mr T could adjust the setting on his device to prevent any email notifications disturbing his sleep.

Mr T said he shouldn't have to amend his phone setting and TSB should instead change the timing of when emails are sent. Mr T also explained that TSB shouldn't have stated about mental health needs to him.

As Mr T remains unhappy, the complaint has been passed to me to decide.

## **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.

The timing of when emails are sent is a commercial decision TSB is entitled to make. TSB has explained it sends bulk emails, like the one Mr T received, overnight. This is because there is available bandwidth, which is reasonable. I appreciate Mr T strength of feeling about

receiving emails during the night. But I don't think TSB's being unfair here in sending emails when it has.

TSB has explained that Mr T can switch to paper statements which is a reasonable way to resolve this issue. Alternatively, Mr T could do as the investigator suggested and amend his device setting to ensure notifications received during the night don't disturb his sleep.

Mr T is unhappy that TSB mentioned he should contact it if he has mental health needs. TSB has apologised and confirmed it wasn't its intention to upset him. I'm satisfied in making reference to life changing events and physical/mental needs, TSB was making sure Mr T was aware TSB could look to offer tailored support if Mr T was experiencing those kinds of circumstances. This is in-line with what I would expect TSB to do.

I can see that Mr T is also unhappy TSB's chat bot couldn't help and then how long it took for him to be connected to a live agent. Looking at the chat transcript, I can understand why the chat bot wasn't able to help. Mr T initially mis-spelt credit card and followed that up with singular words that didn't provide any detail as to what his query was. So, he was correctly referred to a live agent who responded three minutes later. This was inside the 15-minute timeframe TSB had advised.

### **My final decision**

I don't uphold Mr T's complaint against TSB Bank plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 21 December 2023.

Paul Blower  
**Ombudsman**