

The complaint

Ms A is unhappy with the way she was treated in one of Nationwide Building Society's branches and the society's handling of her related complaint.

What happened

The circumstances that led to this complaint are well known to both parties, so I won't repeat them in detail here. But, in summary:

- In early August 2023, Ms A visited the branch to get a printout of her account activity which is something she occasionally does in between receiving her monthly account statements. She complains about the way she was treated by the cashier both in their initial dealings and when she was subsequently reviewing her account statement. She feels the society's behaviour amounts to discrimination and says she's been treated badly by the society on previous occasions. She's also unhappy with the related complaint investigation as she doesn't feel her concerns were given due consideration and she feels the complaint-handler exhibited unfair bias towards the society.
- Nationwide looked into Ms A complaint but said it had no concerns with the staff at the branch Ms A had visited. Amongst other things, it asked Ms A to be mindful of the way she acted in branch and warned that it may have to take action if any similar concerns about Ms A's behaviour were reported. Ms A was unhappy with the society's response so asked us to look into the matter.
- Our investigator didn't recommend that Ms A's complaint should be upheld. Ms A disagreed, so the complaint has come to me.

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.

Nationwide and Ms A will note that I've summarised the background to this complaint in less detail than they have and I've done so using my own words. I'm going to focus on what I think are the key issues in this complaint rather than responding to every point that's been made, but no discourtesy is meant by this. It simply reflects the informal nature of our service as a free alternative to the courts. If there's something I've not mentioned, it isn't because I've ignored it. I'm satisfied I don't need to comment on every individual argument to be able to reach what I think is a fair and reasonable outcome.

I note Ms A feels Nationwide has discriminated against her in relation to the problems she's complained about. With this in mind, I should explain that this Service is unable to make findings about whether a bank has acted unlawfully or not. Only the courts have the power to make a decision of that nature. But I'm required to take a number of things into account – including relevant law such as the Equality Act 2010, and what we consider to have been good industry practice – when deciding whether Nationwide has acted in a fair and reasonable manner.

I've thought very carefully about what both sides have said and this hasn't been an easy decision to make because their recollections of what happened on the day in question differ by some degree. Ms A thinks the branch staff were in the wrong but Nationwide thinks Ms A behaved inappropriately. Nationwide hasn't been able to provide any CCTV evidence of the events in question but, even when available, this type of evidence is rarely conclusive.

Having looked at all the evidence – which includes listening to recordings of the calls Ms A has had with this service – I'm not persuaded that Ms A's version of events is more likely than Nationwide's. And, in such circumstances, I can't fairly instruct the society to award her compensation or do anything differently.

I appreciate Ms A will likely be disappointed with my decision, but I hope it helps her to know that someone impartial and independent has looked into her concerns.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Ms A to accept or reject my decision before 3 January 2024.

Ruth Hersey
Ombudsman