

The complaint

Mrs D complains that Nationwide Building Society accused her of aggressive behaviour and that the branch manager was aggressive in both her language and behaviour towards her.

What happened

Mrs D went to her nearby branch of Nationwide on 16 February 2023 to get a statement, transfer money to another account of hers, and to get some cash. She says that when she arrived, there was no queue, and a trainee was at one of the two positions with a trainer beside her. After a while a queue began to build up, so the trainer moved to the other counter. The trainee seemed to be unsure of what she was doing, and the other person was busy with customers. After a while the trainee got up and disappeared without saying a word to Mrs D. She returned with the manager, who started to show her what to do.

Mrs D says she pointed out that she hadn't had an apology and said that the trainee shouldn't have been left on her own. She says the manager took this as being aimed at the trainee and accused her of abusing her staff. The manager gave her a sheet of paper which Mrs D didn't feel was what she normally saw. She says she pushed it back through the glass and as the manager didn't take it, let it drop. The manager then accused her of throwing the paper at the trainee and ordered her to leave the branch immediately.

Subsequently Nationwide wrote a letter to Mrs D advising her that she had acted in a manner that it deemed to be aggressive whilst its consultants tried to assist her. It further said that any further reported incidents of unacceptable behaviour towards a member of staff may result in a revised course of action being considered. And that, the details contained in the letter would be retained within its Member Service Team and an alert of the outcome added to her profile. This alert would be visible to member facing colleagues for up to six months.

Mrs D replied strongly objecting. She said that she did not shout or use any abusive language and was not aggressive to any member of staff. She had never had an experience like it anywhere ever. She was in shock when she left, and it has taken a while for her to regain her equilibrium. She said the manager was aggressive in both her language and behaviour towards her, and refused to process her payment transactions and threatened to call the police if she did not leave immediately.

In its final response letter of 1 March 2023, Nationwide reiterated its previous comments and offered her £50 compensation to acknowledge the time it took her trying to complete the transactions. Mrs D rejected this.

On referral to the Financial Ombudsman Service, our Investigator said that she couldn't say that Nationwide's verbal and aggressive team were unreasonable in issuing the letter based on what the staff had told them happened on the day in question. So, it followed that she wouldn't be asking Nationwide to do anything further.

Mrs D did not agree, pointing out that her main complaint was concerning the manager's aggressive behaviour towards her.

The matter has been passed to me for further consideration.

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 wasn't present at the time of the incident, I have to base my decision on what evidence is available. Our Investigator asked Nationwide for a copy of any CCTV recording, but it appears that that is no longer available. I have Mrs D's, and the branch manager's testimonies. Where the evidence is incomplete or contradictory, as some of it is here, I have to decide the matter on the balance of probabilities, that is what I think is most likely to have happened.

Mrs D says:

- Her complaint relates to the attitude and words of the manager.
- When she arrived, there was no queue, and a trainee was at one of the two teller positions with a trainer beside her, instructing her. The other position was empty. Neither of them looked up to acknowledge her arrival.
- A queue had built up and the instructing teller moved to the other position to serve them. She assumed that the instructor was confident the trainee could do all three transactions without support.
- She had a pleasant conversation with the trainee whilst she printed out the statement. She then asked to transfer money from her account to another account of hers.
- The trainee seemed to be unsure of what she was doing, and the other person was busy with customers. After a while the trainee got up and disappeared out of sight without saying a word to her. She returned with the manager, who started to show her what to do.
- By now, the last customer from the queue was completing their business at the counter, and she had not had a single word of apology for such a long delay. When she said this, the manager pointed at a notice between the two counters apologising for potential delays with trainees. She said she felt it was wrong to have left the trainee on her own when she was not yet familiar with the processes Mrs D required.
- The manager appeared to take this as aimed at the trainee, which it was not. She accused her of abusing her staff but she had not shouted or used any abusive language.
- The manager passed her a single sheet of A4 paper with her account details on it to check. She commented to the manager that it wasn't the usual presentation, (which it wasn't, as normally there's a form to sign, she does this transaction often) and this appeared to upset the manager more. She passed the sheet of paper back through the glass and as neither of them took it from her, she let it go and it floated onto the keyboard.
- The manager said she had 'thrown' the paper at the trainee and ordered her to leave the bank instantly.
- She never raised her voice or was aggressive. She has an authoritative voice, having been a university lecturer before she retired.

The branch manager said:

- She was within earshot and came to support her colleague when she approached her for help.
- Mrs D said that members should be approached in the queue to ask if they want to be served by a new starter and given the choice.
- A standing order form was signed to set up the payment. Mrs D was frustrated with the process of setting up a new payment. After the standing order form was viewed by Mrs D she threw the form at the colleague.
- She explained to Mrs D that she was declining to serve her.
- Mrs D was trying to involve other customers into her interaction.
- Mrs D continued to shout and raise her voice and this was never lowered when the manager was trying to communicate with her.
- Mrs D made the colleague assisting her feel extremely upset and belittled.

Both parties clearly have different and contradictory views of what happened, but to a great extent it's the way that the colleague was made to feel that triggered the verbal and aggressive behaviour report. I think it likely that:

- Mrs D became frustrated with the length of time it took to serve her, and pointed out to the manager and the colleague that she had not had an apology.
- Mrs D raised the issue of being served by a trainee and suggested to the manager and the colleague that customers should be given a choice as to whether they ought to be served in that way.
- Mrs D did not have to be shouting for the members of Nationwide's staff to believe that she was raising her voice in complaint.
- I don't know whether it could be said that she "threw" the paper back at the colleague, But it would appear that she rejected it as it was not the normal document she had seen before.
- For somebody to feel belittled the other party does not have to be abusive. I think it likely that Mrs D was questioning her competence and for that reason the colleague felt belittled.

Given my findings I'm really sorry if Mrs D had a bad experience but I can't say that the branch manager acted inappropriately in deciding that she no longer wished to serve Mrs D. Nationwide has a duty to protect its members of staff and I can't say that it should not have sent the letter warning Mrs D about her behaviour. I note that the warning only remained on Mrs D's profile for customer facing members for six months, so as it was February it should have been removed by now.

Mrs D says that her main complaint is about the behaviour of the branch manager. A complaint about an individual member of staff is a matter for Nationwide's internal disciplinary procedures. But, and I appreciate this comes down to one person's word against the other, given my above findings, I don't think that I can find that the branch manager behaved inappropriately.

I have noted contradictions in two of Nationwide's letters to Mrs D. In its letter of 21 February 2023 it said "*I understand you've been a member of Nationwide for a number of years with no previous history of any form of negative behaviour*" yet in its letter of 1 March 2023 it said: "*the entire team have had a similar experience when serving you in the past.*" I think that the latter comment was made after Nationwide had carried out an investigation. I don't think that I can ask Nationwide to take any further action in that respect, but I can understand it if Mrs D was upset and angry at the comment.

I note that Nationwide offered Mrs D £50 for the delay in serving her when she attended the branch in February 2023 and I think that was appropriate.

My final decision

Nationwide Building Society has already agreed to pay Mrs D £50 compensation.

So my decision is that Nationwide Building Society should pay Mrs D £50.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs D to accept or reject my decision before 23 November 2023.

Ray Lawley
Ombudsman