

## The complaint

Mr T complains about HSBC UK Bank Plc's service and lack of communication when they decided to move his account to a different branch.

## What happened

I issued two provisional decisions on 4 November 2023 and 1 December 2023, and this is what I said:

*I've considered the relevant information about this complaint.*

*Based on what I've seen so far, there will be a different outcome to what our investigator proposed. Before I issue my final decision, I wanted to give everyone a chance to reply. I'll look at any more comments and evidence that I get by 20 November 2023. But unless the information changes my mind; my final decision is likely to be along the following lines.*

### *The complaint*

*Mr T complains about HSBC UK Bank Plc's service and lack of communication when they decided to move his account to a different branch.*

### *What happened*

*Mr T holds three HSBC bank accounts and he discovered that, due to his branch being closed in 2022, he had been allocated a new branch.*

*Mr T was disappointed that HSBC hadn't informed him of this by letter, email or via online banking services and he wanted to have details of his new branch. Also, he was concerned about the change impacting his overseas pension.*

*When Mr T complained, HSBC apologised for the branch closure causing inconvenience and explained it was a business decision as many customers were moving to a digital way of banking. He was surprised to be told he needed to use telephone banking to find out the location of his new branch, and he wasn't registered to use telephone banking.*

*Also, Mr T says he discovered his new branch would be approximately 70 miles from where he lived, and the reason for this wasn't explained to him. Also, his requests for his accounts to be held at a local branch were declined and he says he was told he could only have an account at a local branch if he opened a new account and closed his existing accounts. Mr T was also unhappy with how his complaint was handled. He feels he hasn't had a response, explanation or remedy and his request for his complaint to be escalated to a senior manager wasn't met. Furthermore, Mr T feels that there has been a lack of respect and customer care for a customer who has held an account with HSBC for a considerable time.*

*Mr T complained to our service about the way he had been treated and how this had caused him inconvenience, anxiety and distress. Also, he would like:*

- His three accounts to be transferred to one of his local branches*
- A detailed explanation as to why he was not notified of the proposed closure of his*

branch

- A considered apology from HSBC senior management
- A further apology from HSBC senior management for the careless way in which his complaint was handled and the failure to make the transfer when requested
- Confirmation from HSBC that lessons have been learned in both branch closure procedures and complaints handling to prevent a repetition of the above
- Assurance that there won't be any identifier issues impacting on his overseas pension

Our investigator didn't think HSBC had acted in error and said he won't be asking them to do anything more.

As Mr T remains dissatisfied this case has been referred to me to look at.

What I've provisionally 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 done so, I have a different view to the investigator and I'm upholding this complaint. I will explain how I have come to my decision.

I should first explain this service can't instruct a business to alter its policy, procedures, processes or systems. I say this because we aren't the regulator of the financial services industry. Also, there are rules (known as DISP Rules) laid down by the regulator, the Financial Conduct Authority, which means complaint handling is not a regulated activity. So, specific complaints about how a business have handled a complaint can't be considered by our service.

So, whilst I understand Mr T's frustration and concerns here, I'm unable to instruct HSBC senior managers to respond or put preventative measures in place.

Our role is to consider each individual case and, where we think a business hasn't acted fairly and / or reasonably in the circumstances, to decide what should be done to put right any financial, or non-financial losses that a consumer has experienced.

From reviewing the file, I can see that HSBC should've informed Mr T that his branch was changing. This is because, in addition to Mr T's persuasive submissions, HSBC say:

"Customers are usually informed 12 weeks prior to a branch closure however, I do not see a note on your account which confirms that we did inform you".

I found Mr T's request, for his accounts to be moved to a branch near to him, to be reasonable and I can't see a satisfactory reason why HSBC couldn't accommodate his request. Also, the following HSBC comment suggests that, despite Mr T's request, his request wasn't considered:

"The most likely reason why your account has been moved to a London branch would be due to that particular branch being your most local full service branch".

In addition, I queried whether HSBC understood that Mr T didn't live in London and asked if they could accommodate his request and I was pleased that a representative said:

"I have moved Mr T's account holding branch to our x branch as that is closest to his home address".

I have redacted the branch however this is a location requested by Mr T. However, HSBC haven't confirmed this is the three accounts and I await confirmation from HSBC and/ or Mr T.

*So, although I understand Mr T will be disappointed that HSBC still haven't explained either their lack of notification error or inability to move his accounts to the branch of his choice, from the information received I'm satisfied that these were errors.*

*Having determined that HSBC made errors here, I then considered the impact on Mr T and how HSBC should put things right.*

*It is clear from reading Mr T's submissions that these HSBC errors have caused him inconvenience, anxiety and distress. Also, HSBC missed opportunities to put things right and I found that they aggravated the situation, and added to the impact on Mr T, by directing Mr T to services he couldn't use, refusing his request and not providing an explanation. In addition, I can see this has caused Mr T a high level of frustration and annoyance and to have a loss of confidence in HSBC.*

*So, it's my provisional decision to uphold this complaint.*

*For the reasons explained above I can't tell HSBC to give Mr T the following:*

- A detailed explanation as to why he wasn't notified of the proposed closure of his branch*
- A considered apology from HSBC senior management*
- A further apology from HSBC senior management for the careless way in which his complaint was handled and the failure to make the transfer when requested*
- Confirmation from HSBC that lessons have been learned in both branch closure procedures and complaints handling to prevent a repetition*

*However, I require HSBC to pay Mr T £250 compensation. Also, if it hasn't already been provided, to give Mr T the assurance that he is seeking, that by changing his branch, there won't be any communication or identifier issues impacting on his overseas pension.*

*My provisional decision*

*For the reasons I've given above, it's my provisional decision to uphold this complaint.*

*I require HSBC UK Bank Plc, to:*

- Pay Mr T £250 compensation.*
- Give Mr T the assurance that he is seeking, that by changing his branch, there won't be any communication or identifier issues impacting on his overseas pension*

*I'll look at anything else anyone wants to give me – so long as I get it before 20 November 2023.*

*Unless that information changes my mind, my final decision is likely to be as I've set out above.*

*What I've provisionally 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.*

*In my provisional decision, I gave both HSBC and Mr T the opportunity to provide any comments or new information they might wish me to consider before I moved to a final decision.*

*I would like to thank both parties for responding before the deadline.*

*HSBC said:*

*"I have updated the account holding branch and I am happy to agree to pay £250 compensation. Please be aware that the branch change is for all accounts Mr T holds". Although Mr T said he was pleased with a finding that awarded compensation and stated that HSBC had acted in error, he didn't agree with the provisional decision and raised the following:*

- Having considered the FCA DISP rules, he didn't accept that the way HSBC handled his complaint was out of scope and is of the opinion that HSBC's failure to deal adequately with his complaint should warrant additional compensation.*
- He believes the award of £250 is too low. This is because he has had to:*

*"endure the anxiety and uncertainty involved as a result of the Bank's errors for many months and the cavalier way in which I was treated by the Bank merits an award of more than a token award - if the Bank is to learn that it should not make errors and then disregard its customers, then the financial award it has to pay should recognise that and be increased appropriately".*

- He hasn't had any formal confirmation regarding the transfer of his accounts and is not prepared to accept that all 3 of his accounts have been moved until he receives written or email confirmation from HSBC.*

*I looked again at the complaint handling element of this complaint. I considered whether the evidence, which showed a lack of response, explanation and remedy when Mr T complained, should be in scope. Having reviewed the DISP rule guidance and relevant case law I'm persuaded that it should be. This is because it was a continuation of the original service issue and Mr T was seeking an explanation and resolution and HSBC's complaint handling team were assisting.*

*I found that HSBC's complaint handler missed opportunities to help Mr T and resolve his complaint. He initially misunderstood Mr T's complaint and suggested he call telephone banking when Mr T doesn't use this service. Also, although he accepted a communication error was likely, he didn't offer an explanation. In addition, he didn't explain why Mr T couldn't transfer his account to a local branch or escalate Mr T's complaint upon his request.*

*Furthermore, it's now clear it's possible to transfer an account to a local branch and this wasn't considered.*

*So, having taken HSBC's complaint handling into consideration, although I can't specify it comes from a senior manager, I require HSBC to provide an apology to Mr T for the way they handled his complaint.*

*Assessing compensation isn't an exact science and our approach when making awards for non-financial loss is detailed on our website and does tend to be modest. I looked again at the £250 I awarded in my provisional decision for HSBC's errors (lack of branch closure notification and inability to move his account), which they do not appear to dispute. I did consider the missed opportunities to put things right which was at the complaint handling stage, but I didn't though specifically look at the complaint handling. So, as HSBC made complaint handling errors which caused Mr T additional inconvenience and distress, I think HSBC should pay him an additional £100.*

*I further considered the compensation amount for the HSBC errors. I must point out that our service doesn't perform the role of the industry regulator and I do not have the power to make rules for financial businesses or to punish them. I am though satisfied that these errors caused Mr T inconvenience, distress, frustration and annoyance together with a loss of confidence. But when considering the current on-file information about the impact of these errors on Mr T, I'm not persuaded that the figure of £250 should increase.*

*Finally, although HSBC have helpfully confirmed that all of Mr T's accounts have moved to a local branch, I require HSBC to write to Mr T to formally confirm this. Also, give him the assurance that he is seeking, that by changing his branch, there won't be any communication or identifier issues impacting on his overseas pension.*

*So, considering all the above including my provisional decision, I require HSBC UK Bank Plc to:*

- *Pay Mr T £350 compensation*
- *Give Mr T the assurance that he is seeking, that by changing his branch, there won't be any communication or identifier issues impacting on his overseas pension*
- *Write to Mr T to:*
  - o *Apologise for their complaint handling*
  - o *Confirm that all of his accounts have moved to a local branch*

*My provisional decision*

*For the reasons I've given above, it's my provisional decision to uphold this complaint.*

*I require HSBC UK Bank Plc to:*

- *Pay Mr T £350 compensation*
- *Give Mr T the assurance that he is seeking, that by changing his branch, there won't be any communication or identifier issues impacting on his overseas pension*
- *Write to Mr T to:*
  - o *Apologise for their complaint handling*
  - o *Confirm that all of his accounts have moved to a local branch*

*I'll look at anything else anyone wants to give me – so long as I get it before 18 December 2023.*

*Unless that information changes my mind, my final decision is likely to be as I've set out above.*

## **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.

In my second provisional decision, I gave both HSBC and Mr T the opportunity to provide any comments or new information they might wish me to consider before I moved to a final decision.

I would like to thank both parties for responding before the deadline.

Both parties confirmed their agreement with my provisional decision.

Mr T questioned when he would hear from HSBC regarding the transfer of his accounts. Due to this being outstanding and HSBC having confirmed the following:

- *"I have moved Mr T's account holding branch to our x branch as that is closest to his home address".*
- *"Please be aware that the branch change is for all accounts Mr T holds"*

I have added further clarity to my final decision by amending the following requirement:

- **From** - Confirm that all of his accounts have moved to a local branch
- **To** – Confirm, by no later than 31 January 2024, that all of his accounts have moved to the branch closest to his home address

Following agreement by both parties, I adopt my provisional decision and reasons.

So, my final decision is that I'm upholding Mr T's complaint and I require HSBC UK Bank Plc to:

- Pay Mr T £350 compensation
- Give Mr T the assurance that he is seeking, that by changing his branch, there won't be any communication or identifier issues impacting on his overseas pension
- Write to Mr T to:
  - o Apologise for their complaint handling
  - o Confirm, by no later than 31 January 2024, that all of his accounts have moved to the branch closest to his home address

### **My final decision**

My final decision is that I'm upholding Mr T's complaint and I require HSBC UK Bank Plc to:

- Pay Mr T £350 compensation
- Give Mr T the assurance that he is seeking, that by changing his branch, there won't be any communication or identifier issues impacting on his overseas pension
- Write to Mr T to:
  - o Apologise for their complaint handling
  - o Confirm, by no later than 31 January 2024, that all of his accounts have moved to the branch closest to his home address

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr T to accept or reject my decision before 10 January 2024.

Paul Douglas  
**Ombudsman**