

The complaint

Mr W is unhappy that Halifax didn't respond to all of the complaints he logged online. He also complains that the bank can't set it so he doesn't receive text messages about future complaints, as well as some letters that arrived late.

What happened

Mr W had issues with transferring money from his accounts and downgrading them. Halifax had said during phone calls it wouldn't log a separate complaint about the same issue for each of his accounts, it would deal with matters under one reference. But Mr W didn't agree with that approach – and told the bank he wanted multiple complaints logged, as our service would apply a charge for each one referred.

Subsequently Mr W logged a number of complaints online. Halifax didn't provide separate responses, as it felt it had already resolved the issues he'd raised. It also said the rules didn't require it to log a complaint per account held, and instead opted pragmatically to deal with a single issue (which could affect multiple accounts) in one response.

There was a particular complaint which Mr W had called the bank about because he couldn't see it logged on the system. Halifax said it was unfortunate Mr W had taken time to call in, but argued that he hadn't allowed enough time for it to be added (he phoned around 30 minutes after submitting the complaint online). The form was uploaded shortly after, the same day, and combined with the reference set up during the call.

Mr W also wasn't happy that he received multiple text messages about the complaints he'd logged, and asked Halifax to remove that function for future complaints. But the bank said it wouldn't be able to do that without removing Mr W's number entirely from its system. Instead he would need to ask for it to be removed from any future individual complaint references when setting them up.

Mr W later complained that letters about some complaints had arrived long after the dates on them. Halifax responded to say it had sent them second class whenever they were dated, and didn't feel it could fairly be held responsible for any delays with the postal service.

The above issues were referred to us for review, and an investigator here didn't think Halifax had acted unreasonably. The investigator noted that complaint handling in isolation wasn't an activity our service could investigate – but he didn't think the processes had impacted the bank's resolution of the underlying issues. Mr W didn't agree, and so the complaint was passed to me for a final decision on the matters.

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 investigator was correct when he said our service doesn't have the power to review complaints about a bank's complaint handling in isolation – it isn't an activity that's

separately covered under our jurisdiction. The regulator is responsible for ensuring firms follow the complaint handling rules it has set (in the 'Dispute Resolution: Complaints' part of the Financial Conduct Authority's handbook – or DISP for short). So I'm not going to comment on whether, generally speaking, Halifax's processes and approach to complaints handling is compliant or fit for purpose.

I can, however, comment on Halifax's actions as part of deciding whether they've had any knock on impact on resolving the underlying issues that are covered by our service's jurisdiction. The complaint about receiving text messages involves complaint handling, but it also concerns how Mr W's personal data (his number) was stored in relation to his account generally – which I can comment on. I can also consider whether Halifax caused letters to be delayed, even though they were complaint responses, and whether that impacted the resolution of any problems on the accounts.

There appears to have been an instance where Mr W called before a complaint he'd submitted was showing on the system. Halifax has shown us that he called not long after registering the complaint online. It also appears to have been a generalised complaint about the bank's system, and that a lot of concerns he's logged haven't been responded to. Halifax's final response set out in detail the complaints it had received, and how it felt it had addressed all the issues raised (albeit not necessarily separately, as Mr W might have wanted). I haven't had anything from Mr W which contradicts that position – other than generalised assertions.

That means I haven't seen any evidence there were issues on the accounts that weren't addressed. I've also not seen anything to suggest Halifax's handling of the complaints had a detrimental impact on the underlying things he was unhappy about. But even if it had, I'd have to factor in the volume of complaints that were logged, seemingly about the same issues. That would have made it more difficult for Halifax to discern what problems needed to be addressed. Our service can also dismiss complaints, without consideration of the merits, that are deemed to be frivolous and vexatious – and those raised solely for the purpose of incurring a case fee for the firm would likely fall under that category.

I acknowledge that Mr W likely received a lot of text messages about his complaints, given the number he had logged. Unfortunately, the options for preventing text messages being sent on future complaints are limited, as the system automatically pulls through the contact details to the complaint reference. Halifax has said Mr W can request his number is removed from individual complaints at the time he raises them – and I don't consider that to be an onerous workaround in the circumstances.

From the information I've seen, I'm also satisfied Halifax likely sent its letters on the dates they were generated. It's unfortunate there was a delay in Mr W receiving some of Halifax's correspondence – but I haven't been persuaded the bank is at fault for that.

My final decision

My final decision is I don't uphold Mr W's complaint about Bank of Scotland plc (trading as Halifax).

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr W to accept or reject my decision before 30 January 2024.

Ryan Miles
Ombudsman