

The complaint

Mr and Mrs B complain that National Westminster Bank Plc (NatWest) provided poor service when they visited in branch, which exacerbated Mrs B's medical condition.

For ease, I will refer to any actions and comments as those of Mrs B.

What happened

Mrs B unfortunately suffered from a medical condition that, amongst other things, caused tremors that affected her ability to write and sign her name. So Mrs B arranged for NatWest to provide her with a 'signature stamp'.

The stamp was ready for collection from a NatWest branch in December 2022 and Mrs B said she was told to take photographic ID when picking it up. Once in branch, Mrs B was told that the stamp had to be signed for before it could be given to her. So Mrs B had to sign her name a number of times, which she said caused a great deal of stress and embarrassment.

On the same day, Mrs B said she developed a facial tic, followed by severe slurring of speech, and visited her local A&E department. Mrs B said she spent seven days in hospital undergoing a variety of tests. Mrs B said she lost the ability to speak, which she said doctors attributed to her existing medical condition.

Mrs B complained to NatWest about her experience in branch and the impact it had on her health. She said she'd arranged private speech and language therapy and asked NatWest to cover the cost, as well as providing compensation for the stress and anxiety caused.

NatWest responded and agreed it provided poor service. It said while it usually asked customers to sign forms in order to collect signature stamps, this wasn't required for customers who had lost all dexterity. So Mrs B shouldn't have been asked to sign. By way of an apology, it offered Mrs B £750 compensation for the upset and inconvenience caused.

NatWest said it would not pay for the private speech therapy undertaken by Mrs B, as it said Mrs B had chosen to pay privately rather than use the NHS. It said there was no evidence to suggest NatWest was solely responsible for Mrs B's ill health and so it couldn't accept responsibility for Mrs B's ongoing medical issues.

Mrs B referred her complaint to this Service. She said stress was a major factor in relation to her medical condition, and the interactions with the NatWest adviser in branch left her feeling very stressed, frightened and anxious. She said being unable to write and speak made communicating very difficult. Mrs B wanted NatWest to acknowledge that its policy of getting someone to sign for a signature stamp was ludicrous and asked for compensation for the stress and trauma this matter has caused.

Our Investigator didn't think NatWest needed to do anything further. She said NatWest had a system in place where Mrs B shouldn't have been asked to sign for the stamp, and the adviser should have adhered to this. Our Investigator said she can't fairly say that Mrs B losing her speech was caused solely by this event, that it was down to her previously

diagnosed condition. So she didn't think it was fair to ask NatWest to pay for private speech therapy and thought the £750 already offered by NatWest fairly reflected the level of distress and inconvenience caused.

Mrs B responded and said she felt she would still be able to speak if she hadn't visited the branch. She said she opted for private speech therapy because of the length of time it would take to access it on the NHS. As Mrs B didn't agree, this came to me for a decision.

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.

I have a great deal of sympathy for Mrs B and the difficulties she faces everyday as a result of her medical condition. But I am not asking NatWest to take any further action here, and I'll explain why.

NatWest has already acknowledged that it made an error when its adviser asked Mrs B to sign her name numerous times before the adviser would give her the signature stamp. It said that while it usually requires a signature to be provided, an exception should have been made in Mrs B's case. So NatWest should have done more to take Mrs B's vulnerabilities into consideration and should have deviated from its usual processes.

It's clear the interaction at the NatWest branch caused Mrs B a great deal of distress. So in a situation like this, where a business has made an error and the consumer has been caused distress, I would expect the business to consider the overall impact on the consumer and award fair compensation.

Mrs B's vulnerabilities mean she most likely experienced a great deal more distress than an error of this kind might otherwise have caused. It's clear from what Mrs B has said that her condition is made worse when she becomes stressed. So the interaction in the branch exacerbated her stress levels and left her feeling embarrassed and anxious. And I think that NatWest has taken this into consideration when it awarded £750, which I consider to be a fair amount of compensation. I can see that NatWest has also apologised to Mrs B.

Mrs B would like NatWest to pay for the private speech therapy undertaken by her after she became unable to speak. But while I have a great deal of sympathy for Mrs B, as it's clear she's unwell, I don't think it would be fair – and I have to be fair to both parties – to ask NatWest to do this.

This is because while it might well be the case that stressful situations, such as the interaction at the bank, exacerbate Mrs B's condition, the fact is she was already unwell prior to her visit to the bank – she had already been diagnosed and was living with her medical condition. I note that the doctors who treated her in hospital in December 2022 referred to her loss of speech as a *"further functional neurological episode"*. So it's because Mrs B was already unwell before she went into her local branch that I don't think it would be fair to hold NatWest responsible for a deterioration in her condition to the extent that it should fund treatment for Mrs B. I'm satisfied it's enough that it has awarded fair compensation that takes into consideration that Mrs B would have experienced a greater level of distress as a result of her vulnerabilities.

I know my decision will disappoint Mrs B, but I am not asking NatWest to take any further action.

My final decision

It's my final decision that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B and Mrs B to accept or reject my decision before 26 December 2023.

Martina Ryan
Ombudsman