

The complaint

Mr C complains about the service he received from HSBC UK Bank Plc following some unauthorised transactions on his account.

What happened

Around two years ago, Mr C was refunded for some unauthorised transactions on his account. He says his details were amended, but an unauthorised payment was attempted again a short while later – HSBC was able to reverse this payment. Mr C is unhappy that HSBC is unable to explain why a third party was able to attempt an unauthorised payment even after his details had changed.

Mr C is also unhappy about how he was treated by branch staff when this happened. He says he was made to feel at fault for the fraudulent transactions. So he complained to HSBC earlier this year. He says the experience left him stressed, in fear of using his account and that he had sleepless nights. Mr C adds that he refrained from using online and telephone banking for a year because of this fear and says he experienced inconvenience as a result.

HSBC says it's unable to explain how someone was able to use Mr C's details after he'd changed them. It also apologised for any poor service Mr C may have received but noted it could no longer find out what happened in branch because of the time that had passed.

After Mr C asked this service to get involved, our investigator decided that the bank had acted fairly. Mr C doesn't agree and wants to be compensated for what he went through. The unauthorised payments were resolved at the time, so the only remaining complaint issue is regarding the service Mr C received from the bank.

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.

Having done so, I've decided that there isn't more for HSBC to do here and I'll explain why.

Mr C's concerns about how HSBC's branch staff treated him refers to something that happened a few years ago. Mr C says he was too stressed to raise his complaint sooner. Given the time that's passed, HSBC can't obtain any information from its staff about what happened at the time. Mr C says he was made to feel at fault for the unauthorised payments because staff at the branch said he must have shared his details with someone.

I can appreciate that it was a difficult time for Mr C as he was the victim of fraud multiple times within the same month. But I can't fairly conclude, based on Mr C's recollection of what happened, that HSBC accused him of being at fault for the unauthorised payments. It seems to me, that the comment was likely speculative rather than an accusation. HSBC has apologised for causing Mr C to feel this way and I'm of the view that this was a fair response to Mr C's concern.

Mr C wants HSBC to inform him how a third party accessed his information to initiate the payments, even after his information had changed to avoid further unauthorised activity. HSBC says it can't provide an explanation. I don't find this to be unreasonable, given there's no obvious point of compromise. So it would be difficult to identify how a third party obtained Mr C's information.

I understand that Mr C has since gone through a difficult time. He says he's been worried about using his account, he's been under stress and experienced sleepless nights. Mr C adds that he didn't use online or telephone banking for some time and limited his banking activity to branch visits – causing him inconvenience.

However, I can't see that Mr C has gone through all of this specifically because of something HSBC has done wrong. It wasn't down to an act or omission on HSBC's part that led to Mr C being a victim of fraud. And Mr C's act in limiting his banking activity to branch visits for a while seems to be a response to the fraud, rather than something HSBC has done wrong. So, although I empathise with him, I can't fairly say that HSBC caused Mr C the distress and inconvenience he's told this service about. So I won't be asking HSBC to pay any compensation.

To summarise, I'm not persuaded that HSBC treated Mr C unfairly in branch or that it accused him of causing the fraud he experienced. There isn't anything to show how a third party obtained Mr C's details, so I don't think HSBC was unreasonable when it said it couldn't provide this information. I also don't think that HSBC is responsible for causing the distress and inconvenience Mr C says he experienced, so I won't be awarding compensation.

My final decision

I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr C to accept or reject my decision before 3 November 2023.

Abdul Ali
Ombudsman