

## **The complaint**

Miss Z complains that Bank of Scotland plc trading as Halifax treated her unfairly when she called to ask for help.

## **What happened**

Miss Z holds a current account with Halifax that doesn't have an overdraft facility. On 28 January 2023 Miss Z called Halifax and explained she needed to visit a hospital for treatment but didn't have the £5 travel costs available until funds were paid into her account which she expected in a few days. Miss Z spoke with an agent and asked them to look at whether they could approve a payment that would allow her to pay for the travel to hospital.

The agent reviewed Miss Z's account but said she wasn't eligible to apply for an overdraft facility that would've allowed her to borrow funds. Miss Z explained she didn't want an overdraft and didn't want any searches showing on her credit file. The agent offered to transfer the call to a team that could provide budgeting advice but didn't offer any other options and didn't agree to approve a payment for Miss Z. The call was then disconnected.

Miss Z called back a short time later and explained her phone battery had almost run down. Miss Z spoke with another agent and raised concerns about the way her previous call had been handled. The second agent Miss Z spoke with went on to raise a complaint.

Halifax issued a final response on 7 February 2023 but didn't agree its agents had failed to show empathy to Miss Z or treated her unfairly. Halifax didn't uphold Miss Z's complaint.

Miss Z referred her case to the Financial Ombudsman Service and it was passed to an investigator. The investigator said they wouldn't expect Halifax to pay a customer without carrying out affordability checks. The investigator thought the agents Miss Z had spoken with had dealt with her fairly and didn't uphold her complaint. Miss Z asked to appeal, so her complaint has been passed to me to make 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'm aware I've summarised the events surrounding this complaint in less detail than the parties involved. No discourtesy is intended by my approach which reflects the informal nature of this service. I want to assure all parties I've read and considered everything on file. I'm satisfied I don't need to comment on every point raised to fairly reach my decision. And if I don't comment on something, it's not because I haven't considered it. It's because I've focused on what I think are the key issues. My approach is in line with the rules we operate under.

I understand Miss Z was looking for some short term help in a difficult situation when she called Halifax on 28 January 2023. Miss Z explained she only needed £5 to pay for transport to the hospital to obtain medical care. Miss Z also pointed out she'd never asked Halifax for

help in this way before. But, like the investigator, I wouldn't expect a business to simply approve a payment for a customer without first checking they could afford to repay it – even where the sums discussed are modest as they were in this case. So I've looked at whether Halifax acted fairly when Miss Z asked it to make a payment when funds weren't available in her account.

During the first call, the agent looked at whether they could approve an overdraft facility. But the agent explained the systems confirmed Miss Z wasn't eligible to apply. Miss Z, in turn, said she didn't want to apply for a formal overdraft facility as she was concerned about the impact of doing so on her credit file. The agent added that no application could be made as the system had already noted Miss Z wasn't eligible. I appreciate why Miss Z said she needed funds and that it was important. But I'm satisfied discussing options that were available to Halifax, like providing an overdraft, were reasonable based on Miss Z's request for funds.

There were few options available to Halifax beyond that. I note both agents offered to transfer Miss Z to a team that could offer guidance on budgeting but that was declined. Whilst I appreciate Miss Z didn't need that assistance, I think it was reasonable for Halifax's agents to mention it in the circumstances.

Ultimately, I'm not persuaded it was unreasonable for Halifax to look at the available options to assist Miss Z. And I wouldn't expect Halifax to approve any payments to customers before being certain they could afford to repay them. I'm sorry to disappoint Miss Z but I haven't been persuaded Halifax acted unfairly or made a mistake.

Miss Z has told us she feels the agents failed to show a reasonable level of empathy. But I've listened to the calls and I felt both agents listened to Miss Z and tried to provide guidance to help. I felt the second call became heated at times, but I haven't found that the agent Miss Z spoke with was rude or unprofessional. So whilst I understand my decision is likely to come as a disappointment to Miss Z, I'm not telling Halifax to compensate her for the way her calls were handled. As I'm satisfied Halifax dealt with Miss Z fairly, I'm not telling it to take any further action.

### **My final decision**

My decision is that I don't uphold Miss Z's complaint. Under the rules of the Financial Ombudsman Service, I'm required to ask Miss Z to accept or reject my decision before 29 November 2023.

Marco Manente  
**Ombudsman**