

## **The complaint**

C complains that American Express Services Europe Limited (AESEL) did not credit points when they should have done, and they have provided poor customer service.

## **What happened**

A director of C says that on 8 September 2022 he received an offer from AESEL regarding a branded corporate credit card offering him 40,000 points to a specified scheme if he applied for the corporate card and spent £3,000 in the first three months. This bonus would be paid in two instalments – 30,000 points after the statement where the spending target was met and the remaining 10,000 points before 23 February 2023. C's directors had cards sent to them and one of C's directors says that these were issued to them with their name and the corporate entity. One of the directors of C says the directors hit the spending target, however, the bonus points were not added on or after the November 2022 statement which they should have been.

One of C's directors says they lost out on a potential £1,980 of value by the points being awarded late, preventing the directors from using the points to book flights over the Christmas period. He said he was also promised a call back from AESEL which didn't happen, despite him having numerous calls with AESEL. C made a complaint to AESEL.

AESEL partially upheld C's complaint. They said their findings indicate that the spend for the 30,000 bonus points was registered on their system as being achieved on 6 November 2022 in line with the transactions previously made. They said they tried to transfer the points on the same date, however, the points transfer failed due to an isolated incident, although they successfully processed them on 6 December 2022. AESEL admitted that the call back was not honoured. AESEL paid one of the directors two £30 cheques, although a cheque had to be re-issued as he did not receive them both. C brought their complaint to our service.

Our investigator did not uphold C's complaint. He said this complaint could only be referred by C and the directors aren't eligible. He said C can't suffer distress as a legal entity in its own right and he couldn't see C had been caused any loss due to the delay in the payment of the points as it would be the directors receiving the points. Our investigator explained our rules regarding eligible complainants. C asked for an ombudsman to review their complaint.

## **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.

C has made a number of points to this service and I've considered and read everything they've said and sent us. But, in line with this service's role as a quick and informal body I'll be focusing on the crux of his complaint in deciding what's fair and reasonable here.

Our investigator has already explained our rules to C and he has explained who would be classed as an eligible complainant. Here, C is the eligible complainant and not the directors of C as individuals. As a result of this I can't make awards which I may have made to an

individual consumer bringing a complaint about a personal account. For example, as C is a separate legal entity, it can't experience distress or pain and suffering, so I can't make awards for this. Instead, I will consider the impact of any AESEL's errors on C directly, such as any financial, operational or reputational implications.

AESEL said they had an isolated incident which meant the points weren't credited until early December instead of 6 November. And they didn't give one of the directors a call back. This would have been distressing to the director himself, but as I've previously mentioned, I'm unable to award for distress here.

So I've considered if C has suffered a financial loss as a result of AESEL's errors. But I'm unable to demonstrate this. I'm not persuaded that what happened here would cause any reputational damage to C. And I'm not persuaded there was any operational impact on C as a result of what happened. There was inconvenience to the directors as they were unable to take flights in the run up to Christmas. But I've seen no evidence that C was directly inconvenienced here which should result in compensation being awarded. I say this as the error appears to have affected the directors personally as opposed to C being directly inconvenienced as a result of their directors not being able to use the points for flights in the run up to Christmas.

So while I have sympathy for the position the directors found themselves in personally, based on our rules, I can't say compensation is due to C directly based on the reasons I've already given. So it follows I don't require AESEL to do anything further.

### **My final decision**

I do not uphold this complaint.

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

Gregory Sloanes  
**Ombudsman**