

## **The complaint**

Mr D complains a member of Lloyds Bank PLC staff used unprofessional language.

## **What happened**

Mr D visited a Lloyds branch to pay in a cheque. Mr D says a member of staff greeted him and used the words “my lovely”.

Mr D felt he was being talked down to, based on his age. Mr D wrote a letter of complaint to Lloyds, but it didn’t respond. Mr D contacted our service, and we forwarded his complaint to Lloyds, and it sent Mr D a final response.

Lloyds said it trains its staff to talk in a friendly and approachable way. Lloyds didn’t think it had discriminated against Mr D but apologised for the upset Mr D had been caused.

Lloyds said it hadn’t received Mr D’s complaint letter. Lloyds said it would contact the branch to advise it of the upset Mr D had been caused by the member of staff’s choice of greeting.

Mr D wasn’t happy with this response, so an investigator looked into things but didn’t think Mr D’s complaint should be upheld. The investigator thought the language used was polite, happy and pleasant.

The investigator didn’t think Lloyds could reasonably have been aware this choice of language would cause offence. The investigator felt Lloyds’ apology for any unintended offence was enough to resolve things.

And the investigator thought it was more likely than not Lloyds didn’t receive Mr D’s letter. But the investigator said the letter had been sent to a different address to the complaints address and it was possible Lloyds didn’t forward the letter on internally.

Mr D said he’d been sent a further letter from Lloyds, which was contradictory. Mr D said the main issue wasn’t whether the greeting was polite or not but that the greeting was not appropriate in a formal banking environment.

Mr D said either the letter was received by Lloyds or it wasn’t, and the investigator seemed to be saying both things. Mr D asked for an ombudsman to decide things.

## **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.

There’s no dispute Mr D was greeted the way he says he was. But I don’t think the use of

“my lovely” was intended to cause any offence, and I don’t think Mr D believes this either.

And I don’t think the greeting is an inappropriate thing for bank staff to say, in Mr D’s specific circumstances. Like the investigator, I think this is a friendly greeting, given in the opening exchanges of Mr D’s interaction with the branch.

I’d expect Lloyds staff to be friendly and approachable, not overly officious or overly formal. Overall, I don’t think Mr D was talked down to when he was greeted the way he was.

I understand Mr D took some offence when he was greeted the way he was, but I don’t think this was intentional and I don’t think the greeting was specific to Mr D. I think it’s more likely this greeting is often used, Mr D says it may be considered a term of endearment locally.

Lloyds said it would contact the branch to explain how Mr D felt and remind it about using appropriate language. Mr D feels this an admission the language isn’t appropriate.

But, like the investigator, I think a different way. Lloyds sent the message to the branch to explain Mr D took offence at what was said. I think Lloyds wanted the branch to know about the unintended offence rather than say the language used wasn’t appropriate.

Mr D’s said he doesn’t think he’d be greeted this way in any of the other branches he visits. But, just because it might not be said in another branch, doesn’t, I think, make the greeting inappropriate.

Mr D sent Lloyds a letter of complaint, to an address listed on its website. Mr D never got a response and Lloyds says it never received the letter.

I’m satisfied the letter wasn’t received. Lloyds has no record of receipt, and nothing was logged on Mr D’s profile to say he’d complained sooner than when he came to this service.

So, I don’t believe the letter might have got lost between Lloyds departments, and I’m not sure the investigator thought that either.

Although it could have been better explained, I think the investigator was trying to give other options around what could have happened to the letter. But, the investigator says they’re inclined to believe Lloyds didn’t get the letter.

But once Lloyds was aware of Mr D’s complaint it responded quite quickly to it and sent a final response out soon after the complaint was logged. But it seems Lloyds then sent an acknowledgement letter, for the same complaint, a few days after the final response.

The reference numbers on the letters are the same, so I think there’s been some kind of error by Lloyds, it didn’t need to send an acknowledgement letter for a complaint it had already responded to.

I don’t think the letters contradict each other, but clearly Mr D shouldn’t have been sent the acknowledgement letter. But I don’t think there’s been any impact here.

Lloyds apologised to Mr D, for any unintended offence he took, when it responded to his complaint. Like the investigator, I think this is enough to resolve things.

Mr D said he feels Lloyds may have discriminated against him. In other words, has failed its duty to make reasonable adjustments under the Equality Act 2010.

I've taken the Equality Act 2010 into account when deciding this complaint – given that it's relevant law – but I've decided this complaint based on what's fair and reasonable.

If Mr D wants a decision on whether Lloyds has breached the Equality Act 2010, then he'd need to go to court.

### **My final decision**

My final decision is I don't uphold this complaint, I don't think the language used was inappropriate for bank staff.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr D to accept or reject my decision before 31 January 2024.

Chris Russ  
**Ombudsman**