

## **The complaint**

Mrs M complains that HSBC UK Bank Plc did not reply to her correspondence, cancel her standing order or arrange a suitable repayment plan with her in writing.

## **What happened**

Mrs M says that she wrote to HSBC on 3 January 2023. The letter details that she spoke to HSBC when she had income problems through no fault of her own. She said she had difficulties getting through to HSBC on the phone, and there was background noise when she managed to get through to them. She said she would now be making payments on 15 February, March, April for £345.94 and £370.82 in May then she would be up to date. She said she stated she wanted no telephone calls from HSBC, but they have harassed her with calls.

As Mrs M received no reply to her letter, she wrote HSBC another letter on 13 April 2023 by recorded delivery, which was signed for. She said she tried to change her standing order, but they aren't allowing her to do so, and she has been ignored by their online banking assistant. Mrs M said the daily calls still continue despite asking them to stop. She requested that she is allowed a holiday period or allowed to make lower, reduced payments, and they could then agree a steady monthly repayment from there. Mrs M made a complaint to HSBC.

HSBC did not uphold Mrs M's complaint. They said their records show the last payment they received towards her personal loan was on 23 January 2023. They said there is no active standing order on the account. HSBC said she would need to ring their Financial Support Team (FST) to set up a repayment plan, and they gave her a telephone number to ring. They said alternatively she could email them, and they provided an email address. Mrs M brought her complaint to our service.

Our investigator did not uphold Mrs M's complaint. He said Mrs M did write to HSBC and it was successfully delivered, but the letter sent by her was not addressed to the correct department and the correct process was not followed to implement a new repayment plan, as Mrs M should have called HSBC's FST, and this doesn't seem to have happened.

Mrs M asked for an ombudsman to review her complaint. She made a number of points. In summary, she said HSBC do not give any other address to write to, and they should be duty bound to forward it to the correct department. She said when she spoke to two people on separate occasions they were 100% unhelpful, and she didn't contact them again as she specifically asked for a repayment plan in writing which they did not do. They also didn't respond to her request regarding her standing order through online banking.

## **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.

Mrs M has made a number of points to this service, and I've considered and read everything

she's 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 her complaint in deciding what's fair and reasonable here.

I'd like to explain to Mrs M that it is not within this service's remit to tell a business how their collections process should operate, including how they choose to arrange repayment plans, and the requirement to ring them to do so. It would be the role of the regulator – the Financial Conduct Authority, who have the power to instruct HSBC to make changes to its policies and procedures, if necessary.

I've considered what Mrs M has said about her standing order and the live chats she had with HSBC. I've also asked HSBC for further information regarding the setup of the standing order. HSBC have confirmed that there were no blocks on Mrs M's account, and she set the standing order up to be paid monthly until further notice. They have also forwarded me the chat conversation so I can see what happened here.

Mrs M used the chat facility on 19 February 2023. She asked for the standing order to be cancelled with immediate effect as she needed to change the amount. The chat agent proceeded to send a link for Mrs M to cancel the standing order. But Mrs M does not make any further comment on the webchat. So I'm satisfied she was given the instructions of how to cancel the standing order. The following day she asks again, and the chat agent responds, then there is no follow up from Mrs M, and it doesn't appear she clicked on the relevant list of options she was given.

On 15 March 2023, Mrs M asks to amend the amount of the standing order. But she doesn't appear to select the option she was presented regarding if the standing order was due to debit her account in the next two working days. So I can't say that HSBC made an error with the standing order. This is because they gave her a link for her to cancel this, and on follow up chats Mrs M didn't answer the questions she was asked. HSBC have also confirmed to me that they are unable to cancel the standing order for her through the chat and this is why they provided her the link to do this herself.

I've considered what Mrs M has said about HSBC not responding to her correspondence. Mrs M has forwarded us a letter she sent to HSBC's customer service centre dated 3 January 2023. But despite Mrs M saying HSBC didn't respond to this letter, they actually emailed her a response on 27 January 2023. I have cross referenced the email address they sent this email to, and it is the exact same email address that Mrs M gave to our service, so I'm satisfied that HSBC did send her a response to her letter. So if Mrs M did not open this, or it went to her junk mail folder, I can't hold HSBC responsible for this as this would be out of their control.

The email from HSBC is clear that to put a repayment plan in place, she would need to ring the FST, and the telephone number is given for her to ring them. She was told how she could stop calls. HSBC tells Mrs M that due to any inconvenience and upset caused over what happened, they would credit £50 compensation to her HSBC current account. I can confirm to Mrs M that the £50 was paid into her current account on 27 January 2023 – the same day as HSBC emailed her.

I agree with Mrs M that when she sent HSBC a letter by registered mail that they should have forwarded it to the relevant department. But I'm not persuaded that if they did forward it to a relevant department this would have made any difference. I say this because Mrs M's letter wasn't signed, so they wouldn't have been able to check their genuine customer was writing to them.

But another reason why I'm not persuaded it would have made a difference is because HSBC had already given the link for Mrs M to cancel the standing order, and I would not

expect them to act on an unsigned letter (and they may not have been able to verify it was Mrs M even if the letter was signed). While Mrs M had asked them for a letter regarding a repayment holiday or reduced payments, they had already told her she needed to ring them about this. And while Mrs M has had bad experiences on the phone to HSBC, it is their process that a customer speaks to the FST for them to arrange a plan. So it follows I don't require HSBC 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 Mrs M to accept or reject my decision before 25 January 2024.

Gregory Sloanes  
**Ombudsman**