

The complaint

Mr B complains The Royal Bank of Scotland Plc (RBS) have prevented him accessing his current account, and the funds held within it, for several years.

What happened

Mr B held a current account with RBS. Over several years he says he's encountered problems accessing the account as well as receiving replacement debit cards and PIN's via post.

Between October 2022 and March 2023, Mr B contacted RBS about the problems he was facing accessing his account online. During this time RBS attempted to re-send replacement cards and PIN's to Mr B by post, so he could log in to his account. Mr B says these either didn't arrive, or if they did, he found the PIN wasn't printed inside.

Unhappy with the service he'd received, Mr B complained. RBS reviewed matters and issued their first final response letter on 26 October 2022. This explained Mr B should now be able to view his account online but wouldn't have full access until his PIN and card arrived – which they'd re-ordered.

As problems continued, Mr B contacted our service in February 2023, saying he thought the bank should allow him access and pay him the amount he had in the account in compensation.

Subsequently RBS issued a further final response letter on 3 March 2023. In this RBS apologised for the service Mr B had received, explained they'd again re-ordered a PIN to be sent to him and offered £200 compensation for the inconvenience he'd experienced. They also said if Mr B still wanted to close his account, he'd need to send signed written instruction to an email address they provided.

An Investigator here reviewed matters and concluded RBS had made an error, which would have caused understandable inconvenience for Mr B. As such, he suggested RBS should pay a further £100 compensation in addition to £200 previously paid and arrange for Mr B's account to be closed.

RBS accepted what our Investigator said, but Mr B didn't. He questioned the previous £200 our Investigator had referred to – but overall considered the amount recommended was too low, given the gravity of the situation and what he considered to be RBS' disregard of the banking code and poor customer service he'd experienced. He also considered our Investigator should take into account the difficulties he'd experienced accessing his account during the pandemic.

Our Investigator reviewed everything but explained it didn't change his opinion. He also said he'd only been able to consider what had happened since October 2022, as Mr B's complaints before this date were brought to our service too late – which included the impact on him during the pandemic. And while he'd not been able to listen to every call Mr B had

with RBS, he had taken Mr B's comments into consideration, and in his opinion £300, in total, was a fair and reasonable amount to resolve matters.

Our Investigator continued to liaise with Mr B and RBS to arrange the closure of his account. But ultimately Mr B remained unhappy, saying while RBS had now released his funds, they had done so two and a half years late. He added this whole situation had caused him extreme mental stress and hardship. And this had all happened during the height of the pandemic when he needed the funds most.

With no resolution, the case was passed to me to decide.

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.

In considering what is fair and reasonable, I've taken into account the relevant industry rules and guidance, and what would be considered as good industry practice.

Firstly, I'm sorry to see Mr B's faced issues with the account he held with RBS for some time. I can appreciate that will have been particularly distressing, especially during the pandemic, as he says. However, as I'll explain below, there are limits to what I can consider as part of this decision.

Mr B has raised a number of complaints with RBS and received their final responses to these. Which I've outlined below:

- October 2012 – Mr B complained about problems accessing his online banking and applying for a new debit card.
- September 2020 – Mr B complained about problems ordering a new debit card and the activation code system.
- February 2022 – Mr B complained about changes to his online password and information he'd received about logging on to his account online.

We've explained to Mr B informally, it seems he brought these complaints to our service too late. As such, they won't form part of this decision.

What I can consider here is what's happened since. Mr B received two further final response letters in October 2022 and March 2023. I've considered these, and the complaints leading to them, as part of this decision.

Mr B has confirmed his current account has now been closed, which I understand happened on 8 January 2024, and he's received the funds that were in the account. RBS has also apologised for the service Mr B received and offered compensation for that. So all that's left for me to consider in this decision is the impact this has had on Mr B, and what amount of compensation might fairly resolve this complaint.

I understand Mr B doesn't consider the amount our Investigator recommended fairly compensated him or take into account rules, he considers, the bank has disregarded. As this service is not the regulator, I can't fine or punish RBS for any mistake it made. But I can consider the impact the error caused Mr B.

In order to access his account online, Mr B needed a PIN that RBS had to send him by post. These measures are in place to protect customer's accounts, so I don't think it's

unreasonable they needed to do this. Mr B also lives abroad, so naturally, post will take longer to arrive. From what I've seen both Mr B and RBS accept that to some extent.

While Mr B didn't receive the replacement PIN's RBS sent him, I can see these were sent on 26 October 2022 and on 7 March 2023. RBS say the second PIN was sent via a tracked courier service, although I've not seen evidence to confirm that. I don't know why Mr B didn't receive either PIN but what I need to be persuaded by here is that RBS sent them – which I can see they did, I just don't know which service they used. As our Investigator said, it's possible RBS didn't send the second letter via courier as they haven't been able to provide a tracking number. That said, by this point Mr B had already asked our service and RBS to close his account – so I don't think receiving the PIN sent in March 2023 would have changed things in any case.

It's not clear exactly when Mr B first told RBS to close his account – but based on what I've seen RBS were aware for some time. While I don't know if Mr B emailed as RBS asked him to in March 2023, our service told RBS he wanted his account closed around a similar time – but they didn't action this. In fact, RBS took until December 2023 to send Mr B the relevant forms – some nine months later. So overall, while Mr B could have emailed in March 2023, RBS also took too long to provide Mr B with the necessary forms and could have done so on several occasions prior to December 2023.

I've considered the impact of RBS' actions on Mr B. Having done so, while I agree he was certainly inconvenienced, I don't think the bank needs to compensate him in the manner he's requested.

While I understand Mr B considers he should get more compensation, I'm required to consider each complaint individually and on its own merits. And having considered the impact caused solely by the issues that occurred since October 2022, I'm satisfied that £300 is in line with the level of distress and inconvenience Mr B has suffered and within our award ranges for situations like this.

Based on what I've seen, RBS paid the £200 they offered Mr B into his account on 3 March 2023. I'm also satisfied when the account was closed, this sum was included in the final settlement figure. What I don't know is whether RBS have since paid the additional £100 our Investigator recommended. So I've accounted for that below.

My final decision

I uphold this complaint and require The Royal Bank of Scotland Plc to pay Mr B a further £100 in compensation, if they haven't done so already.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 4 April 2024.

Victoria Cheyne
Ombudsman