

## The complaint

Mx W complains that J.P. Morgan Europe Limited trading as Chase didn't provide the service it should have and didn't follow the reasonable adjustments that are in place.

## What happened

Mx W contacted Chase through its online chat. Mx W says that their questions weren't answered, and they asked Chase to stop messaging. Chase continued to message Mx W on two further occasions before Mx W asked to raise a complaint. Chase then messaged on further occasions even though Mx W had asked it not to. Chase then said it would call Mx W, and even though there were reasonable adjustments in place for email and chat contact only between 9am and 5pm Monday to Friday, the call took place late on a Saturday.

Chase issued a final response to Mx W's complaint dated 1 August 2024. It apologised that Mx W hadn't received the service they should have and upheld the complaint. It offered to pay Mx W £100 for the inconvenience caused but noted that Mx W hadn't accepted this and so said this hadn't been credited to their account.

Mx W referred their complaint to this service. Our investigator explained that not adhering to the reasonable adjustments in place caused significant worry and upset to Mx W. Our investigator considered the repeated nature of the contact by Chase after being told to stop messaging. While our investigator thought £100 compensation might be reasonable in other circumstances, given the impact these issues had on Mx W he recommended that Chase pay a further £250 compensation (bringing total compensation to £350).

Chase didn't accept our investigator's view. It acknowledged that reasonable adjustments were in place for Mx W but that Mx W had contacted it outside of the hours specified in the reasonable adjustments and said this should be taken into consideration when assessing the impact of the contact. It said the online chat hadn't been resolved and the agent wanted to understand if Mx W wanted to continue with the query. It further noted that in response to Mx W's comment it followed its welfare process for when there had been a threat to life, and this was to contact Mx W.

Our investigator responded to Chase's comments and issued a second view. He said that the main reason he upheld the complaint was because Chase continued to try to contact Mx W after they had asked it to stop, causing distress to Mx W. He felt that the £100 offered by Chase didn't fully reflect the distress that had been caused. However, taking into consideration some of the messages to Mx W were automated responses and that Chase was trying to help Mx W by following its welfare process, he recommended that it pay a further £150 compensation (bringing total compensation to £250).

Chase didn't accept our investigator's second view. It said that Mx W hadn't been asked to call Chase and that it was Mx W's decision to do so. It said that Chase had decided to close Mx W's account after providing 60 days' notice (which was subject to a separate complaint). It said that it had put reasonable adjustments in place so that Mx W didn't receive any calls. But Mx W had chosen to make calls which was at odds with the reasonable adjustments. It noted the comment about Chase continuing to contact Mx W after they had told it to stop but

said that Mx W prompted the chats and asked for support and that further questions were asked to try to progress Mx W's queries. It noted the comment about its welfare process but said that it acted in Mx W's interests by following this. It said that it had provided a direct line of contact for Mx W for several years even though this wasn't its usual way of working but it felt this best suited Mx W's needs.

### **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.

This complaint is about the service Mx W received from Chase. Mx W is a vulnerable consumer and Chase has reasonable adjustments in place to support Mx W's needs. I have had this in mind while deciding what is a fair outcome to this complaint.

Chase has explained that reasonable adjustments were put in place several years ago for Mx W where it agreed not to contact Mx W by post. It also agreed it wouldn't reach out to Mx W outside of the hours of 9am to 5pm, and that it wouldn't attempt to call Mx W. On 24 June 2024, Mx W contacted Chase through its online chat asking for help as they had transferred an incorrect amount of money to a third party. This chat was started at a time outside of 9am to 5pm but as Mx W instigated the contact, and noting the nature of the query, I find that Chase was right to respond as it would likely have caused Mx W more distress had no response been provided until the timeframe set out in the reasonable adjustments.

On the chat the Chase agent attempted to resolve Mx W's query by asking further questions about the transaction. They then said that the money had been sent to the receiving bank and asked if Mx W had contacted the receiving bank about this. Mx W said they couldn't do this. Up to this point I find that Chase hadn't done anything wrong as it responded to Mx W in a timely way and identified the payment Mx W was disputing. The chat is then resumed a few days later, again outside of the hours set out in Mx W's reasonable adjustments, and again I find it reasonable that Chase responded to Mx W's query.

Mx W started a new online chat on 27 July 2024, asking about payments to a particular individual. This was also outside of the reasonable adjustment hours. The Chase agent clarified if the query related to Mx W's previous query and Mx W confirmed it didn't. Further questions were asked by the Chase agent which I find reasonable, but the chat deteriorated. Mx W then clearly stated they didn't want any more messages. While I can see the Chase agent was trying to assist Mx W with the query, given they had made it very clear that they didn't want to be contacted, and the agent should have been aware of Mx W's needs, I find that the Chase agent should have stopped messaging Mx W as soon as this was requested.

While the additional messages sent through the chat may not have caused distress to certain customers, they did have a significant impact on Mx W. The communication shows how upset and agitated they had become, and this could have been avoided had the chat stopped when Mx W requested this. Therefore, I do not find that Chase provided the service it should have at this time.

The chat then deteriorated further, and Mx W made a comment that raised concerns about their welfare. The Chase agent said they would call Mx W. While the Chase agent was following the policy in place to deal with this situation, they didn't appear to take into account Mx W's needs. The reasonable adjustments state that no calls should be made. By the Chase agent saying that a call would happen I find that it likely exacerbated the situation, one where Mx W was already in a distressed state. While this wasn't the intention, I do not find that Chase provided the service it should have at this time.

Chase has said that since this complaint was raised, Mx W has called it directly on two occasions and this should be taken into consideration as it went against their reasonable adjustments. I have listened to the calls and on the first, Mx W says they had experienced issues accessing their account and said that the message said to call Chase. Chase has said that Mx W wasn't asked to call but that they chose to do so. I note the comments but also that on the initial call when Mx W failed security they were told to call back even though this wasn't in line with their support needs. So, while I have considered the comments Chase has made about Mx W calling, I do not find that this changes my position regarding the issues raised in this complaint.

As set out above, I find that there were times when Chase didn't provide Mx W with the service it should have. Chase offered to pay Mx W £100 for the upset and inconvenience it had caused but I agree with our investigator that a higher amount is warranted in this case. I say this because Chase was aware of Mx W's support needs, and these weren't always reflected in its actions. I have also considered that the issues with the service clearly had an extremely distressing impact on Mx W. Taking all of this into account, I agree with our investigator's recommendation that Chase pay Mx W a total of £250 compensation for the service issues identified in this complaint.

### **Putting things right**

Chase should pay Mx W total compensation of £250. If the £100 that was previously offered has been paid, then Chase needs to pay a further £150.

### **My final decision**

My final decision is that J.P. Morgan Europe Limited trading as Chase should take the action set out above in resolution of this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mx W to accept or reject my decision before 20 December 2024.

Jane Archer  
**Ombudsman**