

Ombudsman Decision**CIFO Reference Number: 25-000022****Complainants: Mr and Mrs L****Respondent: HSBC Bank Plc, Jersey branch**

The complainants who I shall refer to as Mr and Mrs L, complain that HSBC Bank Plc, Jersey, delayed the transfer of money required for a property purchase resulting in substantial distress, inconvenience and loss of time spent chasing the payment.

Mr L has dealt with the complaint and further complains that the bank:

- failed to treat his emails to chase the payment seriously; and
- didn't act on his request to raise a formal complaint or tell him of his rights regarding the complaints process.

The bank has offered compensation of £1,200 to recognise the distress and inconvenience. Mr and Mrs L would like £2,000, which they consider better reflects the distress they experienced, and the time spent dealing with the matter.

Background and Initial Conclusions

In early October 2024 Mr L asked the bank about making a large transfer from his account to his solicitor for the purchase of a property. He was told that a 'maximum of five working days' notice would be required. The money was needed for the purchase on 24 October and so the bank told him to provide the transfer instruction on 16 October.

Mr L gave the instruction and then chased the payment on 21 October. He was told that the money should arrive within two working days. In the event the money was received early on 24 October, and the property purchase went ahead.

¹ Financial Services Ombudsman (Jersey) Law 2014 Article 16(11) and Financial Services Ombudsman (Bailiwick of Guernsey) Law 2014 Section 16(10)

Mr L raised a complaint with the bank on 24 October; he had needed to chase the bank on both 23 and 24 October to find out where the money was and at one stage believed it had been lost. This had resulted in a large amount of distress and time.

The complaint was not logged by the bank until 5 November; he wasn't given the opportunity to provide the details of the complaint, and it was erroneously marked as resolved by the bank.

The bank subsequently explained the transfer had been held for additional checks and that when Mr L chased for updates the manager did not recognise that the payment had not left the bank. The bank offered compensation of £900 and, following further correspondence from Mr L, increased the offer to £1,200.

Our adjudicator reviewed the complaint and concluded that the bank's offer to pay £1,200 was appropriate and sufficient to recognise the service failings by the bank and the distress and inconvenience experienced by Mr and Mrs L.

Subsequent Submissions

Mr and Mrs L did not accept the adjudicator's conclusion. Mr L said

- The compensation offered does not reflect the level of stress they were put under fearing that the property purchase would not complete and that they would be subjected to many thousands of pounds in costs for a failed chain of property transactions.
- The significant failings of the bank in being able to raise a complaint had not been taken into account - explicitly the amount of time it took the bank to take him seriously and raise a complaint which was not acted on until many weeks later and after advice from us as to how to "force" this to happen.

Findings

I have considered all the available evidence and arguments to decide what is, in my opinion, fair and reasonable in the individual circumstances of this complaint. Having done so I confirm the adjudicator's conclusion that the offer of £1,200 adequately reflects the impact on Mr and Mrs L of the mistakes made by the bank.

Mr L gave the bank sufficient notice of his need to make the payment and explained that the money was needed for the purchase of property. The bank was therefore on notice that the transfer was important and that there could be financial consequences if the money was not in the solicitor's account on 24 October.

In the event the money was received with Mr L receiving confirmation from his solicitor at 9.40 am that the money had arrived. The manager did not get back to him until 11.23 am when he (Mr L) received an email saying the money had been sent.

I understand Mr and Mrs L's significant concern in the days leading to 24 October and why he contacted the bank to find out what was happening. That said the bank had said it needed five working days. I take what Mr L was originally told as meaning that this would be the maximum time required although it also seems to me that this is dependent upon validation checks being correctly completed. That did not happen in this case and the transfer took six working days.

There were also issues with the subsequent complaint with a final response not being provided until after Mr and Mrs L had contacted us. This added to their frustration.

My role here is not to fine or punish the bank, rather it is to assess what redress should be paid where something has gone wrong. There was the potential for significant financial loss here but that was not realised. Mr L told us that he spent approximately ten hours of his time trying to deal with the matter and thought he should be compensated at the rate of £200 per hour.

In line with our general approach to compensation, in calculating an appropriate distress and inconvenience award, I will take into account such aggravating factors as the time spent mitigating the impact of the error or omission underlying the complaint. But this is not assessed on an hourly basis. Our approach is published [here](#).

In all the circumstances I consider the offer by the bank recognises the impact on Mr and Mrs T and to be a fair settlement of the complaint.

Final Decision

My final decision is I uphold the complaint. HSBC Bank Plc should pay Mr and Mrs L the £1,200 it has already offered.

Clare Mortimer
Ombudsman

Date: 11 July 2025