

## **The complaint**

Mr S complains that Barclays Bank UK PLC decided to close his account.

## **What happened**

Mr S complained to Barclays after it wrote to him in May 2023, notifying him of the bank's plans to close his account. Barclays said that this was because Mr S was living outside of the UK. At the time, Barclays gave Mr S a deadline to make contact, after which it said his account would be closed after 4 June.

In its response to his complaint, Barclays stood by its decision – the bank said that, although Mr S is a UK citizen, it would only deem him a UK resident if he spent more than six months of the year residing in the UK. Barclays gave Mr S an extension until November so that he could make alternative banking arrangements.

Remaining unhappy, Mr S asked this service to review his complaint. He says Barclays shouldn't be able to close his account given he's a UK citizen. Mr S confirms he's been living overseas since 2009, with occasional visits to the UK. He says the bank's decision caused him stress because he's needed to make alternative banking arrangements. He also wants confirmation that he's not being discriminated against because of his ethnic origin.

Our investigator decided that Barclays had acted fairly. Mr S doesn't agree. He believes the bank's decision is because of his ethnicity and the faith he follows. Mr S claims that Barclays isn't closing accounts of customers from a white ethnic background that are living outside of the UK – so he feels discriminated against. Because Mr S doesn't agree, the complaint has been 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.

I'm not upholding this complaint – I'll explain why.

Mr S thinks Barclays has discriminated against him because of his faith and ethnic background. He says the bank isn't treating customers of a white ethnic background the same way. Mr S adds that he's never acted unlawfully and has had an unblemished career in the UK, so the bank shouldn't have taken such a step. Barclays says its decision to close Mr S' account now is due a recent policy change it made, resulting in the bank reviewing its service offering to all customers living outside of the UK.

I need to clarify that this service is unable to make findings on whether something constitutes discrimination as per the Equality Act 2010. This is because this service is an informal alternative to the courts, and only a court of law can make a legal finding based on the definitions set out within the Act. If Mr S wants a decision on whether Barclays has breached the Equality Act 2010, then he would need to go to court.

However, I can consider whether the bank has acted in a fair and reasonable manner, and to do that I will take several things, including the Equality Act 2010, into consideration.

The role of this service is to reach a fair and reasonable outcome based on the individual circumstances of each complaint. So, in considering Mr S' complaint, it's not for me to look into account closure decisions that Barclays has made for accounts held by other customers who reside overseas.

My remit here is to decide on whether I think Barclays acted fairly when it decided to close Mr S' account. And, despite Mr S' reputation and credibility, for reasons I'll explain, I think the bank did act fairly and reasonably. I also haven't seen anything that leads me to think that Barclays made the decision to close Mr S' account because of his faith or ethnicity.

While I can't make a finding on whether the policy was discriminatory, I can consider whether it was reasonable. And I think it was. Barclays has a level of discretion in choosing who it does business with and on what terms. And having considered what the bank has told us of its reasons for this, I don't think it was unreasonable.

The terms and conditions for Mr S' current account explain that Barclays can close his account if it finds out that he's no longer eligible for it. One criterion for this is if he's no longer residing in the UK. As Mr S says, he's been living overseas since 2009 and although he visited the UK occasionally – he hasn't been in the country since 2014. So I'm satisfied the bank applied its rights under this term fairly.

Mr S points to the fact that he's a UK citizen. But this part of the eligibility criteria for holding a current account with Barclays doesn't point to the requirement of citizenship within the UK. The criteria requires that Mr S resides in the UK. Barclays says it classes customers as residing in the UK if they spend more than six months of the year living in the UK. Mr S doesn't fit this requirement, so I think it's reasonable that Barclays decided he's no longer eligible for this account, despite him being a UK citizen.

I can understand Mr S' frustration with this decision – he's operated this account with Barclays for over 25 years, so it's likely that many of his financial activities are carried out through this account. Mr S also says he receives rental payments into this account. So I can appreciate that, at the time, it would've felt difficult for Mr S to consider rearranging his account credits and debits to operate from another bank account.

However, as I said, Barclays hasn't acted unfairly by deciding to close Mr S' account. So I can't consider making a compensation award for the distress and inconvenience Mr S has experienced. Moreover, Barclays gave Mr S an extension until November 2023 – allowing him extra time to make alternative arrangements before his account was closed. So I'm satisfied that the bank treated him fairly.

To summarise, in my opinion, Barclays has decided to close Mr S' account in line with its account terms and it has done so fairly. Although I recognise that the closure has likely caused Mr S distress and inconvenience, I'm satisfied that this isn't because of something the bank has done wrong.

### **My final decision**

For the reasons above, I'm not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 1 February 2024.

Abdul Ali  
**Ombudsman**