

## **The complaint**

Mr B the executor of the estate of Mrs B complains that The Royal Bank of Scotland Plc ("RBS") froze his joint bank account held with the late Mrs B without notification. Mr B is unhappy with the service received from RBS regarding this and its bereavement process. Mr B wants a total review of this monitored by the Financial Ombudsman Service.

## **What happened**

Mr and Mrs B held a joint account with RBS, Mrs B died appointing her husband Mr B to be the Executor of her estate. Mr B is unhappy with RBS's bereavement processes and the service he received regarding Mrs B's estate. In particular he says:

- A period of obvious distress was made worse by RBS when he had to waste personal time and had additional travel due to RBS's incompetency which also affected Mr B's professional work for a charity.
- There were long delays to respond to phone calls and letters, no single point of contact, lack of continuity and promises of delivery were not kept.
- Communication between him and the local branch was inefficient and letters were received unsigned with spelling errors.
- He attended RBS's branch five days in a row as he'd lost access to his funds and had his debit and credit card cancelled as a result of RBS's errors.

Mr B complained to RBS about all this. RBS accepted that it made some mistakes and says it has taken steps to have the issues corrected as well as removing the blocks put on to Mr B's cards. RBS offered £1,280 compensation for the distress and inconvenience caused and £100 to compensate Mr B for the travel costs.

Mr B was dis-satisfied with this and brought the complaint to this service. In particular Mr B wants to be satisfied that RBS have reviewed and made modifications to its bereavement process as its claimed.

One of our adjudicators looked into Mr B's concerns and reached the conclusion that RBS accepted the mistakes it had made and that these had now been rectified and they felt the compensation offered was a fair way to settle the complaint.

The Mr B disagreed, although he accepted RBS's resolution to the matter, he wants evidence that RBS has changed its process and evidence that an audit of RBS's bereavement process was carried out by this service and has asked for an ombudsman's decision.

## **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.

First of all my condolences to Mr B on the loss of his wife, I sympathise at what must have been a very difficult time was made more difficult by RBS's failures. And I applaud Mr B for

trying to ensure going forward RBS has an efficient bereavement process in place to alleviate some of the distress that is all too common for those taking on the role of an executor.

I understand to resolve the complaint Mr B would like our organisation to conduct an audit of RBS's bereavement processes to ensure that RBS has made sufficient changes to its processes so that going forward others don't have to suffer as he has. But we are not the regulator, I cannot make the bank change its policies or procedures – or tell it what processes it has to have in place for a bereaved customer or how it deals with an account on notification of a customer's death.

This service doesn't supervise, regulate or discipline the businesses we cover – that's the role of the regulator, in this case the *Financial Conduct Authority*. We offer an informal dispute resolution service and my role in this case is to look at the problems the consumer (in this case the estate of the late Mrs B) has experienced and see if RBS has done anything wrong or made a mistake. If it has, I would seek – if possible - to put the consumer back in the position they would've been in if the mistakes hadn't happened. And I may award compensation that I think is fair and reasonable if I consider it warranted.

RBS has already accepted that it made a number of errors in processing Mrs B's death – one of which was blocking Mr B's access to funds held in a joint account with his late wife. My understanding is that this has now been resolved and by all accounts there is nothing further for RBS to do to rectify this. On top of this RBS has paid £1,280 for the distress and inconvenience caused and reimbursed Mr B £100 for travel costs – which Mr B has accepted.

Mr B hasn't made this service aware of any further mistakes RBS has made in relation to the administration of his late wife's account - and as we aren't the regulator – I don't think there is anything more we can do.

I also think the compensation paid is fair and reasonable as in cases such as these, I wouldn't usually make an award of compensation for distress and inconvenience because Mr B is not the complainant. Mr B is merely acting on behalf of the estate and so it is not in my powers to make an award for any distress and inconvenience he's suffered personally – though I appreciate the difficult role he's taken on and the responsibilities that come with that.

So it follows that I'm satisfied that RBS has already done enough to put things right for the estate of the late Mrs B and I'm not going to ask it to do anything more.

### **My final decision**

For the reasons I've explained I've decided what The Royal Bank of Scotland Plc has already done is a fair way to settle the estate of Mrs B's complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs B to accept or reject my decision before 13 November 2023.

Caroline Davies  
**Ombudsman**