

## **The complaint**

Mrs L1 complains on behalf of the estates of her late father and mother concerning the way her mother was treated by Northern Bank Limited trading as Danske Bank, when trying to close her late father's bank account.

## **What happened**

Mr L passed away in November 2022. Mrs L1 attended his local bank branch on 19 November, and produced her father's death certificate and explained that her mother had mobility issues. The adviser referred the matter to Danske Bank's specialist Bereavement Support Team who took charge of the matter. A call was then made to Mrs L1's brother (Mr L2) to advise that it needed Mrs L as next of kin to complete a Small Estates Indemnity. It further said that it would need them to either settle the funeral bill from the estate or to provide proof the bill had been paid. Mr L2 explained to the bank that the bill was being paid by someone but didn't say who. Danske advised that it would still need the relevant proof of payment.

Mrs L and Mr L2 attended the bank branch in early December 2022. They produced a letter from the funeral directors saying they had no concerns regarding payment of the bill. However the adviser contacted the said directors who confirmed the bill hadn't been paid. The adviser explained that Danske couldn't release the funds on the account but offered to pay the funeral directors' account by draft, which Mr L2 declined.

Danske explained to Mrs L1 in its letter of 12 January 2023 why it couldn't release the funds. It agreed that Mr L2 could attend the branch with a letter authorising him to do so without Mrs L having to attend. The funeral bill was paid on 24 January and Mr L2 later attended the branch alone when the account was closed and the funds released by draft.

Sadly Mrs L passed away in February 2023.

On referral to the Financial Ombudsman Service, our Investigator said that Danske Bank had fairly requested information before releasing funds so he couldn't ask it to make a payment or to do anything else

Mrs L1 said that this missed the point, that her complaint was about the way her mother was treated when she visited the bank in December 2022 and was asked to prove both that she had been married to Mr L and to prove that the funeral account had been paid. She couldn't understand why Danske Bank wouldn't accept the funeral director's letter confirming it had no concerns about the account being paid. She also advised that her mother had suffered a lot of distress about it before she passed away in February 2023.

The matter has been passed to me for further consideration.

## **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 think that Danske Bank has explained its position to Mrs L1. That funeral expenses are regarded as a priority debt on someone's estate and have to be paid before any funds can be released to beneficiaries. Before Mrs L visited the bank it had explained to Mr L2 that it would need proof that the funeral directors' account had been paid. I am aware that the funeral directors had indicated in a letter that they had no concerns about payment of the account. But the account had not been paid at that date and Danske Bank didn't have to accept the letter, especially as the person paying the account could have claimed the funds from the bank account before doing so.

I realised that these feel like technicalities, and that Mrs L1 feels that her mother should have been treated more sympathetically. Danske Bank's notes don't say anything about her having to prove that she had been married to Mr L but it would be standard practise to ask for identification. Again I can understand that this would feel like a lack of sympathy for someone who was elderly and in poor health and having just suffered a bereavement.. But the bank's advisers do have to follow necessary procedures.

I don't think that Danske Bank did anything wrong. But I do sympathise with Mrs L1 and her family. I know she feels that compensation is not the issue and would like an apology from the bank and bereavement training given to the staff.

The Financial Ombudsman Service acts to resolve complaints between parties informally. We can award compensation for distress and inconvenience but only if we find that a business has done something wrong. And in the case of an estate we can't award compensation for distress for upset caused to the estate's representatives. Additionally we can't take the sort of action that Mrs L1 requests. It is a matter for Danske Bank if it thinks that its staff need additional training. I think it did explain the position to Mrs L1 and said it was sorry if it fell short of what she expected of it.

Again it is difficult to explain technical issues without sounding unsympathetic. And I am sorry that Mrs L1 and her family have been through a difficult and distressing time.

### **My final decision**

I don't uphold the complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mrs L1 as representative of the estates of Mr L and Mrs L to accept or reject my decision before 16 November 2023.

Ray Lawley  
**Ombudsman**