

The complaint

Mr K and Mrs G are unhappy with the length of time it has taken Barclays Bank UK Plc to release the money that was held in their late-mother's accounts

Mr K and Mrs G bring this complaint in their capacity as the administrators of their late-mother's (Mrs K's) estate.

What happened

In March 2022, Mrs G reported her mother's death in one of Barclays' branches. She was told it could be released without probate because Mrs G was also a customer of the bank. But Barclays later advised that this was incorrect and a Grant of Probate, or Letters of Administration, is always required when the value of a deceased account holder's account exceeds £50,000 at the date of death.

It took some time to obtain the letters of administration and then there was a delay due to a signature mismatch on the account closure form. The money from Mrs K's accounts was eventually released in September 2023. Mr K and Mrs G are unhappy with the overall delay.

Our Investigator didn't think it was wrong of the bank to insist upon the provision of the Letters of Administration. She acknowledged that there may have been some delays in the bereavement process, but explained that we cannot make compensation awards to third parties. Mr K and Mrs G didn't accept this and so the case has come to me.

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.

Having done so, and while I appreciate this will come as a disappointment to Mr K and Mrs G, I've reached the same conclusion as the Investigator, for much the same reasons.

It's clear from the information contained on Barclays' website, and in the letters it sent Mrs G after she notified it about her mother's death, that because her mother had more than £50,000 in her accounts it required proof that she had the legal right to deal with the estate. Mrs K didn't leave a will and the gross value of her estate was close to £350,000. So Barclays required Letters of Administration before it could release the money and I think it's possible Mr K and Mrs G would have needed to obtain this anyway, given the gross value of the estate.

I don't think there's any reason why Barclays ought to have made an exception to its usual process in this particular case. It needs to guard against releasing money from the deceased estate to someone who is not entitled to receive it. And I don't think the fact that Mr K and Mrs G are also customers of the bank is a reason not to insist on seeing the Letters of Administration. It's unfortunate the member of branch staff may have suggested otherwise, but Barclays' records indicate it apologised for this and provided the correct information fairly promptly.

I also appreciate it took about a month for the bank to release the money after receiving the required Letters of Administration and closure forms. And that is, perhaps, longer than I would normally expect even if additional checks needed to be completed. But, as the Investigator has already explained, I have no power to make awards to compensate administrators of estate for any distress and/or inconvenience they have personally suffered while acting in their capacity as the administrator of the estate. I note Mr K and Mrs G are customers of Barclays in their own right. But that is separate to the matter being complained about here which relates to the administration of their late-mother's estate.

My final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mrs K to accept or reject my decision before 9 November 2023.

Ruth Hersey
Ombudsman