

## **The complaint**

Mr B complains that Barclays Bank PLC won't close his and his late wife's accounts/investments without the documents being formally certified/translated, and about the poor service he received.

## **What happened**

Mr B, who lives abroad, and his wife both had ISAs with Barclays, and a joint current account and a joint saver account. In May 2022 Barclays sent them notification that they needed to close their accounts as new regulations meant that unless all the holders of the accounts lived in the UK, they couldn't continue to have accounts with Barclays. It was proposed to do this by 24 November 2022. To close the accounts Mr B needed either to do this online or to download and print the documents and send them in by post. Mr B wrote and explained that he didn't have a computer so asked for the forms to be sent to him. He received no reply.

In July 2022 Mr B and his wife received similar letters about closing the accounts and Mr B reiterated that he needed the forms to be sent to him. He still received no response, so he asked a friend in the UK to download the forms and send them to him. He duly completed the forms and sent them to Barclays in early September. His wife, only, then received a letter telling her to take urgent action. After speaking to Barclays on the phone it appeared that it had not received his forms nor his earlier requests for the forms. Barclays agreed to send out more forms to him. He still heard nothing but in early January 2023 he checked his local account. It appeared that the funds from his ISA had been transferred to his local account.

Mr B finally received forms from Barclays by its letter dated 19 January 2023. It explained that as well as the forms he needed to send certified copies of two forms of ID. Mr B sent the relevant forms but explained that, because of his wife's illness, he couldn't get them certified.

Sadly, Mrs B passed away on 5 February 2023. Mr B spoke to a Barclays complaints handler who said the matter would be passed to its bereavement team. Mr B sent the necessary forms, with copy ID papers and a copy of his wife's death certificate to Barclays. Regrettably Barclays was unable to act on those documents. The ID papers still needed to be certified, and it needed the death certificate to have an English translation.

In recognition of the poor service and distress and inconvenience caused to Mr B, Barclays offered compensation of £500. Barclays explained that it was able to release the funds in Mr B's ISA, as it had a much smaller amount in it than the savings accounts. Mr B requested the return of the death certificate but Barclays couldn't find it. It offered Mr B a further £50 for the distress caused and to enable him to obtain a further copy.

On referral to the Financial Ombudsman Service our Adjudicator said that Barclays had acted appropriately in offering the amount of compensation it had. He said he couldn't ask Barclays to waive its requirement for certified copy documents and an English translation.

Mr B replied that he wasn't interested in compensation, and that none of Barclays' requirements would have been necessary had it acted on his correspondence. He expected

Barclays to put matters right. He pointed out that if it was able to release the funds in his ISA, why wasn't it able to release the funds in his wife's ISA (which was for a similar amount).

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.

Unquestionably, Mr B has had a poor service from Barclays here. In particular because Mr B lived abroad and didn't have a computer there were limited ways he could obtain the funds from his and his wife's accounts. The letter advising the closure mentioned it being able to act if it had his signature on file and could verify it. This appeared to be why it was able to transfer the funds from his ISA. But it didn't explain the need for certified copies of his ID documents or that for accounts with higher amounts in them it couldn't close them just on the signature.

Mr B also had a lot of difficulty first of all in getting the forms from Barclays and then, when he got a friend to download them, in getting Barclays to act on those forms. He sent several letters and spoke at length to Barclays' complaints adviser on the phone. I've noted also that he received correspondence from Barclays advising him about how to get his ISA funds transferred when it had already done this.

Mr B has questioned why Barclays couldn't close his wife's ISA. I can only assume that this was because she couldn't sign the forms at the time. Nevertheless I don't think this was explained to him properly (if at all).

If Barclays had acted promptly, I think Mr B would still have needed to provide certified copies of his ID. But I accept that he now has the added burden of getting the death certificate translated.

I've noted that Mr B doesn't want compensation. Understandably he just needs the relevant accounts closed and the funds transferred to him. But I don't think it would be right to ask Barclays to waive its requirement for certified copies and an English translation. These requirements are in part to protect the consumer (and, in fairness, the bank). If Barclays released the funds without being able to verify that the ID documents were genuine and the funds went astray Mr B would have good reason to complain. So I can't ask Barclays to process the release of the funds on the closed accounts without the necessary documents being certified/translated.

I know Mr B isn't interested in the compensation offered. Given that I don't think it's appropriate to ask Barclays to change its requirements, the only other step I can take is to require it to pay compensation. This recognises the distress this matter had caused to Mr B and the inconvenience of repeatedly having to ask for forms and then Barclays losing them. Also he has to organise the certification of the ID papers and the translation of the death certificate. In that respect I think the £500 and the subsequent £50 offered is fair and reasonable in the circumstances of this case.

**My final decision**

Barclays Bank UK PLC has already agreed to pay Mr S £550 compensation.

So my decision is that Barclays Bank UK PLC should pay Mr S £550.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 29 November 2023.

Ray Lawley  
**Ombudsman**