

The complaint

Mrs L, acting on behalf of the estate of Mr C, complains that Barclays Bank UK PLC didn't provide the service it should.

What happened

Mrs L says that following the death of Mr C the bank paid out the money from his account and provided bank statements. But although she was told on several occasions that copies of Mr C's Barclaycard statements would be sent to her, these didn't arrive. Because of this she contacted Barclaycard directly and received the statements in March 2023. Mrs L also says that Barclays lost two cheques she gave it. Mrs L wants compensation for the time she has spent dealing with the issues and the value of the cheques refunded.

Barclays issued a final response letter in February 2023. It said that the statements had been issued each time Mrs L had requested these. Following Mrs L's referral of this complaint to this service, Barclays made an offer to settle the complaint. It reiterated that it had sent out the statements as requested by Mrs L and so no bank error had been made. In regard to the two cheques, it said that it had no record of receiving the cheques, and so there was no error but, as a gesture of goodwill it offered to pay the value of the cheques.

Our investigator explained that as a service we can only award compensation for distress and inconvenience to the eligible complainant and in this case the eligible complainant is the late Mr C. They noted that Barclays had provided evidence that it had sent the requested statements out to Mrs L and so they didn't uphold this part of the complaint. They also thought that Barclays had acted fairly by offering to refund the amount relating to the missing cheques but said that 8% interest should be added to the refund from 28 January 2023.

Mrs L didn't agree with our investigator's view. She said she was raising the complaint due to the time she had spent dealing with the issues and the complaint wasn't being raised on behalf of the late Mr C. She noted that Barclays has said that the statements had been sent but she asked what proof had been provided of this. In regard to the cheques, she said she had provided details of when and where the cheques were paid in and had received details of the account where one payment had been paid. Therefore, she said there should be no doubt that the cheques were paid in.

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 can understand why Mrs L is upset as she has needed to spend time chasing the Barclaycard statements and the cheques in regard to the late Mr C's estate. I appreciate this will have caused her distress and inconvenience at an already difficult time. But as our investigator explained, as the issues relate to the late Mr C's account he would have been the eligible complainant. Therefore, while I do not underestimate the upset Mrs L has been caused as she is not the eligible complainant in this case, I cannot require Barclays to pay her compensation for any distress and inconvenience she has experienced.

Mrs L has said that she had to request copies of the late Mr C's Barclaycard statements on several occasions. I have looked through the notes provided by Barclays and can see multiple requests for the statements. However, each time the notes record Barclays requesting the statements to be sent to Mrs L and there are notes saying these have been sent. I cannot say why Mrs L didn't receive the statements and I note her comments about Barclays providing evidence they were sent. But having looked through its system notes I find it reasonable to rely on the information these contain and as these show the statements being requested and sent out, I do not find I can say that Barclays did anything wrong in regard to this issue. I understand that Mrs L has now received the statements she requested directly from Barclaycard.

Mrs L has also said that Barclays lost two cheques. She said she presented two cheques (totalling £63.59) to Barclays' branch on 28 January and was told these would be sent to the relevant address on 30 January. However, she didn't receive the funds. I accept Mrs L's testimony in regard to the cheques and this is also supported by Barclays system notes which refer that the cheques Mrs L was sending to be cleared. I appreciate that a clear answer hasn't been provided in regard to what happened to the payments but as Barclays has offered to refund the amounts of the cheques and our investigator also recommended that 8% simple interest be applied to the refund, I find this a reasonable resolution to this part of the complaint.

In conclusion, I am sorry to hear of the experience Mrs L had in dealing with the estate of Mr C's account, but in this case, I find the offer made in regard to the refund of the cheques (totalling £63.59) along with interest at 8% a year simple is reasonable.

Putting things right

Barclays Bank UK PLC should refund the £63.59 for the missing cheques along with interest at 8% a year simple from 28 January 2023 to the settlement date.

My final decision

My final decision is that Barclays Bank UK PLC should take the actions set out above in resolution of this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask the estate of Mr C to accept or reject my decision before 31 January 2024.

Jane Archer
Ombudsman