

The complaint

Mr B complains that Barclays Bank UK Plc, trading as Barclaycard ("Barclaycard") didn't close his credit card account when he asked it to.

What happened

The background to this complaint is well known to both parties, so I'll just provide an overview of key events here.

Mr B took out a credit card with Barclaycard in 2015. He complained to Barclaycard in late 2018 about whether the initial credit limit set, and subsequent increases, were affordable. At that time Mr B owed a substantial amount on his credit card account and was supported by family members to reduce the debt.

Barclaycard responded in January 2019 and didn't uphold Mr B's complaint. It said it had carried out the appropriate affordability checks. But it offered to write off the outstanding balance on Mr B's credit card – £219.44 – as a gesture of goodwill.

Barclaycard reviewed Mr B's credit card account in August 2019 and reduced Mr B's credit limit from £13,000 to £7,800.

Mr B again complained to Barclaycard in 2022. He said he had unfortunately experienced an episode of poor mental health in mid-2019 and as a result began overspending on his credit card again. Mr B said he shouldn't have been able to spend on his credit card as he had instructed Barclaycard to close his account back in January 2019, when it dealt with his earlier complaint.

Barclaycard responded to Mr B's complaint and reiterated what it had said back in 2019 about the appropriate affordability checks being carried out.

Mr B was unhappy with Barclaycard's response and complained to this Service about Barclaycard's failure to close his account in 2019. Mr B said Barclaycard had a duty of care towards him and should have acted on his instructions. He also said that Barclaycard sold his debt to a third party while he had an open complaint with it, which he thinks it shouldn't have done.

Barclaycard again responded to Mr B's complaint in June 2022. It said it agreed that it failed to close Mr B's account when requested to do so. It offered Mr B £100 by way of an apology, but said it wasn't responsible for Mr B's spending on the card.

When this Service contacted Barclaycard about Mr B's complaint it said it offered Mr B £100 as it acknowledged a potential failure to close the account, but it said it was unable to locate a request from Mr B to close the account.

Our Investigator didn't uphold Mr B's complaint. She said Barclaycard provided system notes for the phone call in question and these didn't suggest Mr B asked Barclaycard to close his account. She also said Barclaycard had told Mr B in January 2019 that he could contact it if

he wanted to decrease his credit limit or opt out of future credit limit increases. Our Investigator thought Barclaycard had treated Mr B fairly.

Mr B didn't agree with what our Investigator said, so this came to me for a 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.

I want to first of all say that I have a great deal of sympathy for Mr B and the situation he finds himself in.

Mr B is certain he instructed Barclaycard back in January 2019 to close his credit card account. For its part, Barclaycard has said it hasn't been able to locate a request to close the account.

Barclaycard hasn't been able to locate a recording of the phone call from January 2019 where Mr B said he made the closure request. This isn't surprising, given the length of time that's passed between that call and Mr B bringing the complaint to this Service. Businesses will largely only retain this type of information for a limited period of time, so I can't fault Barclaycard for not being able to provide a recording of the call. This means it's not possible for me to know for sure what was said on the call and I've had to rely on other information available to me to decide whether Barclaycard failed to follow a clear instruction to close the account.

Barclaycard provided me with a copy of its system notes in relation to the call in question. These are brief and don't mention a request to close the account. I can also see that the final response letter sent by Barclaycard to Mr B immediately following the call, and which references the call, doesn't mention a request to close the account. So, based on the documentary evidence I've been presented with, I can't see anything that confirms that a request to close the account was made.

I think it's also important to note that the final response letter made it clear that the account hadn't been closed. In the letter, Barclaycard told Mr B that if in the future he feels he might struggle with the repayment of his balance, then he should contact Barclaycard's dedicated team who may be able to help. So even if Mr B thought he made a request for the account to be closed – and I want to assure him that I've taken his testimony about the call into consideration – I think he would have known back in January 2019, once he received the final response letter, that the instruction hadn't been carried out. I think Mr B had an opportunity at that stage to go back to Barclaycard and let it know his account was still open, but he didn't do that.

It's clear from the final response letter that Mr B told Barclaycard that he was experiencing mental health issues, and that he let it know he was in "a financial mess". So I've considered whether Barclaycard acted appropriately following those disclosures. And I'm satisfied it did. I'll explain why I say this.

I wouldn't necessarily have expected Barclaycard to review Mr B's account, either with a view to amending his credit limit or closing his account, following the disclosures, in particular because his account was in good working order at that point in time. Broadly speaking, I would expect consumers with vulnerabilities such as those disclosed by Mr B, to be dealt with positively and sympathetically.

In relation to the mental health difficulties he was experiencing, I can see that Barclaycard provided Mr B with the contact details for its specialist support team, who it said could provide support and advice to Mr B. It also provided contact details for an external mental health organisation. Barclaycard also provided Mr B with the contact details for a dedicated team, should he struggle with repayments in the future.

So I think Barclaycard did enough when it responded to Mr B's disclosures by letting him know where he could get further support and advice.

To summarise, from the information I've been provided with, I can't see that a clear instruction to close the credit card account was made by Mr B to Barclaycard back in January 2019. I am also satisfied that it didn't need to take action to amend Mr B's credit limit or close his account following his disclosures in January 2019 about his mental health issues and the difficulties he had managing his finances.

I know that Mr B was also unhappy that Barclaycard sold his debt to a third party while he had an outstanding complaint. But Barclaycard doesn't need to wait for a complaint to be resolved before taking steps to recover a debt.

I know my decision will disappoint Mr B, but I am not asking Barclaycard to take further action here.

My final decision

I am not upholding this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 26 August 2023.

Martina Ryan
Ombudsman