

The complaint

Mr O complains that Barclays Bank UK PLC turned down his application for an account and unfairly registered a marker at CIFAS the national fraud database.

What happened

Mr O says that he gave Barclays correct information about where he had been living when he made his application. He simply forgot about a tv subscription bill in his name at his partner's address that he hadn't paid. And he doesn't think it reasonable that Barclays has said he attempted application fraud. He says this marker is preventing him getting an account elsewhere.

Barclays said that it makes a number of checks when it considers an application. And that as a result Mr O didn't meet its criteria for having an account. He hadn't fully disclosed all the information it asked for. It had considered his complaint and the additional information Mr O had provided about his address history but said it hadn't made a mistake in applying the CIFAS marker.

Our investigator didn't recommend that the complaint be upheld. Mr O had relevant adverse credit information at an address he didn't disclose in his application to Barclays. He said that Mr O would need to look into records held about this himself, but this did appear to relate to a credit card debt. He didn't think Barclays had made an error in adding the marker. And it wouldn't as Mr O requested have to report this to police as fraud.

In addition, he explored with Mr O any past names or addresses he had used. He said that he couldn't disclose any third-party information held about that to him. Mr O was unhappy about this and our investigator said he could only recommend that Mr O request information from credit reference agencies and CIFAS held about his past aliases and addresses. This would show him what other financial businesses would be considering which wouldn't just be what Barclays had reported about him.

Mr O didn't agree and wanted his complaint to be reviewed. He said that it was unreasonable that he hadn't been given all the relevant information Barclays and this service had seen about him. He said this must be escalated to an ombudsman prior to him considering court proceedings. He thought that what had been said was 'utter rubbish'. And he wanted a basic bank account as he had no connection with any fraud. And it is not fair that Barclays can make this judgement.

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 need to consider whether the report to CIFAS was made fairly. On this point, Barclays needs to have more than a suspicion or concern. It has to show it had reasonable grounds to believe that a fraud or financial crime had been committed or attempted and that the evidence would support this being reported to the authorities.

This doesn't mean that Barclays has to report that to police or that any criminal proceedings take place as Mr O has requested. But it does mean that the bar for registering a marker is a high one.

I appreciate that Mr O is unhappy that neither this service nor Barclays have disclosed all the information that's been taken into account. I'm afraid that information held by third parties on his credit record or say at CIFAS is something he'd fairly need to request himself. And I think he now has a good idea how to go about getting that information and that he would need to look at what's held about any of his past addresses or names that he's used in the past. I can assure him that we look at things independently when reviewing the actions of Barclays.

Here the evidence that he has been told about relates to him having adverse credit at a previous address. And that the adverse information related to the period of the address history he'd been asked for from Barclays. I don't think he really disputes that this would be relevant to Barclays when considering an application. And although he's provided a tenancy agreement for the address he said he'd been living at then for it seems at least four years, he's had debt in his name at a different address which makes that address relevant. Our investigator has indicated that the nature of that debt doesn't seem to be in line with the explanation he'd given.

I'm afraid that I think Barclays had grounds to think that Mr O had attempted application fraud by not disclosing all the relevant information it asked for. And to think that this wasn't simply an oversight or mistake. So, it was entitled to decide not to offer him an account. And having taken everything into account I don't think it's acted unfairly in registering the marker at CIFAS.

I fully understand what Mr O says about his difficulties in opening an account elsewhere. But I don't have a basis to require Barclays to do anything further.

My final decision

My decision is that I do not uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr O to accept or reject my decision before 11 January 2021.

Michael Crewe
Ombudsman