

## **The complaint**

Mr M complains that Barclays Bank UK PLC paid money from his late father's estate into his account which allowed him to gamble with it.

## **What happened**

Mr M says his father passed away and the money from his father's Barclays account was paid into his account he held with a different bank. He says Barclays knew he had a gambling problem and should have paid the money into his mother's account. Mr M says he lost all of the money gambling.

Barclays says it has no record of being told about Mr M's gambling issues and says he didn't have a Barclays account at the time it paid the money to him. It says Mr M gave it a death certificate and Letter of Administration and it correctly paid the money to Mr M which ought then to have been given to the beneficiary of the estate which was Mr M's mother.

Mr M had brought his complaint to us and our investigator didn't uphold it. The investigator thought Barclays had correctly followed Mr M's instructions and couldn't be responsible for what Mr M did with the money. The investigator also thought Barclays didn't have a record of Mr M telling it about any gambling problems.

Mr M doesn't accept that view and maintains the money should have gone to his mother.

## **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 I have come to the overall view that I don't uphold this complaint.

I have looked at the documents Mr M gave to Barclays following his father's passing away. I can see he provided identification documents and a Letter of Administration as well as the death certificate. I'm satisfied the Letter of Administration says the estate of Mr M's father was to be given to him to administer for the benefit of his mother. So, I don't think Barclays made a mistake by following those instructions and don't think it had any alternative but to pay the money which was about £56,000 to Mr M.

I appreciate Mr M says the money ought to have been paid to his mother. But I disagree as the Letter of Administration clearly says the money was to be paid to Mr M and for him to administer it. In those circumstances I find that it was Mr M's responsibility to administer the estate by paying the money to his mother.

I also appreciate that Mr M says Barclays ought to have known about his gambling problem. But I'm satisfied that in 2019 when Mr M's father passed away Mr M didn't have a Barclays account and I don't think Barclays could reasonably have known that Mr M had a gambling problem unless he told it about that problem and couldn't do anything about it in any event. I have not seen any such record on Barclays records about that issue and think that if Mr M

had any concerns about having the money paid into his bank account then he ought to have told Barclays that.

I can't fairly hold Barclays responsible for how Mr M used the money or that it would have known that Mr M didn't follow the correct process for distributing his father's estate to his mother. And overall, I'm satisfied Barclays correctly did what it ought to have done in these circumstances.

### **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 Mr M to accept or reject my decision before 7 June 2021.

David Singh  
**Ombudsman**